

NC COMMERCE ⁽¹⁾

Unemployment Insurance FAQs

- How do I file a claim for unemployment insurance benefits?

The fastest and most efficient way to file a new claim is to file online - [click here \(https://des.nc.gov\)](https://des.nc.gov). If you don't have access to a computer, you may file over the phone by calling 1-888-737-0259.

+ What will the information I provide be used for?

Wage information and other confidential unemployment compensation information may be requested and utilized for other governmental purposes, including, but not limited to, verification of an individual's eligibility for other government programs. 20 C.F.R. § 603.11(b).

+ When should I file a claim for UI benefits?

You should file a claim for benefits if you have become unemployed through no fault of your own, you are willing to register for work and actively seek employment, and you are able and available to work if any work is offered to you. NOTE: If you are still employed, but are temporarily laid off due to a decrease in workload, your employer may file an attached claim on your behalf. Attached claims do not require that you register for work or actively seek work. If your employer refuses to file an attached claim on your behalf, you must file your own claim and meet all eligibility requirements.

+ What are the requirements for filing a valid claim?

You must have worked in employment subject to UI tax (known as covered employment) and received wages in at least two (2) quarters of your base period. You must also have been paid wages totaling at least six (6) times the average weekly insured wage during your base period. The exact amount of benefits and the duration of those benefits cannot be determined until you actually file your claim for

benefits.

+ What is a base period?

Your base period is the time frame used to determine whether you are monetarily eligible to receive unemployment payments. It normally includes the first four of the last five completed calendar quarters.

+ What is an alternative base period?

If you lack enough base period wages, DES may use an alternative base period to determine whether you are eligible for UI benefits. The alternative base period consists of the last four completed calendar quarters immediately before the first day of your benefit year.

+ What is a benefit year?

Your benefit year is the 52-week period from the date you register for work and first file a valid claim. If you are still attached to your employer's payroll, your benefit year begins on the Sunday before your payroll week ends. If you are not attached to an employer's payroll, your benefit year begins on the Sunday of the calendar week that you file a valid claim and register for work.

+ What is the average weekly insured wage?

The average weekly insured wage is calculated by dividing the total wages reported by all covered employers for a calendar year by the average monthly number of employees during that year and dividing that number by 52.

+ What is the difference between eligibility and qualification?

Eligibility involves working and earning enough money within your base period to establish a claim for benefits, and meeting the requirements of searching for work and being able and available for work. Eligibility is determined weekly. Ineligibility is a postponement of benefits until you meet the weekly requirements. Qualification involves being separated from work through no fault of your own. Disqualification is a loss of benefits. It is possible to be eligible and disqualified for benefits. It is also possible to be ineligible and qualified for benefits. You must be both qualified and eligible to receive benefits.

+ What is an Issue?

An issue is an act or circumstance, which, by virtue of State or Federal law/regulation, could affect your eligibility for UI benefits. Whenever an issue is discovered, benefit payments may be interrupted until the issue is resolved. There are three possible resolutions to an issue:

1. The issue disqualifies you from receiving a portion or all of your UI benefits.
2. The issue does not disqualify you from receiving UI benefits.
3. The issue is determined to be set in error, thus it is simply removed from the claim.

If you have an issue on your UI claim, while awaiting a resolution, you should continue to file your weekly certifications.

+ Who is the last employer?

When a new claim is filed, your last employer is the last employer for whom you worked in covered employment (employment subject to UI tax) for an indefinite period, or for more than 30 days before your separation, regardless of whether work was performed each day.

+ Who is a base period employer?

Your base period employer is any covered employer (employer subject to UI tax) who reported wages for you during the base period of your claim. All base period employers are potentially responsible for a proportional share of charges based on the percentage of benefits reported for you during your base period.

+ What is a waiting period week?

Your waiting period week is the first eligible week for benefits under each claim filed. You must serve a waiting period week for each claim filed. You will never receive payment for this first week, but it must be claimed to be counted. It does not mean you should wait a week before filing a UI claim.

+ What are wages?

Wages are cash or any medium other than cash paid by an employer to, or on behalf of an employee for services rendered.

+ What is an earning allowance?

Your earning allowance is the amount of money you can earn without reducing your weekly benefit amount. Earnings over this amount are deducted dollar-for-dollar from your weekly benefits. You must always report your gross earnings for any work performed during any week you claim benefits.

+ In which state should I file a claim if I live in North Carolina or another state?

You should apply for benefits in the state where your base period wages were reported. If you have base period wages in multiple states, you may choose the state in which you file for benefits.

+ What if I work part-time?

