

CHAPTER 4

EXTENSIONS AND SPECIAL PROGRAMS

IN GENERAL

The previous chapter dealt with duration of benefits concerning the regular UI program. However, extensions of UI benefits are available under certain circumstances. In addition, some programs provide benefits under conditions when UI is not normally payable. This chapter covers these special programs. In particular, it discusses:

- The federal-state Extended Benefits (EB) program;
- Special Federal extension programs;
- State additional benefits (AB) programs;
- Trade Readjustment Allowances (TRA);
- Disaster Unemployment Assistance (DUA);
- Short-time compensation (worksharing) (STC); and
- Self-Employment Assistance (SEA).

FEDERAL-STATE EXTENDED BENEFITS (EB)

Since 1970, Federal law has provided for payment of EB during periods of high and rising unemployment in a state.

TRIGGERS FOR EB—The following “triggers” are used to determine whether EB is payable in a particular state:

- **Mandatory** -- A state must pay up to 13 weeks of EB if the insured unemployment rate (IUR) for the previous 13 weeks is at least 5% and is 120% of the average of the rates for the corresponding 13-week period in each of the 2 previous years. (The IUR is the ratio of the number of individuals collecting regular UI to the number of individuals who could potentially collect UI if they lost their jobs.)
- **Optional** -- A state may pay up to 13 weeks of EB if the IUR for the previous 13 weeks is at least 6%, regardless of the experience in the previous years.

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- Optional -- A state may pay up to 13 weeks of EB if the average total unemployment rate (TUR), seasonally adjusted, for the most recent 3 months is at least 6.5% and is 110% of the rate for the corresponding 3-month period in either or both of the 2 previous years. If such rate is at least 8.0% and is 110% of the rate for the corresponding 3-month period in either or both of the 2 previous years, the duration increases from 13 to 20 weeks. (The TUR is the ratio of the total number of all unemployed persons to the civilian labor force.)

Note: Federal law was amended to allow a “look back” of 3 years for the mandatory IUR and the optional TUR triggers through December 31, 2013 if state law permits.

TABLE 4-1: STATES WITH OPTIONAL TRIGGERS FOR EB					
State	<u>DOES NOT</u> Use 6% IUR Option	Uses 6.5% TUR Option	State	<u>DOES NOT</u> Use 6% IUR Option	Uses 6.5% TUR Option
AL		X ^{1,2}	NV		X ^{1,2}
AK		X	NH	X	X
AZ		X ^{1,3}	NJ		X
CA		X ^{1,2}	NM		X
CO		X ^{1,2}	NY		X ^{1,2}
CT		X	NC		X
DE	X	X ^{1,2}	ND	X	
DC		X ^{1,2}	OH		X ^{1,2}
FL	X	X ²	OR		X
GA	X	X ^{1,2}	PA		X ^{1,2}
IA	X		RI		X
ID		X ^{1,2}	SC		X ^{1,2}
IL		X ^{1,2}	SD	X	
IN		X ^{1,2}	TN		X ^{1,2}
KS		X	TX		X ^{1,2}
KY	X	X ^{1,2}	UT	X	
ME		X ^{1,3}	VT		X
MD		X ²	VA		X ^{1,3}
MA		X ^{1,4}	WA	X	X
MI	X	X ^{1,2}	WV		X ^{1,2}
MN		X	WI		X ^{1,2}
MO		X ^{1,2}	WY	X	

¹ Temporary triggers contingent upon 100% Federal sharing of EB costs.

² Trigger expires the week ending four weeks prior to the last week for which 100% Federal sharing is authorized.

³ Trigger expires the week ending three weeks prior to the last week for which 100% Federal sharing is authorized.

⁴ Trigger expires the week ending prior to the last week for which 100% Federal sharing is authorized.

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FINANCING OF EB—Under permanent law, half of the sharable benefits paid is financed by the Federal government from FUTA revenues. (If the state already provides for duration of over 26 weeks for regular UI, the Federal government will also share in the cost of any weeks beyond 26.) The Federal share of EB will be reduced if a state (a) has no waiting week or permits payment of the waiting week at any time; or (b) does not round benefits down to the lower dollar. No Federal sharing is available for EB costs attributable to employment with state and local governmental entities or federally recognized Indian tribes. (These entities do not pay the FUTA tax, which finances the Federal share of EB.)

