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**Able**

A claimant must be physically and mentally able to work at the time an unemployment claim is filed.

**Able and Available**

Available and physically able to seek and accept work as outlined under the Extended Benefits Program. (Extended Benefits only)

**Additional Claim**

Restarting a claim for benefits within the benefit year when the person has worked and earned more than their weekly benefit amount for one or more weeks, or stopped filing due to employment.

**Adjudication**

Unemployment benefits are for those individuals who are attached to the labor market and are out of work through no fault of their own. Adjudication is the process of determining whether an individual filing for benefits meets this criterion.

**Alien Status**

A claimant must be legally authorized to work in the United States by Immigration and Naturalization Services during the work period used when we evaluate wages, as well as during the period they are receiving unemployment benefits.

**Alternate Base Period**

A claimant may be eligible for an Alternate Base Period claim when they do not meet the wage requirements in establishing a regular base period claim. An Alternate Base Period claim may be established using the last, four completed calendar quarter.

**Appeal**

An appeal is a request for a review by a higher authority of a decision made by the Division. A person must have a formal determination on eligibility before an appeal may be filed.

**Appeals Hearing**

A formal hearing conducted by an appeals referee to accept testimony, under oath, from all interested parties when a determination of eligibility has been appealed.

**Approved Training**

Training approved by the Administrator or appropriate representative of the Employment Security Division.

**Available**

Available for work means the claimant does not have any restrictions, which would prevent them from seeking or accepting employment.

**Back Pay**

Nevada Revised Statutes requires that an individual who was reinstated to a job after they were unlawfully discharged and was awarded payment for lost wages is liable to repay unemployment benefits paid during any overlapping period for which the back pay was awarded.

**Base Period**

A base period is the twelve-month period established by law during which the claimant has been paid wages in covered employment in order to establish a claim. In Nevada, the base period is usually the first 4 of the last 5 calendar quarters completed immediately preceding the first day of the benefit year. In Nevada, the base period changes Sunday of the first full week of the calendar



**Claimant**

A claimant is a person making a claim for unemployment insurance benefits under any state or Federal unemployment compensation program.

**Combined Wage Claim**

A combined wage claim is a claim based on employment and earnings from two or more states.

**Continued Claim**

A continued claim is a request for a benefit payment when a person has been totally or partially unemployed. These claims are filed each week to certify that the person was unemployed the previous week and verifies the claimant met the requirements of the law for the week being claimed. Nevada accepts continued claims via the telephone and the Internet.

**Covered Employment**

In Nevada, unemployment insurance is funded entirely by a payroll tax on employers. There is no deduction from the employee's wages for this insurance. Covered employment is any employment from an employer as defined by the Nevada Revised Statutes.

Some employment is not considered covered employment by law. Some of these circumstances are shown below:

- Certain agricultural labor
- Domestic service
- Service on a foreign vessel or aircraft
- Service performed in the employ of a son, daughter, or spouse, as well as service performed by a child under the age of 18 years in the employ of his parents
- Service by minors delivering newspapers
- Service by licensed real estate salesmen or brokers
- Lessees in mining
- Service by an outside salesman of merchandise
- Service of a patient in the employ of a hospital
- Service by a student or student's spouse under a school program for financial assistance to the student
- Service by an inmate of a correctional institution
- Employment for a corporation or foundation organized and operated exclusively for religious, charitable, scientific, literary, hospital or educational purposes or for the prevention of cruelty to children or animals
- Service performed for charitable, religious and other non-profit organizations, and service performed in "Congress-established" employment systems, such as Railroad Unemployment Benefits.

**Crimes in Connection with Employment**

A claimant determined to have been discharged for proven crimes in connection with employment is not entitled to use wages earned from the discharging employer to establish a claim.

**Deductible Earnings**

Each week that an individual works during a week and claims unemployment insurance benefits the same week, even if you will not be paid until a future date, you are required to report that work and the gross amount you will receive for those services. Seventy-five (75) percent of your gross weekly earnings will be deducted from your weekly benefit amount each week you report earnings. You not receive benefits for any week your earnings equal or exceed your weekly benefit amount or if you are working full-time.

Money earned for weekend drill in the service of the National Guard, payments for jury duty and payment of wages earned prior to the week being claim need not be reported.

**Discharge**

A separation from employment where the employer has terminated a person from work for a reason other than a layoff due to a lack of work.

**Disqualification**

A situation where the claimant is not entitled to receive unemployment benefits. Disqualifications may be for reasons such as separations from employment, receipt of separation pay, or personal circumstances. Any time a person is disqualified from receiving benefits, they are notified in writing (see Non-Monetary) and have the right to appeal the disqualification.