If you work part-time, you must report the gross (before taxes) earnings for the weeks that you worked, and you must maintain your eligibility requirements. If your only employment was part-time and you have been separated, you may be eligible to receive benefits. Contact a DES claims representative at 1-888-737-0259 so that a determination can be made.

+ Can I collect benefits while working?

Yes. You can collect benefits while working in certain limited circumstances. This is generally found in G.S. §96-15.01.

+ What is an attached claim?

An attached claim is a claim filed by an employer on behalf of an employee who has been temporarily laid off or who has worked less than 60% of the customary scheduled full-time hours for the employee.

+ How are attached claims handled?

An employer may file an attached claim only if the employer has a positive balance in its UI account. If an employer does not have a positive balance, it must pay DES an amount equal to the amount necessary to bring the employer's negative balance to at least zero. After this happens, there are other restrictions with which the employer must comply:

1. An employer may file an attached claim for an employee only once per year; and
2. The period of partial unemployment for which the claim is filed may not exceed six consecutive weeks; and
3. The employer must also pay DES an amount equal to the full cost of unemployment benefits payable to the employee under the attached claim before the attached claim is filed.

+ What wages can be used to establish a claim for benefits?

Any wages used to establish eligibility for UI benefits must be earned in employment that is covered by the Employment Security Law. This means that the employer must be subject to UI tax. Employers who are liable under the Employment Security Law are required to post a Certificate of Coverage and Notice to Workers (Form NCUI 524) in their place of business.

+ What is a Wage Transcript and Monetary Determination?

A Wage Transcript and Monetary Determination (Form NCUI 550) is a document that itemizes your quarterly wages paid by each base period employer. This form also shows your weekly benefit amount, duration, and effective date of your claim. If monetary eligibility is not established, the reason is shown on this form.

+ What is a separation payment?

Separation payment is any payment that was made, is being made, or will be made to you as a result of separation from last employment. Separation pay may be in the form of:

1. Wages in lieu of notice,
2. Accrued vacation pay reported on claims effective prior to July 2, 2017,

3. Terminal leave pay,
4. Severance pay,
5. Separation pay, or
6. Dismissal payments or wages (no matter what they are called).

Alert! Claims effective July 2, 2017 and beyond: Paid Time Off (Vacation and/or Sick Pay) will not be considered separation pay if the payment was issued as a result of the employer's written policy established prior to your separation.

+ What effect do vacation and severance weeks have on eligibility for benefits?

Any worker who receives severance pay is considered to be attached to that employer's payroll during that time and not eligible for UI benefits.

Paid Time Off (Vacation and/or Sick Pay) will not be considered separation pay if the payment was issued as a result of the employer's written policy established prior to your separation. Workers receiving Paid Time Off (Vacation and/or Sick Pay) under these conditions will not be disqualified from receiving benefits.

+ If I live in North Carolina, how do I file an interstate claim (claim against another state)?

If you live in North Carolina, but do not have wages in North Carolina, you can file an interstate claim in the state where you have wages. You must contact the agency responsible for UI claims in that state and follow its instructions for filing your claim.

- + If I live in another state where I do not have wages, but have qualifying wages in North Carolina, may I file an interstate claim?

Yes. If you have no wages in the state where you live, but have qualifying wages in North Carolina, you may file an interstate claim in North Carolina. You can file your claim online on the DES website, or by telephone at 888-737-0259.

- + What if I filed a claim, but have now returned to work?

If you have returned to work full-time, you should immediately stop filing for UI benefits and let DES know that you have returned to work. You may contact DES by email at des.ui.customerservice@nccommerce.com (<mailto:des.ui.customerservice@nccommerce.com>).

- + How many weeks of regular benefits are available in North Carolina?

You can receive between 12 and 20 weeks of regular unemployment benefits in North Carolina. The actual number of weeks you receive depends on the seasonally adjusted statewide unemployment rate.

+ How is my weekly benefit amount determined?

Your weekly benefit amount is the amount of money you may receive each week. This is calculated by dividing your total of wages in the last two quarters by 52. That number is then rounded to the next lower whole dollar. In order to receive a payment, the total must equal to or exceed \$15. The exact amount of benefits and the length of time that you may get benefits cannot be determined until you actually file your claim for benefits.

+ What is the maximum weekly benefit amount that I can receive?

You may receive the maximum amount of \$350 per week. Your weekly benefit amount is based on the last two completed quarters in your base period divided by 52 and rounded down to the next whole dollar. The seasonally adjusted statewide unemployment rate used to determine the maximum number of weeks that you may get benefits is calculated on January 1 and July 1.