Note: Federal law has been amended to provide for 100% Federal funding of most EB costs through December 31, 2013.

SPECIAL QUALIFYING REQUIREMENTS—Generally, state law applies to the payment of EB. However, some special qualifying requirements exist:

- An individual must have 20 weeks of covered work or the equivalent in covered wages (which exceed 1½ times high-quarter wages or 40 times the weekly benefit amount) in the base period.
- An individual claiming EB who fails to make “a systematic and sustained” work search or to apply for or accept “suitable work” is not entitled to EB until the individual has been employed during at least 4 weeks and has earned a total of 4 times the individual’s weekly EB amount. Suitable work is defined as “any work within such individual's capabilities.”
- Any disqualification for voluntarily quitting work, committing misconduct, or refusing suitable work must be purged through subsequent employment.

TABLE 4-2: EXTENDED BENEFITS – MONETARY REQUIREMENT USED IN STATES WHERE REGULAR UI MINIMUM QUALIFYING FORMULA DOES NOT SATISFY 20-WEEK REQUIREMENT*

State	20 Weeks	Exceeds 40 x WBA	Exceeds 1½ HQW
AK		X	X
AZ		X	X
AR	X	X	X
CA		X	X
DE		X	
DC			X
HI	X	X	X
ID	X	X	X
IL			X
IN			X
IA			X
KS			X
ME			X
MD			X

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TABLE 4-2: EXTENDED BENEFITS – MONETARY REQUIREMENT USED IN STATES WHERE REGULAR UI MINIMUM QUALIFYING FORMULA DOES NOT SATISFY 20-WEEK REQUIREMENT*

State	20 Weeks	Exceeds 40 x WBA	Exceeds 1½ HQW
MA	X	X	X
MN		X	
MT	X	X	X
NE			X
NV	X	X	X
NH		X	
NJ		X	
NM			X
NY			X
NC	X	X	X
OK			X
OR		X	
PA			X
PR		X	
RI		X	X
TX		X	X
VT		X	
VA	X	X	
VI			X
WA		X	X
WV		X	
WI		X	
WY			X

* See Table 3-3 for information on qualifying requirements for regular UI benefits.

REDUCTIONS IN AMOUNT OF EB—EB paid on interstate claims is limited to two weeks unless both agent and liable states are in an EB period. Also, individuals who received TRA before EB triggered on in a state will have their EB entitlement reduced by the number of weeks of TRA received. In addition, some states reduce the EB amount payable to an individual during a period in which Federal sharing of the cost of EB is reduced pursuant to a sequester order.

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TABLE 4-3: STATES REDUCING EB PAYABLE PURSUANT TO A SEQUESTER ORDER				
Colorado	Delaware	Kansas	Kentucky	Louisiana
Mississippi	Missouri	Nebraska	New Mexico	North Carolina
North Dakota	Oklahoma	South Dakota	West Virginia	Wyoming

SPECIAL FEDERAL EXTENSION PROGRAMS

In addition to the permanent EB program, Congress from time to time enacts temporary programs extending unemployment compensation benefits. The most recent such program is Emergency Unemployment Compensation 2008 (EUC08). This program provides some weeks of 100 percent federally financed compensation to eligible individuals in all states and some additional weeks for individuals in “high unemployment” states.

TABLE 4-4: SPECIAL FEDERAL EXTENSION PROGRAMS ENACTED BY CONGRESS	
Name	Effective Dates
Temporary Unemployment Compensation (TUC)	6/58 to 6/59
Temporary Extended Unemployment Compensation (TEUC)	4/61 to 6/62
Temporary Compensation (TC)	1/72 to 3/73
Federal Supplemental Benefits (FSB)	1/75 to 1/78
Federal Supplemental Compensation (FSC)	9/82 to 6/85
Emergency Unemployment Compensation (EUC)	11/91 to 4/94
Temporary Extended Unemployment Compensation (TEUC)	3/02 to 3/04
Emergency Unemployment Compensation (EUC08)	7/08 to 01/14

STATE ADDITIONAL BENEFITS (AB)

A few states have solely state-financed programs for extending the potential duration of benefits during periods of high unemployment for individuals in approved training who exhaust benefits, or for a variety of other reasons. Although some state laws call these programs “extended benefits,” this publication uses the term “additional benefits” to avoid confusion with the federal-state EB program.