**Double Dip**

Section 612.375 of the Nevada Revised Statutes requires a claimant to earn three times their weekly benefit amount (WBA) before benefits may be paid on a subsequent benefit year. This earning requirement applies to the WBA on the first benefit year.

**Effective Date**

The beginning date of the claimant's benefit year, additional or reopened claim filing period. This date is the Sunday of the week the claim was filed.

**Eligibility Requirements**

Actions required of a claimant to be eligible to be paid unemployment benefits such as: filing timely weekly continued claims, providing correct or requested information relating to the claim, and contacting the division as directed.

**Employer**

One who employs the services of others; one for whom employees work and who pays their wages or salaries.

**Extended Base Period**

When an individual has been unable to work and has received Temporary Total Disability (TTD), Temporary Partial Disability (TPD), or money for rehabilitative services, and will not have sufficient covered employment in the regular or alternative base period because of their disability, this law will allow these individuals to claim benefits using wages earned prior to their injury.

**Extended Benefits**

A supplemental program that pays extended UI compensation, during a period of specified high unemployment. This period of high unemployment is defined by law.

**Failure to Apply / Refusal**

Failure to apply for employment or refusing a referral to apply for employment as instructed by the Division. (Extended Benefits claims only)

**Former Inmate**

An individual who performs services in the employ of a private employer while incarcerated in a custodial or penal institution and is separated from the employer because of a transfer or release from the institution is not entitled to a claim for unemployment benefits based on the wages from this employment.

**Fraud**

Committing fraud in Nevada is a **felony**. Fraud is defined as making any false statement relating to a claim for benefits, or deliberately failing to provide complete and accurate information relating to your circumstances. Instances of fraud include, failing to report all work and income from work each week a claim for benefits is filed, filing a claim for unemployment benefits while incarcerated, or allowing another person to file a claim on your behalf while incarcerated and not

disclosing the fact of being incarcerated. Fraud is also when an individual uses a name and/or Social Security number other than their own to file a claim for benefits.

### **Full-Time**

A determination of whether an employee is working full-time work depends on the company's policy and practices of defining full-time employees. The standard for full-time is typically 40 hours a week, however many employers consider employees as full-time working different schedules such as, over 30 hours, 35 hours, 37.5 hours, etc.

### **Gross Misconduct**

A proven crime in connection with employment, such as theft from the employer, vandalism, arson, or assault of an employee. A claimant determined to have been discharged for Gross Misconduct is not entitled to use wages earned from that employer to establish a claim for unemployment benefits.

### **Illness & Disability**

A claimant will not be considered ineligible during a period of illness or disability that occurs during an uninterrupted period of unemployment with respect to which benefits are claim. The claimant must be in a continuous state of filing; and if the claimant is offered work that would have been suitable prior to the beginning of the illness and disability the provisions of the law no longer apply.

### **Interstate Claim**

A claim filed from one state against a different state, called the liable state. With the emergence of remote claims, interstate claims are frequently filed directly with some liable states, including Nevada. [Click here for a list of states taking interstate claims via telephone.](#)

### **Intrastate Claim**

A claim filed by an individual who lives in Nevada and uses only wages earned from Nevada employers.

### **Labor Disputes**

A labor dispute (trade dispute) is a controversy concerning the terms and conditions of employment which causes the claimant to become unemployed, but does not sever the employer-employee relationship. The controversy is ordinarily between management and a group of employees, most frequently union employees. This is often called a strike or a lock out.

### **Labor Market**

The geographical area where the claimant can normally expect to secure employment in their customary occupation. This area varies, depending on the type of employment. A person who works as a cashier may have a labor market as small as a section of a city, while a person who normally works as a seafaring merchant marine may have a labor market that is world-wide.

### **Maximum Benefit Amount**

The maximum benefit amount is the total amount of benefits a claimant will be entitled to receive during the period of his claim. This amount is one-third of the total base period wages or twenty-six times the weekly benefit amount, whichever is lower. For claims filed against other states, this amount is set by the law of the paying state.

### **Misconduct**

A discharge from employment where the individual has been released due to a disregard for the employer's reasonable policies or standards.

### **Misrepresentation**

Knowingly providing false information or failing to provide relevant information in order to obtain unemployment benefits.

### **Monetary Determination**

A monetary determination is a document that displays the claimant's benefit amounts. This information is based on wages showing as having been paid in the base period of his claim.

