

Unemployment Benefit  
Application Enclosed

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# **Unemployment Benefits for Railroad Employees**

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***United States of America  
Railroad Retirement Board  
Visit our Web site at <http://www.rrb.gov>***

**Form UB-10 (03-04)**

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# INTRODUCTION

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**IF YOU ARE UNEMPLOYED**, you may be eligible to receive unemployment benefits from the Railroad Retirement Board (RRB), the Federal agency responsible for administering the Railroad Unemployment Insurance Act (RUIA). This booklet provides information about the requirements for receiving railroad unemployment insurance benefits, the amount of benefits payable and procedures for claiming benefits.

If you become sick or injured, you may be eligible to receive sickness benefits. Those benefits are described in a separate booklet (Booklet UB-11) which can be obtained from any RRB office, your employer, your labor organization, or the RRB's Web site at [www.rrb.gov](http://www.rrb.gov).

Be sure to read the important notices at the back of this booklet about the Privacy Act, Paperwork Reduction Act, Computer Matching and Privacy Protection Act, and the Rehabilitation Act.

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This booklet contains general information and does not have the effect of law, regulation, or ruling. Certain exceptions, limitations, and special cases are not covered. If you have any questions about unemployment or sickness benefits, contact the nearest office of the RRB. When writing to the RRB, be sure to include your social security number.

Spanish translation booklets concerning railroad unemployment and sickness benefits are available from any office of the RRB.

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Tenemos un librete en Espanol que explica los beneficios de los desempleados del ferrocarril. Lo pueden obtener en su oficina mas cercana del RRB.

## Qualification Requirements Base Year – Benefit Year

Only qualified employees can receive benefits under the Railroad Unemployment Insurance Act. A new **benefit year** begins every July 1. To qualify for benefits in a benefit year, you must have creditable railroad earnings in the preceding calendar year (**base year**), counting no more than a certain amount in any month. In addition, a new employee must have railroad service in at least 5 months of his or her first year of work in order to be eligible for benefits in the following benefit year.

The amount of earnings needed to qualify for benefits in a benefit year depends on the monthly compensation base in the base year. An employee is required to have base year earnings of not less than 2-1/2 times the monthly compensation base applicable to months in that base year. As the monthly compensation base increases, the amount of compensation needed to qualify for benefits also increases.

### Example:

**Benefit Year Beginning**—July 1, 2002

**Earnings Needed in Base Year**—

*\$2,625.00 in 2001 ( $2\ 1/2 \times \$1,050.00 = \$2,625.00$ ). If 2001 was your first year of railroad work, you must also have railroad service in 5 months in 2001.*

In this example, \$1,050.00 is the monthly compensation base for base year 2001. The monthly compensation base for base year 2002 is \$1,100.00. Contact your local RRB field office if you need information about the monthly compensation base for other years.

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## Amount and Duration of Benefits

### Waiting Period

To satisfy a waiting period requirement, no benefits are payable for your first 7 days of unemployment in your first claim in a **period of continuing unemployment**, unless you have already served a waiting period in the benefit year. Benefits are payable for each remaining day of unemployment in your first claim. For example, if you claim all 14 days in your first claim, you will be

paid benefits for 7 days. If you are eligible and your claims are continuous from one benefit year to another, you generally will serve only one waiting period in your period of continuing unemployment.

**A period of continuing unemployment** means a period of time for which you file claims for unemployment benefits where **(1)** each claim has 5 or more valid days of unemployment and **(2)** each claim begins within 15 days after the previous claim ends. **For example**, claims for the 14-day periods beginning June 17 and July 15 are in the same period of continuing unemployment. The second claim starts within 15 days after June 30, the last day of the claim period beginning June 17. So benefits are payable for days over 4 in the claim period beginning July 15. If the second claim period began July 16, however, a 7-day waiting period would apply because that claim would start the first period of continuing unemployment in the new benefit year.

If you have at least 5, 6, or 7 days of unemployment in a 14-day period, you should file a claim for benefits. Even though no benefits would be payable if the claim is your first claim in the benefit year, your claim must be filed in order to satisfy the waiting period requirement. After your first claim, benefits will be paid for all days over 4 for other claims in the benefit year.

