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# **Work Share Information Handbook**

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## **Your Rights & Responsibilities**

**You are *legally responsible*  
for knowing the contents  
of this book.**



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# WorkShare Information Handbook

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## ***Why do I need this book?***

This book contains general instructions and basic information to claim Unemployment Insurance WorkShare benefits.

As a claimant, you have ***responsibilities*** as well as ***rights***. It is important that you protect those rights by reading and understanding this information.

# WORKSHARE

WorkShare compensation is an alternative to laying off employees. Instead, the employer reduces the hours of work for a group of workers. Partial unemployment benefits supplement the reduced wages.

## **What should I expect from the Employment Department?**

You can expect speedy, courteous and professional service. In return, the Employment Department may need more information from you. If you receive forms, questionnaires or phone calls asking for information necessary to process your claim and ensure proper payment of benefits, respond immediately.

## **How Does It Work?**

Your employer sends in a written plan to the Employment Department. You are named as one of three or more employees with reduced work hours who are applying to participate in a WorkShare program.

Your employer states that your work hours and wages will be cut back at least 20% but no more than 40% per week, and that your normal work week is 40 hours or less.

Your employer certifies that you worked full-time for six months or part-time for 12 months just before your employer submits their WorkShare plan.

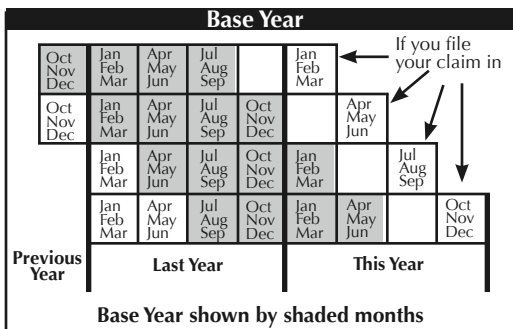
You can claim benefits over the 52-week life of your claim, which is called your "Benefit Year."

Your Benefit Year begins with the week you file your claim. You are limited to 26 WorkShare payments for each WorkShare plan you are covered under. The WorkShare payments you receive will be deducted from your available maximum benefit amount on your unemployment claim. If you have a remaining balance available, you may be able to continue to file for regular benefits if needed, as long as you are otherwise eligible to receive them.

## How Do I Qualify For WorkShare Benefits?

After your employer's plan is approved, to receive benefits you have to qualify for a valid Oregon unemployment insurance claim or you may reopen an existing Oregon claim.

Your claim is based on a one-year period known as the base year. Your base year is established at the time you file by the quarter in which you file your claim.



The base year is the first four of the last five calendar quarters completed at the time you file your initial claim. For example, if you file in May, your claim is based on your earnings from all four quarters of the prior year.

### **There are two ways to qualify**

1. You must have earned at least \$1,000 in wages from employment subject to UI law AND have total base year wages that equal or exceed one and a half times the wages you were paid in the highest quarter (the quarter in which you were paid the most money) of the base year.

**- OR -**

2. If you do not qualify the first way, you may qualify for a valid claim if you have wages and worked at least 500 hours during the base year of employment subject to UI law.

### **If I am not a US citizen, what must I do?**

If you are not a citizen, you will be asked if you are authorized to work in the US. If you answer that you are, you must provide proof of authorization, which will be verified. If you are not authorized to work in the US or do not have proof, benefits will be delayed or denied.

### **How is my weekly amount calculated?**

Your benefit amount is set by law as a percentage of the wages you received during your base year. Your weekly amount is 1.25 percent of your total base year wages. Minimum and maximum amounts are set by law.

## **What if my wages aren't reported correctly?**

Review your Wage and Potential Benefit Report carefully. If wages are missing or incorrect, follow the instructions on the form and call the WorkShare Unit immediately. If your benefit amount is based on wages you did not earn, you will be responsible for repaying money paid to you as a result of these incorrect wages.

## **What if I don't qualify?**

If you don't have enough wages and hours to qualify, you may qualify if you file again in the next quarter when the base year changes.

If you were unable to work due to injury or illness for the major portion of any of the base year quarters, call the WorkShare Unit. It may be possible to extend your base year to include additional quarters.

## **Do I pay into Unemployment Insurance?**

No. The money for benefits is paid by employers through employer taxes.

## **What is the waiting week?**

The waiting week is generally the first week of your claim. You will not receive payment for your waiting week.

To qualify for waiting week credit you must:

- A) have a valid claim;
- B) claim the week;
- C) meet all eligibility requirements; and
- D) be unemployed.

All claimants must serve one waiting week per claim. If you serve a waiting week on WorkShare, you will not serve

another waiting week if you move to regular benefits within the 52 weeks of your claim.