### **Monetary Eligibility**

The minimum earnings that an individual must have within a base period to meet monetary qualification for benefits. Each state sets their own criteria to determine this. In Nevada, the following conditions apply:

The person must have base period earnings:

- Equal to or exceeding 1 ½ times the high quarter earnings, **or**
- Wages in each of at least three of the four quarters in the base period.
- In both conditions, the person must earn at least \$400.00 in the high quarter.

### **Monetary Ineligibility**

If an individual does not have sufficient wages in their base period to meet the minimum earnings conditions, they will not be able to establish a monetarily eligible claim.

### **Non-Monetary Determination**

A non-monetary determination is a written decision about any facts that could prevent an individual from receiving unemployment insurance benefits to which they are monetarily eligible.

### **Notice of Claim Filing**

A notice is sent to the last employer of an individual who has filed a new or additional claim. It advises the employer that the person has filed for unemployment benefits. The employer has the right to respond to this notice, providing information which may impact payment of the claim. If the individual has not worked sixteen weeks for the last employer, a notice is also sent to the next-to-last employer.

In addition, notices are sent to any employer who has contributed wages to the claimant's base period. If the employer is not the most recent employer or the next previous employer, these employers may only request that their accounts not be charged for benefits paid.

### **On-Call**

On-call employment is defined as work that is not regularly scheduled which is done on an as-needed basis. On-call workers normally have no set schedule and work as requested by an employer.

### **Overpayment**

An unemployment insurance benefit payment made to a claimant to which he was not entitled to receive.

### **Paid Vacation**

An individual on a paid vacation from his employer.

### **Part-Time**

Part-time employment is defined as work which is regularly scheduled with the same employer on a steady basis. Part-time employees normally have set schedules that either do not vary, or change very little on a week-to-week basis.

### **Pension**

Deductible pension or retirement income received by a claimant under a plan maintained by a base period employer. Benefits are reduced by a pro-rated amount based on the pension received if the base period employer contributed the entire amount to the pension or retirement plan. Social Security benefits are not a deductible pension.

**Personal Time Off**

Personal time off (PTO) is a bank of hours in which the employer pools sick, vacation days and personal days that allows employees to use as the need arises and paid to an individual following termination.

**Prevailing Wage**

A prevailing wage is the average wage paid for the same type of work within the labor market. While employers have the right to pay any wage rate above the legally required minimum wage for any type of employment, the prevailing wage is the average pay for all similar jobs, as reported by the employers.

**QuickClaim**

The weekly telephone claim filing system. Claims are entered through a touch-tone telephone by pressing buttons to correspond with answers asked by the automated system.

**Quit to Seek / Quit to Accept Other Work**

Voluntarily leaving employment to seek or accept other employment with another employer.

**REA Program (Reemployment Eligibility Assessment)**

An eligibility assessment is conducted by reviewing work search activities and techniques; discussing potential and existing barriers to reemployment; and developing a work search and reemployment plan.

**Receipt of Benefits**

Unemployment benefits paid on an unemployment claim that has been withdrawn or receiving benefits from unemployment claims in two states for the same period.

**Refusal of Suitable Work**

A situation where a claimant has refused a job deemed suitable (see Suitable Work), or has failed to report to apply for work or attend an interview as directed by a representative of the Nevada JobConnect.

**Reopened Claim**

A claim filed within a benefit year after a break of one week or more with no intervening employment.

**Reporting Requirements**

A claimant is requested to report in person to an office to provide information or to participate in employment services programs.

**Requalification**

If an individual has been denied benefits for any indefinite period of time, requalification is the process of again becoming eligible to receive unemployment benefits. In no situation does a requalification result in payment of benefits for weeks that were claimed prior to the requalifying event.

**RES Program (Reemployment Services)**

Reemployment services that are available to the claimant; i.e. resource center, job club, job search workshops, labor market information, counseling, and testing. One of the services must be selected by the claimant to assist them in obtaining employment.

**Severance Pay**

Payment made to an employee in conjunction with separation from employment in recognition of past years of service.

**Sport / Athletic Wages**

A professional sports/athletic employee between the customary season will be denied benefits based on the wages earned from the professional sport/athletic team. A claim may be paid if the sports/athletic employee has only minimal wages from non-sport employment and sufficient wages from other employment to qualify for benefits.

**Suitable Work**

Suitable work is defined as employment that the claimant has the customary skills and abilities to perform and pays an amount that is normal for that occupation within that labor market. Refusing an offer of suitable work is basis for denying unemployment benefits.

