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## Chapter Ind-UC 134 R Reg. Sept, 19

**INTERSTATE BENEFIT PAYMENT PLAN**

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**Ind-UC 134.01 Payment of benefits to interstate claimants.** This chapter shall govern the commission, in its administrative cooperation with other states adopting a similar regulation for the payment of benefits to interstate claimants.

**Ind-UC 134.02 Definitions.** As used in this chapter, unless the context clearly requires otherwise:

(1) "*Interstate Benefit Payment Plan*" means the plan approved by the Interstate Conference of Employment Security Agencies under which benefits shall be payable to unemployed individuals absent from the state (or states) in which benefit credits have been accumulated.

(2) "*Interstate claimant*" means an individual who claims benefits under the unemployment compensation law of one or more liable states through the facilities of an agent state. But the term "interstate claimant" excludes any individual who customarily commutes from a residence in the proposed agent state to work in an adjoining liable state except where the agent state finds that applying this exclusion would create undue hardship.

(3) "*State*" includes Alaska, Hawaii, and the District of Columbia.

(4) "*Agent state*" means any state in which an individual files a claim for benefits from another state or states.

(5) "*Liable state*" means any state against which an individual files, through another state, a claim for benefits.

(6) "*Benefits*" means the compensation payable to an individual, with respect to his unemployment, under the unemployment compensation law of any state.

(7) "*Week of unemployment*" includes any week of unemployment as defined in the law of the liable state from which benefits with respect to such week are claimed.

**Ind-UC 134.03 Registration for work.** (1) Each interstate claimant shall be registered for work, through a public employment office in the agent state, when and as required by the law, regulations, and procedures of the agent state. Such registrations shall be accepted as meeting the registration requirements of the liable state.

(2) Each agent state shall duly report, to the liable state in question, whether the interstate claimant meets the registration requirements of the agent state.

**Ind-UC 134.04 Benefit rights of interstate claimants.** (1) If a claimant files a claim against any state, and it is determined by such state that the claimant has available benefit credits in such state, then claims shall be filed only against such state as long as benefit credits are available in that state. Thereafter, the claimant may file claims against any other state in which there are available benefit credits.

(2) For the purposes of this chapter, benefit credits shall be deemed to be unavailable whenever benefits have been exhausted, terminated, or postponed for an indefinite period or for the entire period in which benefits would otherwise be payable, or whenever benefits are affected by the application of a seasonal restriction.

**Ind-UC 134.05 Claims for benefits.** (1) Claims for benefits or waiting period shall be filed by interstate claimants on uniform interstate claim forms and in accordance with uniform procedures developed pursuant to the interstate benefit payment plan. Claims shall be filed in accordance with the type of week in use in the agent state. Any adjustments required to fit the type of week used by the liable state shall be made by the liable state on the basis of consecutive claims filed.

(2) Claims shall be filed in accordance with the agent state's regulations for intrastate claims, in a local employment office, or at an itinerant point, or by mail.

(a) With respect to claims for weeks of unemployment in which an individual is not working for his regular employer, the liable state shall under circumstances which it considers good cause, accept a continued claim filed up to one week, or one reporting period, late. If a claimant files more than one reporting period late, an initial claim must be used to begin a claim series and no continued claim for a past period shall be accepted.

(b) With respect to weeks of unemployment during which an individual is attached to his regular employer, the liable state shall accept any claim which is filed within the time limit applicable to such claims under the law of the agent state.

**Ind-UC 134.06 Determination of claims.** (1) The agent state shall, in connection with each claim filed by an interstate claimant, ascertain and report to the liable state in question such facts relating to the claimant's availability for work and eligibility for benefits as are readily determinable in and by the agent state.

(2) The agent state's responsibility and authority in connection with the determination of interstate claims shall be limited to investigation and reporting of relevant facts. The agent state shall not refuse to take an interstate claim.

**Ind-UC 134.07 Appellate procedure.** (1) The agent state shall afford all reasonable cooperation in the taking of evidence and the holding of hearings in connection with appealed interstate benefit claims.

(2) With respect to the time limits imposed by the law of a liable state upon the filing of an appeal in connection with a disputed benefit claim, an appeal made by an interstate claimant shall be deemed to have been made and communicated to the liable state on the date when it is received by any qualified officer of the agent state.

**Ind-UC 134.08 Claims taken in and for Canada.** This chapter shall apply in all its provisions to claims taken in and for Canada.