+ Can I use military service to establish a claim?

Military service may be used to establish your claim if that service occurred during your base period. Military wage credits are assigned to the state where the military claimant files a "first" claim. These wage credits may be combined with wage credits from other base period work to establish a claim and pay benefits. In order for military service to be considered, you must provide a copy of your Report of Separation from Active Duty (DD Form 214) or Correction to DD Form 214 (DD-215).

+ Am I eligible for benefits if I work for a school system?

If you work for the school system, you are generally not eligible for UI benefits during non-school periods, as long as you are attached to the school system.

+ Does receiving social security disability payments affect my unemployment benefits?

In order to qualify for benefits, you must be able to work. You are not able to work during any week that you are receiving or applying for benefits under any other state or federal law based on your temporary total or permanent total disability.

+ Will receipt of workers' compensation affect my unemployment benefits?

In order to qualify for benefits, you must be able and available to work. If you are currently receiving workers' compensation benefits, you must inform DES. DES will determine whether you are eligible to receive benefits based upon the specifics of your workers' compensation injury.

+ Am I eligible for benefits during a leave of absence from my job?

Generally, you are not eligible for benefits during a leave of absence from your job. In order to be eligible for benefits, you must be unemployed through no fault of your own, be actively seeking work, and be able and available to accept work if it is offered to you. In limited circumstances, an exception may apply to the general rule. DES will make a determination in each case.

+ Can I file a claim if I am not a United States citizen?

If you are not a citizen or national of the United States, you must have legal authority to work in the U.S. You must present either:

1. Alien registration documents or other proof of immigration registration from the United States Citizenship and Immigration Service (USCIS) that contains your alien registration number or alien file number; or
2. Other document the State determines provides reasonable evidence of satisfactory immigration status. If you have not provided any acceptable form of documentation showing satisfactory immigration status, you will not be eligible for benefits.

+ What if I am out of work due to a strike?

You are disqualified from receiving unemployment benefits during an active labor dispute. You are not qualified for unemployment benefits when your partial or total unemployment is due to:

1. an active labor dispute at the factory, plant, etc. where you work or last worked; or
2. an active labor dispute at another factory, plant, etc., owned by the same employing unit, which causes the materials or services necessary for operation of your factory, plant, etc. to become unavailable.

+ Who pays for the benefits I receive?

Benefits are paid from the North Carolina's Unemployment Insurance Fund, which is funded by a tax paid by employers.

+ What does it mean to be monetarily eligible?

Monetary eligibility simply means that you have worked and earned enough wages within your base period to meet the requirements for establishing a claim. You must have filed a valid claim and met the requirements for eligibility and qualification to receive benefits.

+ What is a nonmonetary determination?

A determination of qualification for benefits based on any consideration that is not monetary is a nonmonetary determination. If you quit a job, get discharged, refuse referral to a job, refuse a job, refuse to enter DWS-approved training, or fail to complete DWS-approved training, you may be disqualified. You and/or your employer may appeal an unfavorable nonmonetary determination.

+ What will happen if I begin to receive UI benefits and I am later determined to be disqualified?

For claims filed June 30, 2013 and after, claimants are subject to repayment of benefits received from any administrative or judicial decision that is later reversed on appeal.

+ Am I required to register for work?

In order to meet your work registration requirement for unemployment insurance benefits, you must:

1. Register for work at www.NCWorks.gov by (<http://www.NCWorks.gov> by) creating an online account. Click on the 'Not Registered?' link and then select 'Individual' under Option 3 -Create a User Account. The website will then guide you through the steps to complete your account setup.
2. Maintain an active account. If more than 90 days has passed since you last logged in to NCWorks.gov, you must login and verify your information to reactivate your registration.

While you're logged in to NCWorks Online, you may check out the many resources the Division of Workforce Solutions (DWS) has online to assist you with your re-employment efforts.

If you fail to register for work at [www.NCWorks.gov](https://www.ncworks.gov) (<https://www.ncworks.gov/vosnet/Default.aspx>) by setting up an NCWorks Online account or maintain an active account, your benefits may be delayed or denied.

+ I received a message indicating that I have not registered for work at NCWorks.gov. What should I do?

You must register for work at www.NCWorks.gov by (<http://www.NCWorks.gov> by) creating an account. Click on the 'Not Registered?' link and then select 'Individual' under Option 3 -Create a User Account. The website will then guide you through the steps to complete your account setup.

If you fail to register for work at www.NCWorks.gov by (<http://www.NCWorks.gov> by) setting up an NCWorks Online account or maintain an active account, your benefits may be delayed or denied.