The following table includes information about states that have AB programs. Caution should be taken in using the following table because: (1) some AB programs may be subject to annual legislative appropriations, meaning they may not be in effect; and (2) short-term AB programs will not be included if their legislative authorization expired prior to publication. The American Recovery and Reinvestment Act of 2009 (Public Law 111-5) has resulted in changes to some state laws as they seek to modernize their unemployment compensation programs. Please note that the following table does not align with the requirements established by Pub. L. 111-5.

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TABLE 4-5: STATES WITH ADDITIONAL BENEFITS (AB) PROGRAMS

State	Name of Extension	Duration	To Whom/When Payable	Miscellaneous
AK	Supplemental State Benefits	13 weeks	Exhaustees of regular UI who satisfy the requirements for receipt of regular benefits and are ineligible for extended benefits solely because they do not meet EB earnings requirement of 40 x WBA or 1.5 HQW.	Permanent
CA	Extended Duration Benefits	13 weeks	Exhaustees who are not entitled to regular benefits, if they meet applicable eligibility requirements for regular benefits, are not subject to disqualification, and are not under a disqualification for regular benefits.	Triggers if IUR equals or exceeds 6%
	California Training Benefits (CTB)	Up to 52 x WBA, less regular UI and any extensions paid	Individuals who lack competitive job skills and who are enrolled in approved training for a demand occupation. Individual must apply for or inquire about CTB program no later than the 16 th week of receiving UI benefits.	Expires 1/1/ 2019
CO	Enhanced Unemployment Insurance Compensation Benefits	Lesser of 20 weeks or 40% of maximum benefit amount Duration not extended	Individuals who are enrolled in and making satisfactory progress in an approved training program which prepares individuals for entry into a high-demand occupation leading to stable, long-term employment, or an occupation in the renewable energy industry. Payable weekly in addition to the WBA.	Repealed effective 7-1-15, payments made until funds to cover costs are substantially exhausted or June 30, 2014, whichever comes first
CT	Additional Benefits During Periods of Substantial Unemployment	13 weeks	Individuals who are not entitled to benefits under the federal-state EB program that week.	Triggers if an EB period is in effect
GA	Training Extension	26 weeks, less any deductible income	Individuals who are separated from a declining occupation and have exhausted all rights to regular unemployment compensation including extensions, and who are enrolled in and making satisfactory progress in an approved training program which prepares individuals for entry into a high-demand occupation.	Permanent
HI	Additional Unemployment Compensation	13 weeks	Unemployed as a result of natural or man-made disaster, as declared by the Governor. Must exhaust regular UI, not qualify for UI monetarily, or be self employed.	Must be approved by Governor
IA	Extended Benefits	13 weeks	If unemployed due to last employer going out of business, wage credits are recomputed up from 1/3 of wages for insured work to 1/2.	Permanent
	Training Extension	26 weeks	Individuals who are separated from a declining occupation and have exhausted all rights to regular unemployment compensation including extensions, and who are enrolled in and making satisfactory progress in an approved training program which prepares individuals for entry into a high-demand occupation.	Permanent
ID	Training Extension	26 weeks	Individuals who are separated from a declining occupation and have exhausted all rights to regular unemployment compensation including extensions, and who are enrolled in and making satisfactory progress in an approved training program which prepares individuals for entry into a high-demand occupation.	Permanent
KS	Training Extension	26 weeks	Individuals who are enrolled in and making satisfactory progress in an approved training program.	Claimants in shared work program may not qualify for additional benefit for 2 years after training benefits expire
MD	Training Extension	26 weeks	Individuals who are enrolled in and making satisfactory progress in an approved training program. Payments limited to 1 year following end of BY.	Permanent