### Normal Benefits

You can receive normal benefits for as many as 130 days (26 weeks) in a benefit year, but your benefits cannot be more than your base year wages counting not more than a prescribed amount for any month. Benefit rights are exhausted when a benefit year ends (normally June 30) or earlier if benefit payments equal base year creditable earnings.

### Example:

For purposes of determining maximum normal benefits payable in the general benefit year beginning July 1, 2002, monthly earnings of up to \$1,356.00 are counted for months in base year 2001. For base year 2002, the monthly compensation base for maximum benefits is \$1,421.00.

### Extended Benefits

If you have 10 or more years of service and exhaust your normal unemployment benefits, you may be eligible to receive extended benefits for up to 65 days (7 consecutive 14-day claim periods having 10 days payable in each). Also, if you are not qualified

for benefits in the current benefit year, but received normal benefits in the previous year, you may still be eligible for extended benefits.

To qualify for extended benefits, you must not have voluntarily quit work without good cause or voluntarily retired.

### Accelerated Benefits

Under certain special provisions, if you have 10 or more years of service, you can receive benefits before the regular beginning date of a benefit year. In addition to having 10 or more years of service, you must be qualified for the next benefit year, but not the current year, and have 14 or more consecutive days of unemployment.

### Daily Benefit Rate

Your daily benefit rate is 60% of the daily rate of pay for your last job in the base year, but not less than \$12.70 a day nor more than 5% of the monthly compensation base. For example, the monthly compensation base for 2001 is \$1,050.00, which results in a maximum daily benefit rate of \$52.00 for periods beginning after June 30, 2002. The maximum daily benefit rate is subject to increases under indexing rules reflecting the growth in average national wages. Contact your local RRB field office if you need information about the maximum benefit rates for other periods.

Your daily rate of pay is your straight-time rate of pay including any cost-of-living allowances, but not including overtime or other extra pay.

For mileage employees in train and engine service, the straight-time rate is the rate of pay for the number of miles in a basic workday, depending on occupation and class of service. Earnings for miles run over the number of miles in a basic workday do not count.

### Number of Days of Unemployment

After you have satisfied the benefit year waiting period requirement, benefits are generally paid for days of unemployment **over 4** in 14-day claim periods.

### Strike Benefits

If you are unemployed because of a strike, benefits are not payable for your first 14 days of unemployment due to the strike. If a strike is in violation of the Railway Labor Act or is not authorized by the national office of the striking labor organization, unemployment benefits are not payable to employees participating in the strike. However, employees not among those participating in

an illegal strike, but who are unemployed because of the strike, may receive benefits after the first 2 weeks of the strike.

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## Eligibility Requirements

To receive unemployment benefits you must:

- **be unemployed** and receive no wages, salary, military reservist pay, pay for time lost, vacation pay, holiday pay, guarantee pay, or other remuneration from railroad or non-railroad employment for the days you claim benefits. Under certain conditions, **part-time work** does not affect entitlement to benefits. However, you must **report all full-time and part-time work you perform** to the Railroad Retirement Board (RRB) on each claim for benefits you file. The RRB will then determine whether your pay is “subsidiary remuneration” and whether benefits are payable for days on which you worked part-time. Contact your local RRB office for additional guidance on the effects of part-time work.
- **be able to work.** You must not be sick or injured.
- **be ready and willing to work.** If you do not have good prospects of returning to work soon, you must be looking for work. You may be called in for an interview and asked where you have looked for work. An RRB representative may also suggest places for you to apply for work. If you are looking for work, use the form on page **11** to record your efforts to find work.
- **pass the earnings test for each claim.** Your total earnings in the claim period must not exceed the monthly compensation base for the calendar year (base year) that precedes the benefit year (begins July 1). Earnings include pay from railroad, non-railroad, part-time, and self-employment. Earnings also include pay that you would have earned except for your failure to mark up or report for duty on time, or because you missed a turn in pool service or were otherwise not ready or willing to work. Earnings do not include payments you receive during the claim period that are for days outside the claim period. All earnings for a work shift are attributable to the day the shift begins. The earnings test amount increases with each benefit year.