**Temporary Layoff**

A temporary layoff is a period of normally not more than four weeks during which an individual is laid off due to a lack of work. This period may be extended only upon the request of the employer and only if they show a good reason for a period exceeding the four weeks. Individuals, who work in seasonal industries, such as for ski resorts or in tax preparation, are not considered to be temporarily laid off.

**Tips**

Any employee who reports his tips properly to his employer may be able to use these tips as wages for the purpose of determining monetary eligibility. Tips are considered "covered" employment if reported by the employer to the Employment Security Division, and can be used for requalification purposes. Any tips earned while filing weekly claims for benefits must be reported as wages.

**Temporary Partial Disability**

Disability payments to an individual unable to perform their usual duties for a short period of time that they will fully recover from due to an on the job injury.

**Temporary Total Disability**

Disability payments to an individual unable to work due to an on the job injury.

**Unemployed**

In order for an individual to be eligible for unemployment insurance benefits, the claimant must be "unemployed". A person who is on a company-approved leave of absence, who is self-employed, who works solely on commission but generates no income, or who is receiving benefits for a job-related injury is not considered unemployed.

**Unemployment Compensation for Ex-Service Members (UCX)**

The federal program that provides benefits to former military members of the United States Armed Forces. The branch of the military separating the member has sole authority for determinations of eligibility for unemployment benefits.

**Unemployment Compensation for Federal Employees (UCFE)**

The federal program that provides benefits to former Federal civilian employees.

**Vacation Pay**

Accrued vacation/annual time paid to an individual following termination of employment.

**Vacation Recess**

A school employee on vacation recess will be denied benefits based on the wages earned from an educational institution. See "Between Academic Terms" for more information.

**Voluntary Quit**

An individual who voluntarily leaves his employment or who is determined to be the moving party in the separation, even if the individual felt they had no alternative, or the employer was trying to

force them out. In addition, persons who voluntarily retire from employment are considered to have quit.

### **Wage Protest**

A wage protest is a request by the claimant who feels there are missing or improperly reported wages as shown on his monetary determination.

### **Wages in Lieu of Notice**

Payments made to an employee when the employee is to be laid off, but the employer cannot or will not give the customary notice period.

### **Work Search**

A claimant is expected to make a good faith effort to find suitable employment unless designated as a temporary layoff by the state paying the unemployment compensation. A good faith effort means that the individual is making a consistent search for employment. This effort varies by the type of work the person normally does. For a cashier, this may mean going out and submitting applications to hiring employers several days each week, or contacting several employers each time they go out. For a certified public accountant, this may mean submitting resumes to prospective employer. Individuals who are referred to work solely through hiring hall unions are required to report for job call as directed by the union and are expected to remain in compliance with the union's requirements for payment of dues. If the individual is no longer eligible for referral to work through his union FOR ANY REASON, the individual is required to engage in an active search for work.

### **Worker Profiling**

Under the Worker Profiling system, claimants must be held ineligible for any week in which there is a failure to participate in reemployment services which they are required to attend.

### **States Taking Interstate Unemployment Claims Via Telephone or Internet**

State Name	Dependent Allowance	Telephone #	Website Address
Alabama	No	1-866-234-5382	LABOR.ALABMA.GOV/UC/ICCS
Alaska	Yes	1-888-252-2557	ALASKA.GOV
Arizona	No	1-877-600-2722	AZDES.GOV
Arkansas	No	501-682-2121	EZARC.ADWS.ARKANSAS.GOV
California	No	1-800-300-5616	EDD.CA.GOV
Canada	No	1-800-206-7218	SERVICECANADA.GC.CA
Colorado	No	1-800-388-5515	COLORADOWORKFORCE.COM
Connecticut	Yes	1-860-263-6000	CTDOL.STATE.CT.US
Delaware	No	1-800-794-3032	DELAWAREWORKS.COM
D.C.	No	1-877-319-7346	DCNETWORKS.ORG
Florida	No	1-800-204-2418	FLORIDAJOBS.ORG
Georgia	No	Internet Only	DOL.STATE.GA.US
Hawaii	No	1-877-215-5793	HUICLAIMS2.HAWAII.GOV
Idaho	No	Internet only	LABOR.IDAHO.GOV
Illinois	Yes	Internet only	IDES.ILLINOIS.GOV
Indiana	No	1-800-244-5631	WWW.IN.GOV/DWD
Iowa	Yes	1-800-562-4692	IOWAWORKFORCE.ORG
Kansas	No	1-800-292-6333	DOL.KS.GOV
Kentucky	No	1-502-564-7456	KEWES.KY.GOV
Louisiana	No	1-866-783-5567	LAWORKS.NET
Maine	Yes	1-800-593-7660	MAINE.GOV
Maryland	Yes	1-800-827-4839	DLLR.STATE.MD.US