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TABLE 4-5: STATES WITH ADDITIONAL BENEFITS (AB) PROGRAMS

State	Name of Extension	Duration	To Whom/When Payable	Miscellaneous
MA	Training Extension	26 weeks	Attendees in an approved training course who, in opinion of Commissioner, will be aided in finding appropriate employment. Only paid while attending such course and only if not eligible for Trade Readjustment Assistance, exhausted all rights to regular UI and EB, and has no rights to benefits under any other state or Federal law.	Determined by Commissioner
ME	Dislocated Worker Benefits	26 weeks	Must meet the definition of “dislocated worker” and be attending training approved by the UI Commission. Must exhaust all rights to regular UI and EB, and have no rights to benefits under any other state or Federal law.	Permanent
MI	Extended Training or Retraining Benefits	18 weeks	Must be approved training and is separate from TRA.	Optional – Not currently in effect
MN	Additional Benefits	13 weeks	If individual was laid off from main BP employer; that employer had 100 or more workers; employer laid off at least 50% of workforce; employer has no intentions of rehiring individual; individual exhausted regular UI; and facility is located in county with unemployment rate at least 10% from 3 months before to 3 months after layoff.	Permanent – Determined by Commissioner
MT	Additional Training Benefits	26 weeks	Individuals who are separated from a declining occupation and have exhausted all rights to regular unemployment compensation including extensions, and who are enrolled in and making satisfactory progress in an approved training program which prepares individuals for entry into a high-demand occupation.	Permanent
NE	Training Extension	26 weeks	Individuals who are separated from a declining occupation and have exhausted all rights to regular unemployment compensation including extensions, and who are enrolled in and making satisfactory progress in an approved training program which prepares individuals for entry into a high-demand occupation.	Permanent
NJ	Additional Benefits During Training	26 weeks	Dislocated workers unlikely to return to previous employment because opportunities in the job classification are impaired due to substantial reduction in employment at worksite. Training must be for a labor demand occupation and must be approved.	Permanent
NY	Additional Training Benefits	104 effective days	Exhaustees of regular UI benefits and, if in effect, any other extended benefits, provided that entitlement to a new benefit claim cannot be established. Individual must be in approved training, separate from TRA.	Permanent – Subject to availability of funds
OR	Supplemental Benefits – Dislocated Worker Program	1-26 weeks	Eligible dislocated workers who are ineligible to receive extended benefits or additional benefits, and who are demonstrating satisfactory progress and attendance in the approved training.	Permanent – Additional eligibility requirements apply
	Additional Benefits	Up to 25% of most recent regular UI claim	Exhaustees of regular UI benefits who continue to meet eligibility requirements for regular UI benefits and are not eligible for any other unemployment benefits including any federal extensions. Payable for weeks not within an EB period, not within a federal extension period, and when IUR equals or exceeds 4.5%.	Permanent
OR	Emergency Benefits Program	23% of most recent regular UI claim	Exhaustees of regular UI benefits not eligible for any other unemployment benefits including any federal extensions, and whose BY expired on or after 05/01/07. Payable during an emergency benefit period beginning on or after 03/11/10.	May not exceed payments of \$30 million. Repealed effective January 2, 2014
PR	Additional Benefits	(20 x WBA plus 32 x additional WBA) less max. potential benefits payable in last BY	Individuals displaced due to technological progress and/or the permanent disappearance of an industry, establishment, or occupation; not for seasonal unemployment.	Permanent – Secretary determines if special unemployment situation exists

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TABLE 4-5: STATES WITH ADDITIONAL BENEFITS (AB) PROGRAMS

State	Name of Extension	Duration	To Whom/When Payable	Miscellaneous
SD	Training Extension	26 weeks	Individuals who are separated from a declining occupation and have exhausted all rights to regular unemployment compensation including extensions, and who are enrolled in and making satisfactory progress in an approved training program which prepares individuals for entry into a high-demand occupation.	Permanent
VT	Training Extension	26 weeks	Individuals who are separated from a declining occupation and have exhausted all rights to regular unemployment compensation including extensions, and who are enrolled in and making satisfactory progress in an approved training program which prepares individuals for entry into a high-demand occupation.	Permanent
WA	Training Benefits Program	52 x WBA less regular UI and EB paid	Unemployed individuals who are disabled, low-income, members of the Washington National Guard, or recently discharged from the military, and in need of full-time training in a demand occupation.	Permanent – Training benefits not payable for weeks more than 2 years beyond end of benefit year of regular claim
WI	Wisconsin Supplemental Benefits	8 weeks	Individual who has exhausted benefits. Wisconsin supplemental benefit period occurs when IUR is 4% and TUR is 5%.	Governor can elect to run this program or allow payment through federal-state EB program
	Training Extension	26 weeks	Individuals who are separated from a declining occupation and have exhausted all rights to regular unemployment compensation including extensions, and who are enrolled in and making satisfactory progress in an approved training program which prepares individuals for entry into a high-demand occupation.	Permanent – Training benefits not payable for weeks more than 52 weeks after the first week of regular benefits

TRADE READJUSTMENT ALLOWANCES (TRA)

The Trade Act of 1974, as amended, provides for adjustment assistance to individuals who are unemployed or underemployed because of the adverse effect of increased imports as a result of trade arrangements permitted under the Act or because of shifts in production outside the United States. Trade adjustment assistance (TAA) provided by the Act consists of trade readjustment allowances (TRA), relocation and job search allowances, and subsistence and transportation allowances during periods of approved training.