**Example A:** An employee works 6 days in the period December 13 through 26, 2001, and receives

holiday pay for December 25. The gross earnings and holiday pay total \$1,100.00. Because \$1,100.00 exceeds the 2001 monthly compensation base of \$1,050.00, no benefits are payable for the claim period.

**Example B:** An employee has total gross earnings of \$800 from 4 days of work and 2 days of vacation pay in the period March 1 through 14, 2001. During the period, the employee also missed a turn in pool service for which \$300 would have been earned. No benefits are payable for the claim period because the actual earnings of \$800 plus the earnings that would have come from the missed turn in pool service total \$1,100.00. This is more than the 2001 monthly compensation base of \$1,050.00.

- **obtain an application for unemployment benefits** from your employer, labor organization, or the RRB.
- **complete and file the application** for unemployment benefits during your first 30 days of unemployment. You may lose benefits if you file late. An application is considered filed on the day it is received by the RRB. If you claimed benefits earlier in the benefit year, stopped claiming, and now want to claim benefits again, you must request a claim form from your local RRB office within 30 days. Only one application is required in each benefit year.
- **mail the completed application** to the RRB district office serving your area. After your application is processed, your first unemployment claim will be mailed to you for completion.

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## Eligibility Interviews

In order to establish your eligibility for benefits and to explain your rights and responsibilities in claiming benefits, you may be required to personally report to a Railroad Retirement Board (RRB) representative for an interview. The RRB representative will also answer any questions you may have about your benefits.

The RRB's authority for conducting such interviews is contained in the Railroad Unemployment Insurance Act. Failure to report for an interview could result in a loss of benefits for 30 days if you do not have a good reason for failing to report.

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## Benefit Reductions

Benefits are not payable to you in the full amount if you are also receiving:

- **social security benefits,**
- a pension, annuity, **or other retirement pay** under a Federal, State, or local law (such as a railroad retirement annuity, military retirement pay, a policeman's or fireman's pension, etc.),
- certain workers' compensation payments, or
- **any other social insurance** payment under any law.

If you meet the other eligibility requirements, you may receive benefits only in the amount by which your unemployment benefits exceed the other payments.

**Be sure to report** all such other payments on each claim you file. If you do not, you may later be required to refund benefits. If the other payments are awarded after you claim unemployment benefits, but cover some or all of the same days, contact the RRB immediately about repayment of the benefits you received.

If you are awarded an annuity under the Railroad Retirement Act for days you were already paid unemployment benefits, you will have to refund some or all of your benefits. Generally, the amount you must repay is withheld from your accrued annuity. Your annuity award letter or notice of annuity adjustment will show the amount of any unemployment benefits withheld. Verify the amount by comparing it to the amount of unemployment benefits you received for the same period. Contact your local RRB office immediately if you believe the amount withheld is incorrect. You will be required to refund benefits to the RRB if the full amount was not withheld from your accrued annuity.

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## Disqualifications

**Separation Allowance (severance pay, buy-out)**—If you have been paid a separation allowance by your employer, you cannot receive unemployment or sickness benefits for roughly the period of time it would have taken you to earn the amount of the allowance.

**Voluntary Quit Without Good Cause**—If you leave either your railroad job or nonrailroad work voluntarily and the Railroad Retirement Board (RRB)

determines you left without good cause, you will be disqualified for railroad unemployment benefits until you return to railroad work and earn wages sufficient to qualify for benefits again.

**Voluntary Quit With Good Cause**—If you leave either railroad or nonrailroad work voluntarily and the RRB determines you had good cause for doing so, you will be disqualified from receiving railroad unemployment benefits for any day that you are qualified to receive State unemployment benefits. If you are not qualified for State unemployment benefits, you may receive railroad unemployment benefits.

**Refuse Suitable Work/Fail to Apply for Work**—If you refuse to accept suitable work, or fail to follow instructions to apply for work, or to report to a State employment office, or to a RRB office for an interview, you may be disqualified for unemployment benefits for 30 days.

**Illegal Strike**—You will be disqualified for unemployment benefits for any day on which you take part in a strike which began in violation of the Railway Labor Act or in violation of the established rules and practices of your labor organization.

**False or Fraudulent Claim**—You will be disqualified for both unemployment and sickness benefits for 75 days if you make a false or fraudulent statement or claim in order to receive benefits. You may also be subject to fine or imprisonment. The RRB conducts checks, including computer matching checks with State and Federal agencies, as well as railroads, in order to detect fraudulent benefit claims.

