

# **FAQs UI - Workers**

**Q: How does an unemployed worker (claimant) establish a claim or re-open an existing claim?**

**A:** If a claimant has not filed an unemployment claim within a year, (s)he must call our Unemployment Claim Center's Initial Claim line at 1-877-214-3330. If the claimant previously established a new claim and such benefit year is still valid, in many cases the claim can be re-opened online. Click [here](#) to obtain further information about both processes.

**Q: Why does a claimant have to look for work when (s)he just lost a job?**

**A:** If the claimant does not have a job to return to within a certain period of time, (s)he must immediately begin looking for other employment, by making AND documenting at least 3 job contacts every week. Unemployment is temporary income to help tide a claimant over until suitable work can be found. While making job contacts, the claimant must document efforts. The [work search report \[PDF\]](#) provides the necessary information the claimant is required to document.

**Q: Why does a claimant have to register with the local unemployment office?**

**A:** All claimants who file an unemployment claim must register for work, which is one method of indicating the claimant is able and available for work. In many cases, this registration is done automatically. However, in other cases, further information is needed, at which time the claimant is provided notice requiring him or her to complete the registration process within a certain time period. If a claimant moves out of state, they MUST register in that state, with or without prompting by the Department of Labor. A list of [other state Resource Center offices](#) is provided. Bottom line is, any time a claimant is not appropriately registered for work, they fail to meet one of the eligibility requirements and will be denied benefits.

**Q: Where does an individual file if they live outside Vermont but worked in Vermont?**

**A:** When work is performed in Vermont, the individual has a right to establish a new claim by calling our Initial Claims line at 1-877-214-3330.

**Q: Why is there a 10-day hold before an unemployment payment will be issued?**

**A:** With the exception of claims filed immediately following a separation, generally eligible claims are processed upon receipt. However, any time there has been a separation from employment, the Department must provide the employers involved in the claim ample opportunity to advise the department of any potential adverse information that could affect entitlement to benefits. If the employer responds with no adverse information prior to the 10-day hold period expiring, the payment will be processed promptly. However, if the employer responds with adverse information, fact finding must be conducted, in which case the claimant (and in some cases the employer) will be contacted for further information.

**Q: How can claimants determine the status of their payments?**

**A:** The claimant can check on the payment status of their unemployment payment on-line

([www.labor.vermont.gov](http://www.labor.vermont.gov) - Claimant Applications) or by calling the toll free Weekly Continued Claims Line at 1-800-983-2300 and selecting option 2. If there is an issue on a claim that is delaying payment, the claimant will be notified accordingly.

**Q: What does it mean when the claimant receives notice that there is an issue on a claim?**

**A:** An issue is a situation that must be resolved to determine proper eligibility for Unemployment Insurance benefits. Once the issue is resolved, a determination is generally done, especially in cases where the issue results in a denial of Unemployment Insurance benefits. There are numerous types of issues that could impact a claim. Generally issues are resolved through a fact-finding process conducted by Claims Center staff. During low periods of unemployment, it takes an average of 10 days to resolve most issues; during high periods of unemployment (typically during the winter months) it will take longer to resolve most issues.

**Q: What will the determination be based on and what if an interested party does not agree with the determination?**

**A:** Information about the [Claims Adjudication Process](#) best explains the overall steps taken to resolve an issue. Any interested party who receives a determination has the opportunity to file an [appeal](#) if they disagree.

**Q: How does a claimant change their mailing address?**

**A:** The claimant must complete and return the [Claimant Change of Name and Address \[PDF\]](#) form. All address changes must be requested in writing.

**Q: How does a claimant receive a payment or file a weekly unemployment claim?**

**A:** Payments will only be considered upon receipt of a weekly claim. This can be done on-line ([www.labor.vermont.gov](http://www.labor.vermont.gov) - Claimant Applications) or by calling our toll free [Weekly Continued Claims Line](#).

**Q: How does a claimant working part-time properly report his/her gross wages while filing for Unemployment Insurance benefits?**

**A:** Claimants are required to report any gross wages earned from employment, beginning on Sunday through Saturday of the week being claimed. The most common mistake made is erroneously reporting money when it's paid, and not when earned. The department provides a [worksheet \[PDF\]](#), which will assist claimants with reporting. Anyone with questions regarding proper reporting of gross wages should contact the Claims Center. (Claimants should call 1-877-214-3332; employers should call 1-877-214-3331).

**Q: Why did the Department pay money if the claimant wasn't entitled to it?**

**A:** Unemployment Insurance benefits must be paid when due. These benefits are originally paid based on the information provided by the employer and the claimant following a separation. Thereafter, it is paid based on information the claimant certifies each week when filing his/her weekly claim. If the claimant has not provided truthful information, or received disqualifying remuneration, which is later discovered, the benefits then become overpaid.

**Q: What happens when taxes have been withheld from an unemployment check that has been determined to be overpaid?**

**A:** Once an Unemployment payment has been processed, with Federal and State taxes withheld, the taxes withheld are immediately transferred to the respective agencies, on behalf of the claimant. Therefore, the only way to avoid having to repay the taxes withheld (if the week is determined to be overpaid) would be to return the actual Unemployment Insurance check. If the UI check is returned, we will notify the respective agencies to cancel the previous tax credit. If the UI check has already been cashed or processed through direct deposit, it will then be necessary for the worker to repay the tax credit already given, for which he/she was not entitled to, based on the overpayment determination.

**Q: Why would the Tax Department attach more money than what was owed and/or how does a non-debtor spouse request a pro-ration?**

**A:** Once the Department of Taxes has attached the refund, the Vermont Department of Labor must process it, after which Labor will issue a check for any amounts attached exceeding the actual amount owed. Generally a notification of pro-ration to the non-debtor spouse is received from the Tax Department after the original refund has been processed. Refund checks in either case are usually processed and mailed within 2-4 working days from the receipt of the appropriate information.

**Q: How can a claimant receive a credit on their Federal Tax return after an overpayment has been paid?**

**A:** Instructions for this credit are included in the Federal Tax booklet. In past tax years the IRS has indicated if the overpayment is repaid in the same tax year that the original UI benefits were received, the taxpayer can report the net difference as income on their tax return. If the overpayment was repaid in a different tax year than when the money was received, the tax payer will have to file a Schedule A form. You should always refer to the Federal Tax instructions for directions as these requirements may have changed. If you have further questions, you should contact the IRS.

All 1099 forms, by Federal rules and regulations, must include all monies paid in Unemployment Insurance benefits - even if those monies have been repaid in full. However, the 1099 does not include any amounts of money that were used to "offset" the debt; therefore the worker cannot claim any "offset credits" as a repayment credit when filing his/her tax return.