The Secretary of Labor has entered into agreements with state agencies whereby the agencies will act as agents for the Federal government in paying TRA and other allowances to eligible individuals. Payments and administrative costs are paid for with Federal funds.

CERTIFICATION PROCESS—Individuals are certified as eligible to apply for TAA if a group of 3 or more workers, or a certified or recognized union or duly authorized representative; petitions the Secretary of Labor for a determination of eligibility to apply for TAA and the Secretary determines that the importation of competitive foreign products or shifts in production outside the United States contributed importantly to the loss of employment at the firm mentioned in the individual’s petition.

QUALIFYING REQUIREMENTS—To qualify for TRA, the individual must have had at least 26 weeks of employment with wages of at least \$30 a week within the 52-week period ending with the week of the individual's total or partial separation from adversely affected employment. Along with other requirements to

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receive TRA payments, the individual must be participating in an approved training program unless it is determined that training is not feasible or appropriate.

DURATION—Basic TRA is payable at the state UI rate over a 104-week eligibility period beginning with the first week after the individual's most recent TRA qualifying separation from employment. Basic TRA provides 52 weeks of income support less the UI entitlement in the trade-qualifying UI benefit period (generally 26 weeks of UI). Individuals may be eligible for additional 65-78 weeks for a total of 130 weeks of income support if they are participating in approved training. For additional information on the Trade Readjustment Assistance program go to: <http://www.doleta.gov/tradeact/>.

SUBSISTENCE AND TRANSPORTATION ALLOWANCES—An adversely affected individual may receive TRA while participating in approved training. Individuals may also receive subsistence and transportation allowances while attending training at a facility which is not within commuting distance of their residence.

RELOCATION ALLOWANCES—Relocation allowances are payable to totally separated individuals who have no reasonable expectation of securing suitable work in the area in which they live, and who have a bona fide offer of suitable work in the area in which they wish to relocate. Relocation allowances consist of a lump sum payment up to 90 percent (not to exceed \$1,250) of the allowable expenses incurred in moving the individuals, their families, and their household effects to the location of their new jobs.

JOB SEARCH ALLOWANCES—Job search allowances are payable to totally separated individuals who have no reasonable expectation of securing suitable work in the area in which they live, and who have a reasonable expectation of securing suitable employment in the area of the proposed job search. Job search allowances consist of up to 90 percent of the cost of the necessary expenses incurred in the job search, not to exceed \$1,250, under a single certification.

DISASTER UNEMPLOYMENT ASSISTANCE (DUA)

The Robert T. Stafford Disaster Relief and Emergency Assistance Act authorizes the President to provide to any individual unemployed as a result of a major disaster such assistance as the President deems appropriate while the individual is unemployed. Among the types of assistance available as a result of a presidentially declared disaster is DUA – a payment made by state UI agencies under agreements with the Secretary of Labor. Funds for both DUA benefits and administrative costs are provided by the Federal Emergency Management Administration to the Secretary of Labor who, in turn, makes them available to the states.

ELIGIBILITY—In general, Federal regulations provide that certain individuals living or working in areas affected by a major disaster who are unemployed because of the disaster are eligible for DUA even though they are not eligible for UI benefits or other wage replacement payments (e.g. the self-employed). Applications for DUA must be filed within 30 days of the Governor's announcement of a disaster in the state; the unemployment must be directly caused by the disaster; and, in general, individuals must be able and available for suitable work.

DISASTER ASSISTANCE PERIOD—The disaster assistance period – the period during which DUA is payable – begins with the first week following the date the major disaster began. DUA is available to an individual during this period as long as unemployment caused by the disaster continues or until he or she is reemployed in a suitable position, but no longer than 26 weeks after the major disaster is declared.

