

**UNEMPLOYMENT BENEFITS ELIGIBILITY REQUIREMENTS**  
**FOR STATE AGENCY EMPLOYEES SEPARATED UNDER THE WORKFORCE**  
**TRANSITION ACT**

The following information is provided in an attempt to give general guidance concerning the unemployment insurance (UI) benefit rights of individuals separated from a state agency under the Workforce Transition Act (WTA). WTA provides severance benefits to certain individuals who are involuntarily separated from state employment. Generally, the receipt of WTA severance does not affect eligibility for UI benefits. It must be noted, however, that UI eligibility is determined on a case by case basis, and that eligibility specifics cannot be determined until a UI claim is filed.

The following are frequently asked questions concerning UI and WTA entitlement:

Q: How do I file my UI claim?

A: A claim may be filed online at [www.VaEmploy.com](http://www.VaEmploy.com), by telephone at (866) 832-2363 or by reporting to the Virginia Employment Commission (VEC) office nearest you.

Q: How are UI benefit amounts calculated?

A: An individual's unemployment benefit amount and duration are based on the amount of wages earned during the first four of the last five calendar quarters prior to filing a claim. For example, for claims filed in August and September 2008, VEC would consider wages earned from all employers for the period of April 1, 2007 through March 31, 2008. This twelve-month period is known as the "base period."

Q: How much in money do I need to have earned to qualify?

A: To qualify for benefits, an individual must have earned at least a total of \$2700 in two quarters in the base period.

Q: How much will I receive in UI benefits and for how long?

A: The maximum weekly benefit amount is \$378 and the minimum is \$54. Individuals must have earned at least a total of \$18,900.01 in two quarters during the base period to qualify for the maximum weekly benefit amount.

Benefit duration varies from 12 to 26 weeks also depending on wages earned in the base period. Currently, Congress has enacted a benefit extension that increases the original benefit period by 50%. For example, an individual receiving benefits for 12 weeks will get another 6 under the federal extension.

Q: Is there a waiting period before I can collect UI benefits?

A: There is a one week unpaid waiting period which cannot begin until a claim is filed. The waiting period is the first week of your claim during which you meet all of the eligibility requirements.

Q: Does my receipt of WTA affect my UI benefits?

A: Severance payments made under WTA are allocated to the date of separation and do not affect the receipt of UI benefits. The only exception to this occurs when a UI claim is filed during the same week in which you are laid off. In that instance, WTA is deducted from the UI amount in the first week, but has no effect on UI eligibility in subsequent weeks.

Q: If I file for UI, is my WTA entitlement affected?

A: The Workforce Transition Act requires that severance payments made under WTA be reduced by the amount of UI an individual is entitled to receive. However, the amount of WTA reduction will be repaid in a lump sum at the time of the last WTA payment.

For example, if you are entitled to receive \$500 per week for 19 weeks from WTA, and \$200 per week in UI, the WTA amount will be reduced to \$300 per week (\$500 minus \$200). At the end of the of the 19 weeks, you will be paid for the total amount of these deductions or \$3,800 (\$200 X 19).

Q: How will sick and annual leave payments affect my UI entitlement?

A: Accrued leave payments made to you by the separating state agency will not affect your eligibility for UI benefits. The only exception occurs when you file a UI claim during the same week in which you are laid off. In that instance, the leave payment will be deducted from the UI benefit amount in the first week, but has no effect on UI eligibility in subsequent weeks.

Q: Are there other requirements I must meet to be eligible for UI benefits?

A: You will be subject to the same continuing eligibility requirements as other claimants. These requirements are:

- Being ready, willing, and able to work each week
- Documenting a search for work each week benefits are claimed
- A reduction of weekly benefits for wages earned subsequent to separation in excess of \$50 per week (to include allocated annual or sick leave payments)
- A reduction of weekly benefits by pensions paid to you by employers for whom you have worked during the last 18 months (to include Social Security)

Q: Can VEC help me find another job?

You will be required to register for job services online at [www.vawc.virginia.gov](http://www.vawc.virginia.gov). By registering you will be exposed to a varied array of job opportunities, including local and statewide job listings, as well as state and federal government positions. A substantial cross section of employers use the VEC to assist them in hiring new staff, and some companies elect to have the agency do all of their recruiting.