<b>Massachusetts</b>	<b>Yes</b>	<b>1-617-626-6800</b>	<b>WWW.MASS.GOV</b>
<b>Michigan</b>	<b>Yes</b>	<b>1-866-500-0017</b>	<b>MICHIGAN.GOV/UIA</b>
<b>Minnesota</b>	<b>No</b>	<b>1-877-898-9090</b>	<b>UIMN.ORG</b>
<b>Mississippi</b>	<b>No</b>	<b>1-888-844-3577</b>	<b>MDES.MS.GOV</b>
<b>Missouri</b>	<b>No</b>	<b>1-800-320-2519</b>	<b>LABOR.MO.GOV</b>
<b>Montana</b>	<b>No</b>	<b>1-406-444-3783</b>	<b>UID.DLI.MT.GOV</b>
<b>Nebraska</b>	<b>No</b>	<b>1-402-458-2500</b>	<b>UIBENEFITS.NWD.NE.GOV</b>
<b>Nevada</b>	<b>No</b>	<b>1-888-890-8211</b>	<b>UI.NV.GOV</b>
<b>New Hampshire</b>	<b>No</b>	<b>1-800-852-3400</b>	<b>NHES.NH.GOV</b>
<b>New Jersey</b>	<b>Yes</b>	<b>1-888-795-6672</b>	<b>LWD.DOL.STATE.NJ.US</b>
<b>New Mexico</b>	<b>No</b>	<b>1-877-664-6984</b>	<b>DWS.STATE.NM.US</b>
<b>New York</b>	<b>No</b>	<b>1-888-209-8124</b>	<b>LABOR.STATE.NY.US</b>
<b>N. Carolina</b>	<b>No</b>	<b>1-888-737-0259</b>	<b>NCESC1.COM</b>
<b>N. Dakota</b>	<b>No</b>	<b>1-701-328-4995</b>	<b>JOBSND.COM</b>
<b>Ohio</b>	<b>Yes</b>	<b>1-877-644-6562</b>	<b>UNEMPLOYMENT.OHIO.GOV</b>
<b>Oklahoma</b>	<b>No</b>	<b>1-800-555-1554</b>	<b>UNEMPLOYMENT.STATE.OK.US</b>
<b>Oregon</b>	<b>No</b>	<b>1-800-982-8920</b>	<b>OREGON.GOV</b>
<b>Pennsylvania</b>	<b>yes</b>	<b>1-888-313-7284</b>	<b>UC.PA.GOV</b>
<b>Puerto Rico</b>	<b>No</b>	<b>1-787-945-7900</b>	<b>TRABAJO.PR.GOV</b>
<b>Rhode Island</b>	<b>Yes</b>	<b>1-401-462-8666</b>	<b>DLT.RI.GOV</b>
<b>S. Carolina</b>	<b>No</b>	<b>1-803-737-2400</b>	<b>DEW.SC.GOV</b>
<b>S. Dakota</b>	<b>No</b>	<b>1-605-626-2452</b>	<b>DLR.SD.GOV</b>
<b>Tennessee</b>	<b>No</b>	<b>1-877-813-0950</b>	<b>UI.TN.GOV</b>
<b>Texas</b>	<b>No</b>	<b>1-800-939-6631</b>	<b>TWC.STATE.TX.US</b>
<b>Utah</b>	<b>No</b>	<b>1-888-848-0688</b>	<b>JOBS.UTAH.GOV</b>
<b>Vermont</b>	<b>No</b>	<b>1-802-828-4000</b>	<b>LABOR.VERMONT.GOV</b>
<b>Virginia</b>	<b>No</b>	<b>1-866-832-2363</b>	<b>VEC.VIRGINIA.GOV</b>
<b>Virgin Islands</b>	<b>No</b>	<b>Process IB1</b>	<b>N/A</b>
<b>Washington</b>	<b>No</b>	<b>1-800-318-6022</b>	<b>ESD.WA.GOV</b>
<b>W. Virginia</b>	<b>No</b>	<b>1-800-252-5627</b>	<b>WVCOMMERCE.ORG</b>
<b>Wisconsin</b>	<b>No</b>	<b>1-800-4494-4944</b>	<b>DWD.WISCONSIN.GOV</b>
<b>Wyoming</b>	<b>No</b>	<b>1-307-235-3264</b>	<b>DOE.STATE.WY.US</b>