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WEEKLY ASSISTANCE AMOUNT—In jurisdictions that operate a UI program,¹ the weekly DUA amount is computed in accordance with the applicable state law formula used to compute the weekly amount under the state’s regular unemployment insurance program except that if the individual’s weekly amount is less than 50 percent of the state’s average weekly payment of regular compensation in the state, the individual will be entitled to 50 percent of the average weekly payment of regular compensation in the state.

DEDUCTIONS—The DUA payable to an individual for a week is reduced by the amount of any of the following that an applicant has received for the week or would receive for the week if he or she filed a claim: (1) any compensation or insurance from any source for loss of wages due to illness or disability; (2) supplemental unemployment benefits pursuant to a collective bargaining agreement; (3) workers’ compensation by virtue of death of head of household; and (4) the amount of retirement pension or annuity under a public or private retirement plan or system if such amount is deductible under the state UI law. In addition, the weekly DUA amount is reduced by the amount of wages that the individual earns in a week as determined by applying to the wages the earnings allowance for partial or part-total unemployment prescribed by the applicable state’s UI law.

SHORT-TIME COMPENSATION (WORKSHARING)

Like the partial benefit provisions of state UI laws, short-time compensation (STC) programs, also known as worksharing or shared work, allow an individual who is employed for a portion of the week to collect UC benefits. Under STC, an employer elects to avoid layoffs by reducing the number of regularly scheduled hours of work for all, or a group of, individuals during disruptions to a firm’s regular business activity. Whereas partial benefit formulas look at the individuals’ earnings, STC looks at the hours of work and provides individuals a pro-rata share of weekly benefits based on the reduction in weekly hours of work.

Most states do not allow seasonal employees to participate in an employer’s STC plan. Several states require that employers be current in filing reports and paying contributions as a condition of participation. Many states require the union to agree to an STC plan if the employer is unionized.

The definition of “Short-Time Compensation” was modified by the Middle Class Tax Relief and Job Creation Act of 2012 and codified in Section 3306(v), FUTA. States are not required to enact an STC program; however, states may not operate an STC program that does not conform to this definition.

Under the definition in Section 3306(v), FUTA, employers must submit an STC plan to the state for approval. The employer’s plan must be consistent with employer obligations under applicable Federal and state laws. Further, the affected employees’ (also known as “affected unit”) workweeks must have been reduced by at least 10 percent, and by not more than the percentage, if any, that is determined by the State to be appropriate, but in no case more than 60 percent. Individuals receiving STC payments meet the UC availability for work and work search test requirements by being available for their customary workweek as required by state law. Moreover, the STC plan must provide that employers will maintain (to the same extent as other employees not participating in the STC program) health benefits and retirement benefits under Section 414(i) and (j) of the Internal Revenue Code for employees in the affected unit, despite the reduced hours. In addition, the plan may provide that workers in the affected unit may participate in employer sponsored or Workforce Investment Act funded training if approved by the UC agency.

¹ In Guam and the Northern Mariana Islands, the weekly DUA amount is the average of the payments of regular compensation made under all state laws referred to in 20 CFR 625.2(r)(1)(i) for weeks of total unemployment in the 1st 4 of the last 5 completed calendar quarters immediately preceding the quarter in which the major disaster began. In American Samoa, Marshall Islands, Micronesia, and the Trust Territory of the Pacific Islands (Palau), the weekly DUA amount is the agreed upon amount to approximate 50% of the area-wide average of the weekly wages paid to individuals in the major disaster area in the quarter immediately preceding the quarter in which the major disaster began.

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Note: While the new definition of STC in Section 3306(v), FUTA, became effective on February 22, 2012, Federal law provides for a transition period for states administering STC programs on that date. Conforming legislation consistent with this new definition must be effective on or before August 22, 2014.

