

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); 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 workers 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.
- **Optional** -- A state may pay up to 13 weeks of EB if the average total unemployment rate (TUR),

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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.)

TABLE 4-1: STATES WITH OPTIONAL TRIGGERS FOR EB

State	DOES NOT Use 6% IUR Option	Uses 6.5% TUR Option	State	DOES NOT Use 6% IUR Option	Uses 6.5% TUR Option
AL		X ^{1,2}	NH	X	X
AK		X	NJ		X
AZ		X ^{1,3}	NM		X
CA		X ^{1,3}	NY		X ^{1,2}
CO		X ^{1,2}	NC		X
CT		X	ND	X	
DE	X	X ^{1,2}	OH		X ^{1,3}
DC		X ^{1,3}	OR		X
FL	X	X ⁴	PA		X ^{1,2}
GA	X	X ^{1,3}	RI		X
IA	X		SC		X ^{1,2}
ID		X ^{1,2}	SD	X	
IL		X ^{1,3}	TN		X ^{1,2}
IN		X ^{1,2}	TX		X ^{1,2}
KS		X	UT	X	
KY	X	X ^{1,3}	VT		X
ME		X ^{1,3}	VA		X ^{1,3}
MA		X ^{1,5}	WA	X	X
MI	X	X ^{1,6}	WV		X ^{1,2}
MN		X	WI		X ^{1,3}
MO		X ^{1,2}	WY	X	
NV		X ^{1,3}			

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 currently expires January 30, 2010.

⁵ Trigger expires the week ending prior to the last week for which 100% Federal sharing is authorized.

⁶ Trigger expires the last week for which 100% Federal sharing is authorized.

FINANCING OF EB—Under permanent law, half of the cost of EB 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

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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 cost through April 5, 2010. When this publication went to press, Congress was considering a further extension.

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

- A worker 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.
- A worker 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 worker has been employed during at least 4 weeks and has earned a total of 4 times the worker’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
MA	X	X	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
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

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, workers 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 a worker during a period in which Federal sharing of the cost of EB is reduced pursuant to a sequester order.

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

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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 up to 34 weeks of 100 percent federally financed compensation to eligible individuals in all states and up to 53 weeks in “high unemployment” states.¹

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 4/10 ¹

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 claimants 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 table below does not align with the requirements established by P.L. 111-5.

TABLE 4-5: STATES WITH ADDITIONAL BENEFITS PROGRAMS				
State	Name of Extension	Duration	To Whom/When Payable	Miscellaneous
AK	Supplemental Benefits	13 weeks	If claimant exhausts regular UI and does not qualify monetarily for subsequent benefit year.	Permanent
CA	Extended Duration Benefits	13 weeks	Payable to 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 insured unemployment rate equals or exceeds 6%
	California Training Benefits (CTB)	Up to 52 x WBA, less regular UI and any extensions paid	Payable to claimants who lack competitive job skills and who are enrolled in approved training for a demand occupation. Claimant must apply for or inquire about CTB program no later than the 16 th week of receiving UI benefits.	Expires 1/1/2015

¹ Information regarding the EUC08 program is current as of the date this publication went to press..

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TABLE 4-5: STATES WITH ADDITIONAL BENEFITS PROGRAMS

State	Name of Extension	Duration	To Whom/When Payable	Miscellaneous
CO	Training Extension	Lesser of 20 weeks or 40% of maximum benefit amount	Payable to 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.	Expires 7/1/2012
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
DC	Additional Benefits	Two 10-week phases	Paid to qualified claimants. Claimants must apply for phase two additional benefits by providing specific information about work search efforts made during phase one.	If the total unemployment rate is 6.5% or higher and no Federal program in effect
	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
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
MA	Additional Benefits	26 weeks	For attending approved training course which, in opinion of Commissioner, will aid in finding appropriate employment. Only paid while attending such course, and only if 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.

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TABLE 4-5: STATES WITH ADDITIONAL BENEFITS PROGRAMS

State	Name of Extension	Duration	To Whom/When Payable	Miscellaneous
MN	Additional Benefits	13 weeks	If claimant 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 claimant; claimant exhausted regular UI; and facility is located in county with unemployment rate at least 10% from 3 months before to 3 months after layoff.	Determined by Commissioner
	State Emergency Unemployment Compensation (EUC)	Identical to EUC08 program	Exhaustees of regular unemployment compensation benefits who meet all requirements under state UC law and EUC08 program, except for employment/earnings requirements.	Expires 6/30/2010
MT	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	Claimant must be in approved training, separate from TRA.	Permanent
OR	Supplemental Benefits	26 weeks	Eligible dislocated workers in approved training and workers whose unemployment resulted from the return to service in the Oregon National Guard or the military reserve forces of the U.S. following active duty service in Iraq and Afghanistan. Unemployment substantially due to lack of job opportunities in local labor market due to: 1) high energy costs; 2) extended drought conditions and attendant economic conditions; 3) secondary effects of foreign trade; and 4) shift of production to another state or US territory.	Permanent. Additional eligibility requirements apply. Subject to availability of funds.
	Additional Benefits	Up to 25% of most recent regular UI claim	High unemployment.	Must not be eligible for other unemployment benefits
PR	Additional Benefits	(20 x WBA plus 32 x additional WBA) less max. potential benefits payable in last BY	For workers in special unemployment situation (displaced due to technological progress and/or the permanent disappearance of an industry, establishment, or occupation, not for seasonal unemployment). Secretary determines if special unemployment situation exists.	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 workers 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.

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TABLE 4-5: STATES WITH ADDITIONAL BENEFITS PROGRAMS

State	Name of Extension	Duration	To Whom/When Payable	Miscellaneous
WI	Temporary Supplemental Benefits	18 weeks	Must be certified as attending vocational retraining program.	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 workers 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 workers. Payments and administrative costs are paid for with Federal funds. Note that the following information describes the TRA program as of January 1, 2010.