**Benefits Under Other Laws**—You will also be disqualified from receiving railroad unemployment insurance benefits for any day for which you

- receive unemployment benefits under any other law;
- or
- receive sickness benefits under the Railroad Unemployment Insurance Act or any similar law.

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## Special Rules for Train and Engine Service and Passenger Service

For employees in train and engine service and passenger service, benefits are not payable for:

**Standby and Layover**—Days on which you are **standing by** for or **laying over** between regular assigned trips. For example, if an engineer has a regular assignment which runs every third day, the days between the regular runs do not count as days of unemployment.

**Work Restrictions**—Any day on which you do not work because of a **mileage limitation** or other similar **work restriction**. For example, a brakeman does not work in January after the 20th day of the month because he has worked the maximum mileage for the month. In his case, the days January 21 through January 31 do not count as days of unemployment.

**Pool Service**—Any day on which you do not work because you miss a turn in **pool service**.

**Full-Time Work**—Any day in a registration period in which you have the **equivalent of full-time work**.

If you work in train and engine service or passenger service, you must report on your unemployment claim the number of miles or hours credit earned in each claim period. You must also report days on which you did not work because of a layover or standby rule, mileage restriction, or because you missed a turn in pool service.

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## Reconsideration and Waiver

### Employee Rights

**Reconsideration** - If you **do not agree** with any decision denying you benefits or with an overpayment decision, you may request **reconsideration**. Your request must be in writing and should explain why you disagree. If you request reconsideration, your request must be received at an office of the RRB within 60 days of the date of the letter notifying you of the adverse decision. Be sure to sign your name and include your social security number on your request.

**Waiver** - You may request **waiver of recovery** of your overpayment only if **ALL** of the following conditions are met:

1. The amount of the overpayment is more than 10 times the current maximum daily benefit rate;
  2. you were not at fault in causing the overpayment;
- and**

3. recovery would cause you financial hardship to the extent that you would not be able to meet your ordinary and necessary living expenses or recovery would be unfair for some other reason.

If your request for waiver is received at an office of the RRB within 60 days from the date of the letter notifying you of your debt, we will not recover the overpayment until a decision is made on your request.

## Employer Rights

The Railroad Unemployment Insurance Act requires the RRB to notify your base year employer(s) each time you file a claim for benefits, and to give the employer(s) an opportunity to submit information relevant to your claim before the RRB makes an initial determination on the claim. The RRB must also notify your employer each time benefits are paid to you. Your employer may appeal the decision to pay benefits. The appeal does not prevent the timely payment of benefits. However, you may be required to repay benefits if the appeal is successful.

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## Taxability of Unemployment Benefits

Unemployment benefits paid under the Railroad Unemployment Insurance Act (RUIA) are considered income for Federal income tax purposes. Each year, the Railroad Retirement Board (RRB) sends railroad employees Form 1099-G showing the total amount of unemployment benefits paid during the preceding calendar year. You must report that amount on your Federal income tax return.

You may file Form W-4v with the nearest RRB office if you want the RRB to withhold Federal income tax from your benefits. To end withholding you must file another Form W-4v with the RRB. Form W-4v is available upon request from the Internal Revenue Service. The RUIA specifically exempts railroad unemployment benefits from State income taxes.

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## Job Placement Service

The RRB operates a free job placement service with the primary purpose of helping experienced railroad workers who have lost their jobs find new employment. When you apply for unemployment benefits, you also apply for employment service. You will be interviewed by an RRB representative who will try to

help you find new employment. You may be referred by an RRB representative to a suitable railroad job; otherwise, an effort will be made to place you in a non-railroad job for which you are qualified.

The RRB maintains a list of job vacancies reported by railroads to its field offices. Information about job vacancies is available at all offices of the RRB.

RRB Booklet UB-12, *How to Find a Job*, is available upon request from any RRB office.