+ What Is NCWorks Online?

NCWorks Online is a one-stop online resource for job seekers and employers in North Carolina. Job seekers can search for jobs, create resumes, and find education and training. Employers can find candidates, post jobs, and search labor market information. According to North Carolina law and Federal law, Unemployment Insurance claimants must be registered for work. This registration must be

accomplished by going to www.NCWorks.gov and (<http://www.NCWorks.gov> and) building a resume using the Resume Builder tool which details your employment history and occupational skills.

+ What Is Resume Builder?

Resume Builder is a tool on the NCWorks Online site that will provide you step by step assistance in compiling your prior work history and occupational skills to create a resume.

+ Do I have to look for work while collecting benefits?

You must make three valid job contacts with potential employers for each week you claim for unemployment insurance benefits. For more information view the [NCUI 506](https://files.nc.gov/des/documents/Downloads/ncui506e.pdf) (<https://files.nc.gov/des/documents/Downloads/ncui506e.pdf>) Form.

+ What kind of work must I accept?

You must accept any suitable work during your first 10 weeks of the benefit period based on such factors as your experience, customary occupation, prior earnings, etc. During the remaining weeks, any suitable work must be considered. NOTE: Suitable work will be any work offered that pays 120% of your weekly benefit amount beginning with the eleventh (11th) week after you file your claim.

+ What should I do if I lose my job again?

If you lose your job again, you may file for unemployment benefits by telephone or at the DES website.

+ Does receiving a pension affect my benefits?

Yes. If you are receiving a pension from a base period employer, your weekly payment amount will be reduced. You should notify DES immediately to determine the appropriate action to be taken.

+ Does receiving Social Security retirement benefits affect my UI benefits?

Social Security retirement benefits do not reduce the amount of your weekly payment amount. You are not required to report Social Security retirement benefits.

+ Are my benefits taxable and does DES withhold any benefits for taxes?

Yes. You should include the UI payments you received on your federal and state tax filing form. If you request it, DES will withhold state and federal taxes from your benefits.

+ Can I change my tax withholding option?

Yes. You may change your tax withholding option by completing the Request to Change Income Tax Withholding/Direct Deposit (Form NCUI 500TWC (<https://files.nc.gov/des/documents/Downloads/ncui500twc.pdf>)) on the [Forms and Documents page \(/need-help/forms-and-documents\)](#), or through your online account.

+ Can I have my tax withholding returned to me?

No. Tax withholdings are immediately transmitted to the NC Department of Revenue and/or the Internal Revenue Service when the payment is issued.

+ Will I receive a year-end statement?

You should receive a year-end statement called a Certain Government Payments (Form 1099-G) for the previous year by January 31 of the current year.

+ If I repaid an overpayment, will it appear on my Certain Government Payments (Form 1099-G)?

No, there is a line to report repayment of overpayments on your federal tax return form. The repaid amount should be reported on the tax return submitted for the year the repayment was made.

+ If I did not receive my 1099-G, how can I get a copy?

You may download a copy of your current Certain Government Payments (Form 1099-G) from the DES website at no charge. Your current 1099-G remains on the DES website for one (1) year. After its removal from the website, you may request a copy of your 1099-G by submitting a written request by mail, facsimile or email to:

Legal Services Section

North Carolina Department of Commerce

Division of Employment Security

Post Office Box 25903

Raleigh, NC 27611-5903

Fax: 919-715-7194

Email: legal.release@nccommerce.com (<mailto:legal.release@nccommerce.com>).

There is no charge for providing a copy of the current 1099-G. However, there is a \$15.00 charge for previous years' 1099-Gs.

+ As an employer, what if the claimant is not claiming benefits against my account?

You should respond to all requests for information regarding a claim from DES. Neither claimants nor employers get to choose which employer is charged for a claim. This is determined by the Employment Security Law. All employment within a claimant's base period and a claimant's last employment before filing a claim are considered.

- + The claimant quit without giving me any notice or reason. Why should I be held liable for the benefits when my business suffered as a result?

If you are a base period employer and your account is potentially liable for a portion of the charges resulting from a claim for UI benefits, you will be mailed a Notice of Initial Claim and Potential Charges To Your Account (Form NCUI 551). You must provide a timely and complete response to this notice so that the reason for separation can be reviewed. Your response will be used to determine an appropriate action regarding liability, if any, on your account.

- + As an employer, how can I request non-charging of unemployment benefits?