CERTIFICATION PROCESS—Workers 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 worker's petition.

QUALIFYING REQUIREMENTS—To qualify for TRA, the worker 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 receive TRA payments, the worker 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 worker'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). Up to 52 weeks of additional TRA is available for a total of 104 weeks of income support. In order to receive additional TRA, a worker must be in TAA-approved training. Workers whose training includes remedial education can get 26 additional weeks of TRA for a total of 130 weeks.

SUBSISTENCE AND TRANSPORTATION ALLOWANCES—An adversely affected worker may receive TRA while participating in approved training. Workers 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 workers 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: (1) a lump sum payment of up to \$1,250; and (2) 90 percent of the expenses incurred in moving the workers, their families, and their household effects to the location of their new jobs.

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JOB SEARCH ALLOWANCES—Job search allowances are payable to totally separated workers 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 90 percent of the cost of the necessary expenses incurred in the job search up to a maximum of \$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.

WEEKLY ASSISTANCE AMOUNT—In jurisdictions that operate a UI program² the weekly DUA amount is the greater of the following: (1) the amount of the average weekly regular UI payment (including allowances for dependents) in the state in which the major disaster occurred; or (2) the weekly amount to which the individual would have been entitled under the state law for a week of total unemployment had all of his or her work and wages been included as employment and wages under such state law.

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) worker's 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 or worksharing programs allow a worker who is employed for a portion of the week to collect UI benefits. Whereas partial benefit

² 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 §625.2(r)(1)(i) for weeks of total unemployment in the first four of the last five 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 percent 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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formulas look at the worker's earnings, worksharing looks at the hours of work.

Under worksharing, an employer elects to avoid layoffs by reducing the number of regularly scheduled hours of work for all, or a group of, workers. A worksharing plan must be agreed to by both the employer and, if unionized, the union, and approved by the state UI agency. UI benefits are then payable for the hours of work reduced as a proportion of the benefit amount for a full week of unemployment. Workers are not required to meet a state's regular availability for work, actively seeking work, or refusal of work requirements, but are required to be available for their normal workweek.

In Hawaii, a partial unemployment program similar to worksharing has been temporarily codified and expanded. It provides an alternative to the complete layoff of employees, allowing employers to retain their full-time workers by reducing hours, while allowing workers to collect unemployment benefits for up to 8 weeks. The new partial unemployment provisions in Hawaii's law are set to be repealed on July 1, 2012.

TABLE 4-6: STATES WITH WORKSHARING PROGRAMS

State	Period of Approved Plan	Required Reduction of Work	Maximum Number of Weeks Payable	Other
AZ	1 year	At least 10% but not more than 40%	26 weeks (Limitation does not apply if state IUR for preceding 12 weeks is $\geq 4\%$)	Tax rate increases 1% if the negative reserve ratio is less than 15%; 2% if the negative reserve ratio is 15% or more.
AR	12 months or date in plan, whichever is earlier	Not less than 10%, but not more than 40%	26 weeks	
CA	6 months	At least 10%	No limit on weeks, but total paid cannot exceed 26 x WBA	Plans are not required to address fringe benefits.
CT	6 months	Not less than 20%, but not more than 40%	26 weeks (with 26 week extension possible)	
FL	12 months	Not less than 10%, but not more than 40%	26 weeks	1% higher maximum- tax rate; other part-time employment affects payment.
IA	24 months	Not less than 20%, but not more than 50%	52 weeks	
KS	12 months	Not less than 20%, but not more than 40%	26 weeks	Automatic exclusion of negative balance employers.
LA	12 months or date in plan, whichever is earlier	At least 10%	26 weeks	Plans are not required to address fringe benefits. Has authority in law but has not implemented program.
MD	6 months	At least 10%, not to exceed to 50%	26 weeks	All STC benefits are charged to STC employer regardless of the BP charging rule.
MA	26 weeks	Not less than 10%, but not more than 60%	26 weeks	Employers with negative balances are charged as though they were reimbursers.
MN	At least 60 days, but not more than 1 year	At least 20%, but not more than 40%	52 weeks	Employees participating must work at least 20 hours per week.
MO	12 months	Not less than 20%, but not more than 40%	26 weeks	Worksharing benefits may not be denied in any week containing a holiday for which holiday earnings are committed to be paid by the employer, unless the working benefits to be paid are for the same hours as the holiday earnings.
NY		Not less than 20%, but not more than 60%	20 weeks	
OR	No more than 1 year	At least 20%, but not more than 40%	52 weeks	If the employer's benefit ratio is greater than its tax rate, the employer must reimburse the excess at the end of each CQ.

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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	Other
RI	12 months	Not less than 10%, but not more than 50%	52 weeks	All worksharing benefits are charged to the worksharing employer regardless of BP charging rule.
TX	12 months	At least 10%, but not more than 40%	52 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%	52 weeks	Individuals may receive shared work payments up to the maximum benefit entitlement established by law, plus any state or Federal benefit extensions. Businesses with a tax rate of more than 5.4% are not eligible to participate.

SELF-EMPLOYMENT ASSISTANCE (SEA) PROGRAM

SEA programs help unemployed workers to create their own jobs by starting small businesses. To be eligible for SEA payments, workers 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.

TABLE 4-7: STATES WITH SEA PROGRAMS

California (Authority in law, but no program)	Delaware	Louisiana (Authority in law, but program not active)
Maine	Maryland	New Jersey
New York (expires 12/7/2011)	Oregon	Pennsylvania
Washington (expires 7/1/2012)		