



## Information About

# Partial Unemployment Benefits

Oklahoma Employment Security Commission



## What is Partial Unemployment?

An employee may be eligible for partial unemployment benefits when he/she is still on the employer's payroll but is working less than full time due to a lack of available work and is earning less than the weekly benefits amount for which the employee qualifies. To meet Federal requirements a partial claimant must be job attached and working reduced hours or the individual is not partially unemployed. For unemployment insurance purposes, a normal week is defined as a calendar week beginning at 12:01 a.m. Sunday and ending the following Saturday at 12:00 midnight. A "Flex Week" is any week other than a Sunday through Saturday.

## Why file for Partial Unemployment benefits?

By supplementing an employee's income, the employer may be able to keep valuable trained employees from seeking work elsewhere during slow business periods. This can help reduce the high cost of training new employees when business picks up. The employee is not required to register for work. In fact, the Employment Service will make no effort to locate employment for the employee unless they request that we do so. Also, Partial Unemployment Benefits will help the employee stay with a job that will eventually become full-time again.

## How do we file a Partial Unemployment claim?

Immediately following the first week an employee works less than full-time due to lack of work, the form for Partial Benefits (OES-526-P), should be completed by the employer and employee. If an employer does not have these forms, they may be obtained by contacting the Partial Unit. Both the employer and the employee are responsible for the completion of information on the Claim for Partial Benefits form. After the form is completed, it must be sent, preferably faxed, within fourteen (14) days of the date the employer gives the form to the employee. It must be noted that an Initial Partial Claim cannot be filed if the employee did not earn in excess of the minimum requirement before deductions and earn less than his/her maximum weekly benefit amount (WBA).

After establishing an Initial partial claim, reopening an existing claim after a break in the claim series, or upon request, the employer will receive four (4) Continued Claim for Partial Benefits cards (OES-527-P). These cards should be used for the next weeks claimed.

Unemployment claims are effective on a Sunday unless the employer specifically requests the claimant's unemployment week be established to coincide with the employer's payroll week. These are called FLEX claims. If an employer feels it would be beneficial to all parties for those employees filing partials, FLEX claims will be established based on the employer's payroll week. When the employer fills out the Partial Benefits (OES-526-P) form, the employer will have an opportunity to select a date to make it a FLEX claim.

Two things to remember when establishing a FLEX claim:

1. If an employer requests FLEX claims, ALL partial claims from that employer must be FLEX.
2. Once a FLEX claim is established for an individual, it will remain so. That means an individual could

potentially lose a week of benefits if he/she changed employers after filing an initial claim and was later separated from the second employer.

## When can a Partial claim be filed?

An Initial Partial Claim (new claim) or an Additional Partial Claim (reopening after a break in the claim series) can be filed when the employee has earnings equal to his/her hourly wage and these wages are less than the weekly benefit amount (WBA) plus \$100.00 and the claimant has worked less than full time for the partial employer.

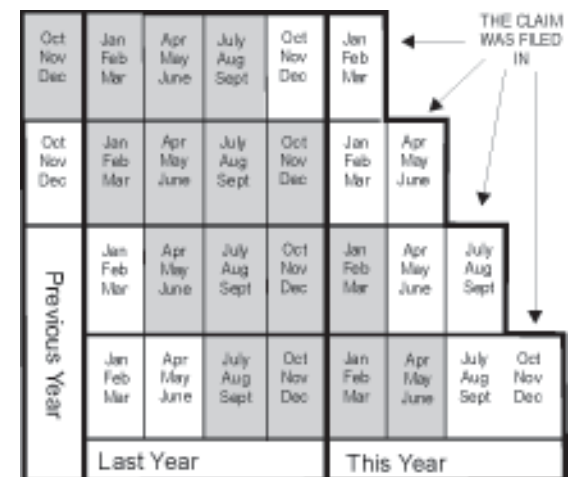
The employee will be notified that he/she must also contact the Unemployment Insurance service center to file for regular benefits, after the fourth consecutive week of zero earnings. The employer will also be notified. This does not mean that partial weeks couldn't be claimed after the employee returned to partial employment.

Example: Employee's hourly wage is \$6.50 per hour. The employee worked ten hours earnings \$65.00. The employee earned in excess of one hours hourly wage (\$6.50) as this amount is less than the \$100.00 allowance no deductions will be made.

Should you or your workers have any questions regarding Partial Unemployment, please contact the Partial Unit. Should you or your workers have any questions regarding Unemployment Compensation in general, please feel free to contact the Unemployment Insurance service center.

## How are we notified of eligibility?

An employee who filed a Claim for Partial Unemployment will receive a Monetary Determination form (OES-528) in the mail. This form establishes the amount of wages an employee earned during his qualifying period.



Shaded area is "base period"

The qualifying period is always the first four of the last five completed calendar quarters. The weekly amount and maximum amount of benefits will be shown. It will also indicate whether or not the employee is eligible for benefits.

An information list is also computer generated and forwarded to the employer. This Notice of Determination of partial Benefits form (OES-532) will provide information to the employer regarding effective dates, weekly amounts, and benefit year ending dates (last payable week of claim) on each employee who has filed for benefits.