TABLE 4-6: STATES WITH WORKSHARING PROGRAMS

State	Period of Approved Plan	Required Reduction of Work	Maximum Number of Weeks Payable	Continuation of Benefits Required
AZ	1 year	At least 10% but not more than 40%	26 weeks (limitation does not apply if state IUR consisting of the week and the preceding 12 weeks is $\geq 4\%$)	
AR	12 months or date in plan, whichever is earlier	Not less than 10%, but not more than 40%	25 weeks	X
CO ¹	12 months or less	At least 10% but not more than 40%	18 weeks	X
CA ²	6 months	At least 10%	No limit on weeks, but total paid cannot exceed 26 x WBA	
CT ³	26 weeks (with 26-week extension possible)	Not less than 20%, but not more than 40%	26 weeks	X
DC	12 months	At least 20%, but not more than 40%	50 weeks (with 2-week extension possible)	X ⁴
FL	12 months	Not less than 10%, but not more than 40%	26 weeks	
IA	52 weeks	Not less than 20%, but not more than 50%	26 weeks	X
KS	12 months	Not less than 20%, but not more than 40%	26 weeks	
LA	12 months	Not less than 20%, but not more than 40%	26 weeks	X
ME	12 months	Not less than 10%, but not more than 50%	52 weeks	X ⁴
MD	6 months	At least 10%, not to exceed to 50%	26 weeks	
MA	26 weeks	Not less than 10%, but not more than 60%	26 weeks	X
MI ⁷	52 weeks	Not less than 15% and no more than 45%	No limit on weeks, but total paid cannot exceed 20 x WBA	X
MN	At least 60 days, but not more than 1 year	At least 20%, but not more than 40%	52 weeks	
MO	12 months	Not less than 20%, but not more than 40%	52 weeks	
NH	26 weeks	Not less than 10%, but not more than 50%	26 weeks	X ⁵
NJ ⁷	12 months	Not less than 10%	26 weeks	X
NY		Not less than 20%, but not more than 60%	20 weeks	X
OK	12 months	Not less than 20%, but not more than 40%	26 weeks	X
OR	Not more than 1 year	At least 20%, but not more than 40%	52 weeks	
PA ⁶	52 weeks	Not less than 20%, but not more than 40%	52 weeks	X
RI	12 months	Not less than 10%, but not more than 50%	52 weeks	

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TABLE 4-6: STATES WITH WORKSHARING PROGRAMS

State	Period of Approved Plan	Required Reduction of Work	Maximum Number of Weeks Payable	Continuation of Benefits Required
TX	12 months	At least 10%, but not more than 40%	26 weeks	
VT	6 months or date in plan, whichever is earlier	Not less than 20%, but not more than 50%	26 weeks	
WA	12 months or date in plan, whichever is earlier	Not less than 10%, but not more than 50%	No limit on weeks, but total paid cannot exceed maximum entitlement	X

¹ Expires 07/01/13 or sooner if program causes insolvency of UI cash fund to accelerate.
² STC benefits shall not be payable on any type of extended claim.
³ Dependency allowance not provided.
⁴ Plan must describe the manner in which fringe benefits are treated and ER must certify plan is not being used to reduce fringe benefits.
⁵ Health benefits must be provided; retirement contributions must be made for each hour worked; must specify the effect on other fringe benefits.
⁶ Program expires 5 years from effective date (February 16, 2016).
⁷ Has an STC program in statute; however not operational since state was not administering an STC program on February 22, 2012. Therefore, enactment must conform to definition in Section 3306(v), FUTA, prior to operating STC program.

SELF-EMPLOYMENT ASSISTANCE (SEA) PROGRAM

SEA programs help unemployed individuals create their own jobs by starting small businesses. To be eligible for SEA payments, individuals must be:

- Eligible for UI;
- Permanently laid off from their previous jobs;
- Identified as likely to exhaust their benefits; and
- Participating in self-employment activities including entrepreneurial training, business counseling, and technical assistance.

The authorizing Federal law requires that no more than 5 percent of individuals receiving regular UI benefits may participate in the SEA program. Individuals enrolled in the SEA program will receive weekly allowances. These allowances are the same as the individual's regular unemployment weekly benefit amount. Participants actively engage full-time in activities relating to the establishment of a business and becoming self-employed, and are considered to be unemployed. Provisions of state law relating to availability for work, search for work, and refusal to accept work do not apply.

The Middle Class Tax Relief and Job Creation Act of 2012, enacted on February 22, 2012, amended Federal law to extend the SEA program to the long-term unemployed receiving benefits under the Emergency Unemployment Compensation (EUC) and Extended Benefits (EB) programs if state law permits.

TABLE 4-7: STATES WITH SEA PROGRAMS

Delaware	Louisiana (Authority in law, but program not active)	Maine
Maryland (Authority in law, but program not active)	Mississippi	New Jersey
New York (expires 12/7/2013)	Oregon	Rhode Island