**IMPORTANT:** You must claim each week that you wish to receive benefits or waiting week credit. No decisions or payments will be made on your claim until you claim at least one week of benefits.

## **Claiming benefits**

Your employer will provide a claim form for each week you wish to claim Work-Share benefits. You will normally begin to receive benefits after you claim your second week, providing you meet the eligibility requirements.

After your portion of the claim form is completed, the employer must complete the other half and return it to the Employment Department, preferably within 7 days of the week-ending date of the week you claim.

*For example:* If the week(s) you claim ends on the 7th, your claim form should be submitted to our office by your employer on or before the 14th.

## **How are benefits paid?**

### **1) Electronic Deposit:**

With electronic deposit, we transfer your weekly payment to your checking or savings account at your bank, credit union or savings and loan. Follow these steps to authorize Electronic Deposit:

1. Complete the Authorization for Electronic Deposit received with your initial application.
2. Include a voided check if you want

benefits deposited into a checking account, or a deposit slip for deposit into a savings account.

3. Mail or fax the completed form to:  
**Employment Department**  
**Records & Redeterminations-Rm 105**  
**875 Union St NE, Salem OR 97311**  
**Fax: 503-947-1335**

## **2) Prepaid Debit Card:**

If you do not sign up for electronic deposit, you will receive a US Bank ReliaCard Visa. The card should arrive 7 to 10 days after you receive your first payment by check. Information on how to activate and use it will be included with the ReliaCard.

## **Conditions**

You cannot be paid WorkShare benefits if your regular Oregon unemployment insurance claim is exhausted, or if the only valid claim you have is filed against another state.

You must be available for, and accept work from your WorkShare employer. If you take approved time off for vacation or holidays, you **may** still be paid WorkShare benefits provided you do some work for your WorkShare employer during the week claimed. If you are ill and miss work, you will not be eligible to receive benefits for that week because you must be available for all work that your employer has for you. If you are ill and unable to work, you are missing a work opportunity.

## **Calculating my WorkShare benefit**

Your WorkShare benefit amount is calculated by multiplying your regular weekly benefit amount by the percentage of your reduced weekly hours of work.

For example: If your regular weekly benefit amount is \$270 and the employer's plan calls for a 20% reduction in your work hours, your weekly WorkShare benefits are  $\$270 \times 20\% = \$54$ . You will not receive your weekly benefit amount of \$270 when you claim a week of WorkShare benefits.

**You will not be eligible for benefits:**

- for any week in which you worked or received compensation for more than your planned reduced hours, or
- if you normally work more than 40 hours in a week.

If you work hours that are less than or more than in the plan, you will not qualify for a WorkShare payment for the week. If you work less than 40 hours and your total earnings for the week are less than your weekly benefit amount, you may qualify for regular unemployment. When you claim the week, you will be paid accordingly.

If you work for an employer other than your WorkShare employer during a week for which you are claiming benefits, you must report those earnings.

If the weekly earnings from a non-WorkShare employer exceed 1/3 of your benefit amount, the amount beyond 1/3 will be deducted dollar for dollar from the WorkShare benefit.

*For example:* Your regular weekly benefit amount is \$150. Your employer's WorkShare plan calls for a 20% reduction in your work

hours giving you a potential WorkShare benefit payment of \$30.

If you earn \$60 from a second employer, we disregard the first \$50 (1/3 of your regular weekly benefit amount). The remaining \$10 is deducted from the \$30 WorkShare benefit, leaving you with a net payment of \$20 for the week.

If you ever receive a reduction that you think is incorrect, please contact the WorkShare Unit. You have the right to appeal any reduction or denial of benefits because of earnings. Contact the Work Share unit if you wish to appeal the reduction or denial of benefits.

## **What happens if I am laid off?**

Layoffs of a brief, temporary nature will be coordinated between your employer and the WorkShare Unit.

If an indefinite layoff or permanent separation occurs, call your UI Center and ask to transfer your claim from the WorkShare Unit. Find your UI Center at: <http://findit.emp.state.or.us/ocs/ui-center-lookup/> .

## **What could stop or deny my benefits?**

Some situations require the Employment Department to examine claims, determine eligibility and issue decisions.

They include:

- quitting a job
- being fired
- being unable to work
- being out of the labor market

- attending school
- being incarcerated
- missing an opportunity to work
- turning down a job
- receiving retirement pay

## **What if I disagree with a decision?**

You can appeal the decision by mailing or faxing a letter to the address shown on the administrative decision. Your letter must specifically state that you request a hearing.

To protect your rights, follow the instructions for requesting a hearing, which are included with each decision. Your request must include your Social Security number and the date of the decision you are appealing.

All parties involved will be notified by mail of the date and time of the hearing. You will get information about how to prepare your case. All hearings are held by phone. Review your notification carefully for directions to participate.

