

Employment and Training Administration Advisory System U. S. Department of Labor Washington, D.C. 20210	CLASSIFICATION UI-CWC
	CORRESPONDENCE SYMBOL OWS/DUIO
	DATE November 14, 2008

ADVISORY: UNEMPLOYMENT INSURANCE PROGRAM LETTER NO. 1-09

TO: STATE WORKFORCE AGENCIES

FROM: BRENT R. ORRELL /s/
Deputy Assistant Secretary

SUBJECT: Interstate Arrangement for Combining Employment and Wages; New Definition of Paying State for Combined-Wage Claims

1. Purpose. To provide guidance to states regarding the change in the definition of “paying state” for an unemployment compensation (UC) combined-wage claim (CWC) filed under the Interstate Arrangement for Combining Employment and Wages.
2. References. Section 3304(a)(9)(B) of the Federal Unemployment Tax Act (FUTA), 20 CFR Part 616; ET Handbook No. 399; ET Handbook No. 392; 20 CFR Part 616, as amended at 73 Federal Register (FR) 63068 (October 23, 2008).
3. Summary. The CWC program allows an unemployed individual with employment and wages in more than one state to combine his/her wages to establish a CWC under the law of a single state called the “paying state” to qualify for benefits or to receive additional benefits (i.e., a higher weekly benefit amount). On October 23, 2008, the U. S. Department of Labor published a final rule in the Federal Register changing the definition of “paying state.” Effective January 6, 2009, the definition of “paying state” at 20 CFR 616.6(e) is amended to mean a single state against which the claimant files a CWC, if (1) the claimant has employment and wages in that state’s base period, and (2) the claimant qualifies for UC in that state using the combined employment and wages. (73 FR 63068 (Oct. 23, 2008)).

All 50 states, plus the District of Columbia, the Commonwealth of Puerto Rico, and the U.S. Virgin Islands are required to participate in the Interstate Arrangement for Combining Employment and Wages and will be affected by this change. The attached set of questions and answers provide guidance to states about the new definition of paying state and the states’ responsibilities for providing CWC filing options.

4. Action. Administrators are requested to provide this information to appropriate staff.

RESCISSIONS None	EXPIRATION DATE Continuing
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5. Inquiries. States should direct questions to the appropriate Regional Office.
6. Attachments.

Attachment #1: Combined-Wage Claims - Questions and Answers on the New Definition of Paying State

Attachment #2: States' Responsibilities for Providing Combined-Wage Claim (CWC) Filing Options Effective January 6, 2009

Attachment #3: Sample Scripts for Providing Combined-Wage Claim (CWC) Filing Options