

### Benefits Eligibility [1]

The Virginia Employment Commission (VEC) administers the unemployment insurance program that provides temporary financial assistance to individuals who become unemployed through no fault of their own. Benefits are paid through taxes on employers covered under the Virginia Unemployment Compensation Act. No part of the cost of your unemployment benefits is deducted from your earnings. Your name and social security number will be cross-matched with the Social Security Administration to verify your identity.

#### **To receive benefits you must meet each of the following:**

- Monetary qualification;
- Separation qualification; and
- Weekly eligibility requirements.

#### **Monetary qualification**

In a separate mailing you will receive your monetary determination. Review it carefully. Based on the wages earned during the regular base period, this determination will indicate the benefit amount you qualify for each week and the number of weeks you may receive benefits. The regular base period consists of the first four of the last five completed calendar quarters prior to the effective date of your claim. If you feel the wages shown on the determination are incorrect, call 1-866-832-2363 (Available 8:15am to 4:30pm, Monday - Friday and 9am to 1pm Saturday. Closed Sunday and state holidays.) or you must report to the nearest field office with proof of correct wages. If you live outside Virginia, contact the office where you filed your claim or call **1-866-832-2363**. If you do not have enough wages to qualify for benefits during the regular base period, you may monetarily qualify under the **alternate base period** that includes wages from the last four completed calendar quarters at the time your claim is filed. The base period is set by law and will not change during the life of your unemployment claim. **Your base period earnings determine the number of weeks ranging from 12 to 26 that you may receive benefits.** If you qualify monetarily, your claim remains in effect for one year. This period is called a **benefit year**.

#### **Separation qualification**

Even though you may have enough earnings to qualify, there are circumstances that may prevent you from receiving unemployment benefits. If you are separated for any reason other than lack of work, it will be necessary to gather facts from you and your employer concerning your separation. Your employer will be sent a questionnaire requesting information concerning your employment and separation. You will be called by a VEC deputy and be given an opportunity to present your information and review that of your employer. The deputy will make a determination regarding your qualification based on the separation information presented. You will be disqualified if the deputy determines that you quit your job without good cause, or you were fired from your job for misconduct in connection with your work. You and your employer have the right to appeal the deputy's determination if either of you disagrees with the results.

#### **Weekly Request**

To receive a payment for benefits, you must file a weekly request for each week you wish to claim. You must meet the weekly eligibility requirements listed below. Your benefit week begins on Sunday and ends at midnight on Saturday. You cannot claim the week until it is completely over. The first week you

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meet the weekly eligibility requirements will be your waiting period week. You will not receive a benefit payment for the waiting period week. Note: If your eligibility for benefits must be determined by a deputy, it is very important that you call to file your weekly claim as soon as possible and not wait for the deputy's decision. If you file an appeal, you must continue to meet the weekly eligibility requirements (explained below) and file your weekly claim within 28 days (explained below).

## Weekly Eligibility Requirements

1. To avoid denial of benefits, you must file your first weekly claim within 28 days of the date you filed your initial/new claim. For example, if you filed your claim on January 2, your first weekly claim must be filed by January 30. Subsequent weekly claims for benefits must be filed within 28 days of the Saturday date of the week claimed. For example, if your last week claimed ended on Saturday, February 4, then your subsequent weekly claim must be filed no later than March 4. The Voice Response System and the Internet will not allow you to claim benefits for weeks that are more than 28 days old.
2. You must be able to work and be available to work. Most claimants are required to make an active search for work. If directed to make an active search for work, you must register online at [www.vawc.virginia.gov](http://www.vawc.virginia.gov) the VEC or a workforce services agency where you live if you live outside Virginia. If the VEC has directed you to look for work, you must contact several employers each week in your effort to find work. Note: Responses to blind ads to employers are not acceptable as job contacts. You must maintain complete and accurate records of your work search contacts for one year, for auditing purposes. You must provide the VEC, when requested, the following information that is subject to verification:
  - Month, day, year of contact;
  - Complete name of employer contacted;
  - Complete address (street, P.O. box number, city, state, zip code) of employer contacted;
  - First and last name of the individual for the employer/company with whom you talked;
  - Telephone number of the employer; fax number; and e-mail or web address;
  - Type of work or position for which you applied; and

Failure to provide requested information may result in a denial of benefits and could result in overpaid benefits to which you must repay to the Commission.

3. You must be willing to accept suitable work if offered and apply for suitable work when referred to a job by the VEC or your workforce services agency if you live outside Virginia. The term suitable work takes into account many factors such as previous work experience, physical and mental fitness, risk to your health, safety, or morals, and the distance from your home. Conditions of the work offered, such as wages and hours, are also considered. If you refuse a job or a VEC/workforce services agency referral to a job, the deputy will review the suitability of the work and your reason(s) for refusing it before issuing a determination on your continuing eligibility.
4. You must report all wages earned for any work, including temporary, part-time, and self-employment, for the week they are earned (not when paid). If you work and your gross income for the week is less than your weekly benefit amount, that gross amount less \$50 will be deducted from your weekly benefit amount. If your gross earnings equal or exceed your weekly benefit amount, you will not receive benefits for that week. Report your return to full time work when you file your weekly continued claim for benefits. Be sure to report your earnings right away, regardless of when you get paid, or you may receive benefits which you have to repay.
5. You must report the receipt of holiday, vacation, and severance pay. Holiday or vacation pay must be reported for the week in which it applies and will be deducted like wages from your weekly benefit amount. The deputy may issue a determination based on information provided by you and your employer concerning the effect of severance pay on your weekly benefit amount.
6. If you receive a pension, retirement, or other annuity, it will be deducted from your weekly benefit amount if it is paid by your most recent employer of 30 days or 240 hours or more, or from any employer in the base period of your claim (as shown on your monetary determination). These payments will be deducted dollar-for-dollar from your weekly benefit amount. If your

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weekly pension, retirement or annuity equals or exceeds your weekly benefit amount, you will be ineligible for unemployment benefits for that week.

7. You may receive benefits if enrolled in training or school depending upon the course of study and the required attendance each week. If you desire to attend training or school to improve your employment possibilities, you must request approval in advance through the VEC. The VEC will determine if your training is approved and advise you about work search requirements while you are in school or training. Training approval may be requested by contacting the VEC office where your claim was filed or by calling 1-866-832-2363 (Available 8:15am to 4:30pm, Monday - Friday and 9am to 1pm Saturday. Closed Sunday and state holidays.)
8. If you are advised to call or report to the VEC, you must report as directed. Respond to all VEC letters, including those advising you of potential job openings, within the period indicated in the letter. If there is a question about your claim, you will be asked to call or report to a VEC field office. Failure to report or call as directed may result in the denial of benefits.

**Source URL:** <https://www.vec.virginia.gov/unemployed/benefits-information/benefits-eligibility>

### Links:

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