***Continue to claim benefits for each week you are unemployed.***

## **Can an employer retaliate against an employee for testifying at a hearing?**

No. It is an unlawful employment practice to retaliate against an employee who has testified at an unemployment compensation hearing or other hearings conducted pursuant to ORS Chapter 657.

## **WARNING**

### **Unemployment Insurance Fraud**

**FRAUD is the *intentional* misreporting or withholding of information in order to get benefits.**

If you know you are reporting incorrect information or hiding information, it is probably fraud. It is against the law and you will likely be caught and punished.

If prosecuted and found guilty, you could be fined, jailed or both.

**If you have information about unemployment fraud**, please contact your UI Center;

*email:* [fraud\\_hotline@emp.state.or.us](mailto:fraud_hotline@emp.state.or.us);  
or

*call* the Fraud Hotline toll free at:  
(877) 668-3204.

***All information is confidential.***

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## **Do WorkShare Benefits affect my Income Tax Return?**

Yes. UI benefits are fully taxable if you are required to file a tax return. You may need to make estimated tax payments. For more tax information, consult IRS publication 505-*Tax Withholding and Estimated Tax* and the Oregon Department of Revenue.

You can choose to have 10 percent of your benefits withheld for federal taxes and/or 6 percent withheld for state taxes. Changing your tax status requires a signature. You can download an Authorization for Tax Withholding (1040WH) online or call the WorkShare Unit to have one mailed.

At the end of January, the Employment Department will send a Form 1099-G (Statement for Recipients of Unemployment Compensation) to your last known address. Please call to change your address even if you stop claiming. You may view the 1099 information at [www.WorkingInOregon.org/ocs](http://www.WorkingInOregon.org/ocs)

## **How can the Employment Department help me find a job?**

Each employment office has a resource center where you can use a computer to write your résumé, use reference materials on job search/interview techniques, find out about employers in your area, and obtain information about labor market conditions around the state.

**Office addresses are available online:**  
[www.WorkingInOregon.org/offices](http://www.WorkingInOregon.org/offices)  
**or in your local phone book.**

The Employment Department is a partner of WorkSource Oregon, a network of local and state service providers assisting job seekers with a comprehensive array of employment and training services. Help is available at no charge at all WorkSource Oregon Centers and Employment Department offices statewide:

[www.WorkingInOregon.org](http://www.WorkingInOregon.org)  
**or**  
[www.WorkSourceOregon.org](http://www.WorkSourceOregon.org)

## **iMatchSkills**

This online matching tool uses your skills and work history to find work. The more detail you supply, the better iMatchSkills can assist you. Find iMatchSkills at:

[www.WorkingInOregon.org](http://www.WorkingInOregon.org)

## **America's CareerOneStop and CareerInfoNet**

This online national resource provides information about occupational trends and wages, industry information, education and training programs, with links to resources with other states:

**<http://www.careerinfonet.org>**

## **Oregon Labor Market Information System (OLMIS)**

- Find career, wage, occupational and industry information at:  
**[www.QualityInfo.org](http://www.QualityInfo.org)**
- Access job listings
- Search businesses and industries in five western states at the Info USA employer database

## **Job Search Assistance**

- Assistance for military veterans
- Résumé and cover letter resources
- Interview and job search information
- Books, self-help guides & videotapes

## **Career Exploration Tools**

- Oregon Labor Market Information System (OLMIS)
- Career Information System (CIS)
- Workforce and Economic Research publications

## **Incentive Programs**

- Jobs Plus Program
- Work Opportunity Tax Credit
- Welfare-to-Work Tax Credit

## **Local Resources**

- Local training providers and support
- Skill and career assessment

- Services for people with disabilities
- Help for workers unemployed as a result of increased competition of foreign countries

## **Find Child Care Resources**

in your area at:

**[http://www.employment.oregon.gov/](http://www.employment.oregon.gov/EMPLOY/CCD/ForParents.shtml)**

**EMPLOY/CCD/ForParents.shtml**

**1-800-556-6616 or 503-947-1400.**

### **Further Information**

Keep a record of the weeks you claim and the dates you receive your payments. A good record will help identify any missing payments.

Include your Social Security Number in any correspondence with the WorkShare Unit.

### **Contact Information**

If you have questions about your WorkShare claim, contact the Employment Department WorkShare Unit:

In Salem: (503) 947-1649  
Toll-free: 1-800-237-3710 ext. 7-1649.  
TDD: 711

State of Oregon  
EMPLOYMENT DEPARTMENT  
WorkShare Unit  
875 Union St. NE  
Salem, OR 97311



WorkSource Oregon Employment Department  
[www.WorkingInOregon.org](http://www.WorkingInOregon.org)  
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