

What is unemployment?

Unemployment is a temporary benefit paid to those who are out of work through no fault of their own and meet **all** the eligibility requirements set by law. Each person's eligibility and monetary determination will be different.

Who pays for unemployment?

In Nevada, unemployment benefits are paid for by employers. No working individual contributes to their own unemployment benefits.

How is unemployment eligibility determined?

The Nevada Department of Employment, Training and Rehabilitation (DETR) is the only entity qualified to make decisions on unemployment eligibility based on the law. Each case is reviewed independently and a determination is made on an individual basis.

For additional information on unemployment eligibility, please visit: https://ui.nv.gov/PDFS/UI_Claimants_Handbook.pdf

There are two parts of eligibility: monetary and non-monetary. Claimants must meet the requirements of both to be eligible for benefits.

How is monetary eligibility determined?

Benefits are based on all earnings during the base period. The base period is defined as the first four of the last five completed calendar quarters preceding your initial claim filing.

How is non-monetary eligibility determined?

To be eligible for benefits, both sets of requirements must be met. For non-monetary eligibility, a person must remain in the workforce. That means they must be able and available, actively looking for work, and unemployed through no fault of their own.

How should a person file for unemployment benefits?

A person should file a claim online through the Claimant Self Service (CSS) portal <https://ui.nv.gov>

When are unemployment benefits paid?

Benefits are paid after a claim has been filed and **all** eligibility requirements have been met as determined by DETR. DETR has seen an unprecedented volume of claims during the pandemic which has slowed claims processing.

What is the Governor's Emergency directive?

The Emergency Directive that Governor Sisolak signed on March 26, 2021 only removes **one** (NRS 612.434) of the many issues an unemployment claim could have to cause a denial. The "between terms" restriction is being waived for 120 days, for summer break 2021 ONLY, for certain support staff employees, substitutes and temporary workers. Removal of the "between terms" restriction from a claim does not remove all restrictions, and it does not guarantee benefits to any CCSD employee.

Who is not included under the Emergency Regulation?

The Emergency Regulation does not change the Federal Law which states that a licensed teacher, licensed substitute / CTT, and administrative staff are not eligible for unemployment benefits. In addition, office staff and contracted workers are not eligible if they have a reasonable assurance of returning to work in the fall and are being paid year around.

How does the Emergency Directive impact transportation and food service employees?

A person is not eligible if they have a reasonable assurance of returning to work in the fall and are paid year around.

When should a person apply for unemployment under the Emergency directive?

A person may file for unemployment benefits the week **after** their work is completed.

When should a person stop filing for benefits under the Emergency Directive?

A person should stop filing for benefits the week prior to their return to work. Continuing to file for unemployment when CCSD employees return for the 2021-2022 school may result in the receipt of benefits that they are not entitled to and financially liable for.

How is unemployment eligibility determined when there are multiple employers involved?

DETR takes all employers into consideration when determining eligibility. A person cannot file for unemployment against one employer and not the others. If a person does file a claim, **all employers and all wages must be reported every time a claim is filed**. Failure to accurately disclose an employment status and/or wages is considered fraud.

Is the employer or former employer notified when an unemployment claim has been filed?

Notifying an employer or former employer is standard operating procedure. After an application for unemployment benefits been made, DETR notifies the employer(s) for two reasons: to verify employment and the reason no longer employed.

What do I do if I am filing each week but not receiving benefits?

DETR adjudicates claims in the order in which they are received. Claims may become part of a backlog before an adjudicator can be assigned. Payments cannot be issued until all eligibility issues have been resolved. A claimant may check their portal for guidance, communication and recommendations.

What is the work search requirement tied to receipt of unemployment benefits?

All claimants must engage in work search activities to receive unemployment benefits. This means that a person must actively seek work. A person must use all means available to find a job, including registering with Nevada JobConnect. If a person does not search for work during a week in which they file a claim, benefits may be denied. Documentation to support work search activities should also be kept as it may be requested.

DETR recognizes that the Emergency Regulation create an unusual situation. In this one year, people who may have reasonable assurance of a job in the fall will still need to engage in work search activities if they choose to file for unemployment.

Claimants should note they may also be contacted for a Reemployment Services and Eligibility Assessment (RESEA) Appointment with DETR. A RESEA appointment is a chance for a claimant to get help with skills assessments, resume building and training. To remain eligible for unemployment benefits, a claimant must participate in RESEA appointments if contacted.

How does a person end their claim?

If you have returned to work or you no longer wish to request benefits, simply stop filing your weekly claim. It is not necessary to contact DETR to stop benefit payments

What happens if a person refuses an offer of work (NRS 612.390)?

Under the federal rules, a claimant must accept a suitable offer of work or risk losing unemployment benefits. If a suitable offer of work is refused, the person could be ineligible to collect unemployment until they return to employment for 10 weeks at a wage equal to, or greater than, their weekly benefit amount.

What is an able and available issue?

A person must be able to work and available for work each week they apply for unemployment benefits. This means a person must be mentally and physically able to work. In addition, they must be ready to go to work either full-time or part-time. The person is required to have transportation, childcare arrangements and have no other conditions or barriers that prevent them from accepting work immediately.

What is deductible income?

A person must report all income that is received as a result of holiday pay, vacation, other earning or a pension. A full list of deductible income requirements can be found in the claimant handbook https://ui.nv.gov/PDFS/UI_Claimants_Handbook.pdf.

Will a disqualification of benefits due to a refusal of work, not being able/available to work or having a deductible income impact the potential to collect benefits from other employers?

Any disqualification based on information received from one employer could impact unemployment benefits as a whole.

How does DETR know if I worked and failed to disclose the wages (NRS 612.445)?

DETR receives quarterly wage reports from all employers. A person who has received unemployment benefits as well as wages from any employer for the same time period will be flagged for fraud. Benefits received as a result of fraud or misrepresentation is required to be repaid with penalty.

Any person filing for unemployment is required to acknowledge the eligibility requirements outlined in the claimant handbook. Weekly claim files also require the person to certify that all of their answers to the questions are accurate. Weekly claim filings require that a person reports **ALL** hours worked and **ALL** wages earned in that week from **ALL** employers. A person also must report any holiday pay and vacation pay earned in that week.

What are the consequences of making a false statement to DETR in order to secure unemployment benefits?

Committing unemployment fraud is a felony in the State of Nevada. This will result in an unemployment fraud investigation being opened and conducted by the State, with the possibility of criminal charges and/or wage garnishment, property liens and forfeiture of tax returns in order to recover the fraudulent benefits plus penalties. DETR, by law, has four years to notify and recover overpayments. The Federal Government has 10 years by law to notify and recover fraud. Fraudulent payments received in excess of \$3,000 may be referred for State or Federal prosecution.

Should an education employee file for Pandemic Unemployment Assistance (PUA) instead?

The Emergency Directive waiving between terms, covers regular unemployment only. Per the Department of Labor, educational employees who are between terms with reasonable assurance are not eligible for PUA.

What happens if a person is a past victim of identity theft?

The victim of identity theft would have to call DETR to have the fraud flag removed from their account prior to filing for benefits. All questions regarding this issue should be directed DETR at 775-684-0475.

All questions regarding unemployment should be directed to the Department of Employment Training and Rehabilitation (DETR). You may reach DETR at 702-486-0350 or 775-684-0350