### What is a Waiting Period?

Ordinarily, the first week claimed will serve as a waiting period week. **No payment will be made for the waiting period week.** For a week to be considered a valid week, the employee must have earned less than his/her weekly benefit amount (WBA) and have met other requirements of the Act.

### What are the employer's responsibilities regarding Partial Unemployment benefits?

The employer is responsible for completing #1 through #13 on the Claim for Partial Benefits form (OES-526-P) or #6 on the Continued Claim Card (OES-527-P). These forms must be completed immediately following the week the employee is to file for benefits. We again emphasize that an Initial Partial Claim or an Additional Partial Claim cannot be initiated if the employee did not have earnings in the first week claimed. The form or card must be faxed or mailed to the Partial Unit within fourteen (14) days of the date it is given to the employee. It should also be noted that after the fourth consecutive week of zero earnings, the employee will be notified to contact the Unemployment Insurance service center to file for regular benefits and begin actively seeking work. The employee also has the option to file for regular benefits via our website (ONIC).

### Employer recall credit

If an employer recalls a laid-off or separated employee AND the employee continues to be employed, voluntarily terminates employment, or is discharged for misconduct **within the benefit year**, the employer is entitled to have the benefit wage charge reduced by the ratio of the employee's number of weeks of benefits the claimant would have been eligible to receive. Recall credit is issued **after** the benefit year ends. If you have any questions regarding the recall credit, please contact the 559/Benefit Wage Unit at 405.557.7140.

### What are the employee's responsibilities regarding Partial Unemployment benefits?

The employee is responsible for completing #17 through #40 on the Initial Claim (OES-526-P). It is important to provide true and correct information. The Act provides penalties for misrepresentation of facts to obtain benefits.

To meet eligibility requirements for unemployment benefits, the employee must be able and available for work and report the local Workforce Office if requested. Attendance in school during the hours of the normal working day may affect the receipt of benefits.

A change of address must be filed with the Unemployment Insurance service center or via our online website (ONIC). All claims are subject to audit, and fraud penalties can be assessed.

### Unemployment benefits are taxable!

Unemployment Insurance benefits are subject to federal and state income taxes. Any Unemployment Insurance benefits you receive are fully taxable. You will be mailed a form 1099G by January 31st of each year telling you the amount of benefits you were paid during the previous year. This notice will be mailed to the last address of record with the Oklahoma Employment Security Commission. The Internal Revenue Service will be given this same information.

You may elect to have Federal and State taxes withheld from your unemployment insurance check. The amount deducted will be 10% for Federal and 3% for State of your weekly benefit amount (WBA).

Once you have elected to have taxes withheld or have declined the option, you will be given the opportunity to change this decision only once.

If you choose to change our election after taxes have been withheld, reimbursement cannot be made for past deductions.

### Unemployment Insurance benefit payments

The Oklahoma Employment Security Commission (OESC) has implemented an electronic payment program for receiving your payments electronically by using either a debit card called the Oklahoma Debit MasterCard® or direct deposit. Your unemployment insurance payments will be directly deposited into your prepaid MasterCard® card account or to your personal bank account. Please review the steps for each option to determine the one most suited for you.

### **For the Debit MasterCard® Card Option:**

You are pre-enrolled, so there is no need to take any action. Your card will be mailed to you automatically.

To ensure that your new debit card is delivered to you, double check your address. Call this toll free number, 1.866.320.8699, to update your current address.

Once you receive your card, activate your account by calling the same Customer Service Center at 1.866.320.8699. You may not use the card until you activate the card account (by selecting your PIN) and after funds have been deposited to your account.

### **For the Direct Deposit Option:**

If you wish to have your weekly payments posted to your personal bank account, call the Customer Service Center at 1.866.320.8699 and tell the operator that you would like to enroll in direct deposit to receive your weekly payments. A direct deposit form will be mailed to you to request your account information and signature authorizing the deposits to be posted to your personal account.

Complete the enrollment form and mail it to the address printed on the form or fax it to 405.947.2990.

Enrollment takes approximately 4 to 7 days from receipt of the completed form.

If you do not select the direct deposit payment method timely, you will automatically receive the new debit card.

### Partial Unit

Phone: 405.605.5722

405.605.5721

Fax: 405.962.7524

### Unemployment Insurance Service Center

Phone: Within OKC metro area 405.525.1500

Outside OKC metro area 1.800.555.1554

Fax: 405.962.7524

### ONIC

[www.unemployment.ok.gov](http://www.unemployment.ok.gov)

This publication is printed and issued by the Oklahoma Employment Security Commission as authorized by provisions of the Oklahoma Employment Security Act. One thousand (1,000) copies have been prepared and distributed at a cost of \$40.00 paid from funds granted by the U.S. Department of Labor. Copies have been deposited with the Publications Clearinghouse of the Oklahoma Department of Libraries.

Equal Opportunity Employer/Program Auxiliary aids and services are available, upon request to individuals with disabilities.