Experience-rated employers can request that benefits not be charged to their accounts in certain situations. Requests for non-charging are submitted by timely responding to notices issued by DES. In order to request non-charging, base period employers must complete and return the Notice of Initial Claim and Potential Charges to Your Account (Form NCUI 551) within 15 days from the date of notice. Last and base period employers must complete and return the Request for Separation Information from Employer (Form NCUI 500AB) within 10 days from date of notice. Employers may request non-charging for reasons such as an employee's leaving work without good cause attributable to the employer and/or separation of an employee for misconduct.

FAQs

[Overpayment FAQs \(/need-help/faqs/overpayment-faqs\)](#)

[1099-G FAQs \(/need-help/faqs/1099-g-faqs\)](#)

[Account Creation and Sign In–Employers and Remitters FAQs \(/need-help/faqs/account-creation-and-sign-%E2%80%93employers-and-remitters-faqs\)](#)

[Account Creation and Sign In–Individuals FAQs \(/need-help/faqs/account-creation-and-sign-%E2%80%93individuals-faqs\)](#)

[Adjudication FAQs \(/need-help/faqs/adjudication-faqs\)](#)

[Claim Filing Instructions \(/need-help/faqs/claim-filing-instructions\)](#)

[Disaster Unemployment Assistance \(DUA\) FAQs \(/need-help/faqs/disaster-unemployment-assistance-dua-faqs\)](#)

[Eligibility Review for Interstate Claimants \(Out of State\) FAQs \(/need-help/faqs/eligibility-review-interstate-claimants-out-state-faqs\)](#)

[Employability Assessment Interview \(EAI\) FAQs \(/need-help/faqs/employability-assessment-interview-eai-faqs\)](#)

[Employer Tax FAQs \(/need-help/faqs/employer-tax-faqs\)](#)

[Employer Tax Rate and Account Number Verification \(/need-help/faqs/employer-tax-rate-and-account-number-verification\)](#)

[Fraud FAQs \(/need-help/faqs/fraud-faqs\)](#)

[How do I claim my weekly benefits? \(/need-help/faqs/how-do-i-claim-my-weekly-benefits\)](#)

[Judicial Review in Benefits Matters FAQs \(/need-help/faqs/judicial-review-benefits-matters-faqs\)](#)

[Judicial Review in Tax Matters FAQs \(/need-help/faqs/judicial-review-tax-matters-faqs\)](#)

[Release of Information FAQs \(/need-help/faqs/release-information-faqs\)](#)

[Return to Work \(/need-help/faqs/return-work\)](#)

[Trade Readjustment Allowance \(TRA\) \(/need-help/faqs/trade-readjustment-allowance-tra\)](#)

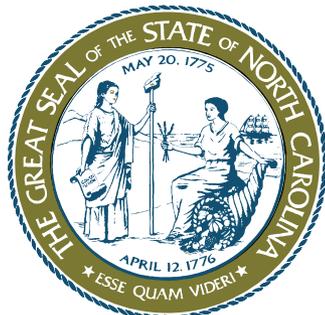
[Unemployment Insurance Benefits Between School Terms FAQs \(/need-help/faqs/unemployment-insurance-benefits-between-school-terms-faqs\)](#)

[Unemployment Insurance Benefits Hearings \(/need-help/faqs/unemployment-insurance-benefits-hearings\)](#)

[Unemployment Insurance FAQs \(/need-help/faqs/unemployment-insurance-faqs\)](#)

[Unemployment Insurance Tax Hearings \(/need-help/faqs/unemployment-insurance-tax-hearings\)](#)

[Work Search Guidelines FAQs \(/need-help/faqs/work-search-guidelines-faqs\)](#)



NC DEPARTMENT of COMMERCE EMPLOYMENT SECURITY

(<https://des.nc.gov>).

CONTACT INFORMATION

North Carolina Division of Employment Security

Mailing address:

P.O. Box 25903
Raleigh, NC 27611-5903

DES Central Office Location:

700 Wade Avenue
Raleigh, NC 27605

Please note that this is a secure facility. Customers needing assistance with their unemployment insurance claim should contact us via phone or email only.

[NC.gov Home \(https://www.nc.gov/\)](https://www.nc.gov/)

[Translation Disclaimer \(/terms\)](/terms)

[Accessibility \(https://www.nc.gov/accessibility\)](https://www.nc.gov/accessibility)

[Terms of Use \(https://www.nc.gov/terms\)](https://www.nc.gov/terms) [Privacy Policy \(https://www.nc.gov/privacy\)](https://www.nc.gov/privacy) [Open Budget \(https://www.nc.gov/government/open-budget \)](https://www.nc.gov/government/open-budget)