

UNEMPLOYMENT INSURANCE  
DISASTER UNEMPLOYMENT ASSISTANCE HANDBOOK**INTERSTATE DUA CLAIMS****I**NTRODUCTION

1. **Interstate Initial DUA Claim.** When an initial application is being filed as a result of a major disaster in a State other than the State in which or from which the application is filed, the claim will be filed under the Interstate Benefit Payment Plan (IBPP) through the agent State or under remote liable initial claimstaking procedures, as appropriate for the liable State. Refer to Chapter III of this Handbook for general procedures for filing initial applications. This chapter provides additional procedures for handling interstate applications for individuals unemployed as a result of a disaster.

**NOTE:** DUA should be paid only if the individual is not eligible for UC under any State or Federal law.

**I**NITIAL CLAIMS

a. **Initial Interstate Claim - UI/UCFE/UCX or DUA (Two States).** When a claimant has potential State unemployment insurance (UI), unemployment compensation for federal employees (UCFE), or unemployment compensation for ex-servicemembers (UCX) entitlement under one State's law and a potential DUA claim against another State--

(1) When the agent State accepts initial claims in person or under remote filing procedures, it will:

(a) complete and mail an Initial Interstate Claim, Form IB-1, and transmit a TCIB1 via ICON to the appropriate liable State for UI, UCFE, or UCX entitlement following the regular interstate procedures;

(b) identify the claim as "UI", "UCFE", "UCX" and "CWC", as appropriate, in Item K of Form IB-1. The agent State **will not** indicate "DUA" in "Other";

(c) indicate "Claim resulted from disaster (name & number) in the "Remarks" section of the Form IB-1. (Officially, disasters are identified by numbers, only. However, since the agent State may not know the number, it may use the commonly used name that identifies the disaster, such as "Tornado in Selma, Alabama".)

(d) issue the Interstate Claim Information Sheet, Form IB-7, and the appropriate number of Form IB-2s; and

(e) advise the claimant to return to the agent State local office or telephone the appropriate agent State claim center to file a DUA claim if an ineligible determination is received from the liable State.

(2) The liable State will:

(a) process the initial claim under its regular procedures and issue a UI, UCFE, or UCX monetary determination;

(b) issue appropriate continued claim form(s) and filing instructions under the regular procedures.

**b. Initial Interstate Claim - UI/UCFE/UCX or DUA (Same State).** When a claimant has potential UI, UCFE, or UCX entitlement and a potential DUA claim against the same liable State--

(1) The agent State will:

(a) complete and mail an Initial Interstate Claim, Form IB-1, and transmit a TCIB1 via ICON to the appropriate liable State for a monetary determination following the regular procedures;

(b) identify the claim as "UI", "UCFE" or "UCX", as appropriate, in Item K of Form IB-1 and "DUA" in other (This will allow the liable State to identify and process the claim as DUA in the event that there is no entitlement under any other State or Federal unemployment compensation program);

(c) complete a statement of employment or self-employment and wages earned or paid for such employment or self-employment for the individual's most recently completed taxyear base period. (See 20 CFR 625.6(a)(1), (2), (3) and 625.6(e).) The DUA base period is the most recent tax year for the individual that has ended prior to the disaster;

(d) indicate "Claim resulted from disaster (name & number , if available) in the "Remarks" section of the Form IB-1. (Officially, disasters are identified by numbers. However, since the agent State may not know the number, it may use the commonly used name that identifies the disaster, such as "Tornado in Selma, Alabama".);

(e) issue the Interstate Claim Information Sheet, Form IB-7 with the appropriate number of Form IB-2s; and

(f) advise the claimant that he/she will receive a request for additional information, including an affidavit, from the liable State for completion to establish DUA entitlement if an ineligible monetary determination is issued on the UI, UCFE, or UCX claim.

(2) The liable State will:

(a) process the initial claim and issue a UI, UCFE, UCX monetary determination under its regular procedures;

(b) process the claim as a DUA claim and issue a DUA monetary determination, in accordance with 20 CFR Part 625 and instructions in this Handbook, if the claimant is monetarily ineligible on a UI, UCFE, or UCX claim; and

(c) issue appropriate continued claim form(s) and reporting instructions.

**c. Initial Interstate Claim - DUA.** When an interstate DUA claim is filed:

## (1) The agent State will:

(a) complete and mail an Initial interstate Claim, Form IB-1, identified in Item K under "other" as "DUA" and transmit a TC-IB1 to the liable State;

(b) complete a statement of employment or self-employment and wages earned or paid for such employment or self-employment for the individual's DUA base period and attach it to the Form IB-1. The DUA base period is the most recent tax year for the individual that has ended prior to the disaster. Also, complete an IB-11 with the additional information necessary for determining DUA eligibility that is not covered by the questions on the IB-1;

(c) indicate "Claim resulted from disaster (name & number, if available) in the "Remarks" section of the Form IB-1. (Officially, disasters are identified by numbers. However, since the agent State may not know the number, it may use the commonly used name that identifies the disaster, such as "Tornado in Selma, Alabama .");

(d) issue the Interstate Claim Information Sheet, Form IB-7, together with "two" Continued Interstate Claim, Form IB-2s clearly marked "DUA" in Item 5 to the DUA claimant;

(e) advise the claimant to follow the weeks claimed filing instructions received from the liable State; and

(f) cooperate with the liable State to ensure the accuracy of the DUA payment.

**NOTE:** Liable State instructions concerning the number of IB-2s to be issued to interstate claimants do not apply to DUA claims.

## (2) The liable State will:

(a) issue a DUA monetary determination;

(b) issue continued claims forms and reporting instructions;

(c) contact the State in another State for verification of employment and earnings identified on the Form IB-1 as covered in the other State, when appropriate;

(d) obtain any additional information necessary from the claimant directly; and

(e) not use a Request for Transfer of Wages, Form IB-4, or TC-IB4 to identify or verify wages in another State for purposes of determining DUA claims (Liable States may obtain this information using the Interstate Inquiry (IBIQ) or a TC-IB13.).

## CONTINUED CLAIMS

2. **Interstate Continued Claims.** Continued DUA claims will be handled by the agent and liable State in the same manner as UI, UCFE, or UCX continued claims filed under the IBPP. At the time of the initial claim, the agent State will issue to the DUA claimant two (2) Form IB-2s, clearly marked "DUA" in Item 5 and advise the claimant to complete one for each week claimed and forward directly to the liable State.

When a Form IB-2 "DUA" is received, the liable State must ensure that a DUA payment is issued only if the individual is not eligible for UC in any State and issue reporting instructions and continued claim forms under the liable State's procedures.

## AGENT STATE COST REIMBURSEMENT

3. **Administrative Funds for DUA Agent State Workload Activity.** DUA administrative funds are provided only to States with declared disasters, i.e., liable States. States may not use Title III grants for DUA administrative activity since Title III grants may be used solely for the "proper and efficient administration" of a State unemployment compensation law that the Secretary of Labor has certified meets the requirements of the Federal Unemployment Tax Act (FUTA).

However, the Department recognizes that States may encounter individuals who are entitled to file DUA claims from an agent State as set forth in the procedures above. If an agent State cannot absorb administrative costs for interstate DUA claims activity within any non-Title III funds in the State (e.g., interest and penalty funds), it should **follow the procedures set forth in Chapter IX of this Handbook** to receive reimbursement for such costs.