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## Instructions for Completing Application for Unemployment Benefits and Employment Service (Form UI-1)

To apply for unemployment benefits, complete the application enclosed with this booklet and mail it to the Railroad Retirement Board's office whose address appears on the enclosed return envelope. If there is no application enclosed with this booklet, you can obtain an application from your railroad employer, union official, any RRB office or the RRB's Web site at [www.rrb.gov](http://www.rrb.gov). Your application must be received at the RRB within 30 days of the first day for which you wish to claim benefits. You may lose benefits if your application is filed late.

Complete only one application during a benefit year even if you become unemployed more than once during that benefit year. When the RRB district office receives your completed application, the RRB will notify your employer that you have applied for benefits. Your employer may respond to the district office with any information relating to your eligibility.

Once we process your application, we will mail you a claim form. You must complete and return the claim to the RRB district office. A notice of your claim will then be sent to your employer.

**Read the following instructions carefully before completing your application.** If your application is not completed correctly, your benefits may be delayed. Contact your local RRB office if you have questions or need assistance in completing the form.

**SECTION A - IDENTIFYING INFORMATION**  
Items 1-6 are self-explanatory.



## SECTION B - EMPLOYMENT INFORMATION

### Item 7

Show in Item **7a** the name of the **railroad company** for which you worked most recently. (For example, "Conrail.")

Show in Item **7b** the *title* of your job (for example, "Trainman.")

Show in Item **7c** the *city* and *state* where you last performed your railroad job.

Check the box in Item **7d** that indicates why you are not now working for your last railroad employer. If you check box 9 "Other," write an explanation in the space provided.

If you have quit or resigned any railroad or nonrailroad job within the past 3 years, answer Item **7e** "Yes." You must specify the date you resigned or quit, and the name of your former employer in Items (1) and (2).

If you are claiming unemployment benefits because you were discharged or suspended from your last railroad job, you must complete Item **7f**. Be sure to complete all parts of the question. If you are suspended, give both the beginning and ending dates of the suspension period in Item **7f** (1).

**Only complete** Item **7g** if you are unemployed due to a strike or work stoppage and give the name of your labor union.

### Item 8

Show in Item **8a** the date that you want your first unemployment claim to begin. The date you enter should be the first day after you last worked for either a railroad or nonrailroad employer and for which you were available for work and did not receive any pay. The date will be the first day of your waiting period.

Show in Item **8b** the date you last worked for your railroad employer **prior to the date you entered in Item 8a**.

### Item 9

Check Item 9 "Yes" if you are covered by a job protection plan under the National Job Stabilization Agreement or under a similar plan. You should also check "Yes" if you are affected by a merger or line sale, and may be entitled to a guaranteed wage. Also enter the name of the employer providing the guarantee.

### Item 10

Check Item 10 "Yes" if you have been paid a severance, termination, or separation allowance or buy-out. In Item **10a**, enter the date of separation and in Item **10b**, enter the name of the employer that paid the allowance.

### Item 11

If you have been self-employed in the past 2 years or you are currently self-employed, you must answer this question "Yes." In addition, provide the type of self-employment in Item **11a** (for example, "tax-preparer," "carpenter"), and give the date you were last self-employed in Item **11b**.

### Item 12

If you answer "Yes" to Item **12a**, give the name, address, date last worked, and your job title for the last nonrailroad employer for whom you worked during the past 2 years in Item **12a** (1-4). Also show why you are not now working for that employer in Item **12a** (5). If you have worked for more than one nonrailroad employer in the past 2 years, answer Item **12b** "Yes."

Item 13 is self-explanatory.

## SECTION C - SCHOOL INFORMATION

Item 14 is self-explanatory.

## SECTION D - OTHER BENEFITS

### Item 15

Unemployment benefits under the Act are not payable, or are payable at a reduced amount, if you are also receiving social security benefits, military retirement pay or retainer pay, or any other retirement or survivor benefits provided by law.

If you are receiving any other benefits under any law, you must answer this question "Yes" and specify the type of benefit(s), the effective date, and the monthly amount you receive before deductions.

## SECTION E - DIRECT DEPOSIT INFORMATION

### Item 16

**Direct Deposit - Federal law requires the RRB to pay your benefits by Direct Deposit.** With Direct Deposit, your benefit payments are sent directly to your bank, savings and loan, credit union or other financial institution. Payments are sent electronically, which saves money by eliminating the need to print and mail checks.

Direct Deposit has the following advantages for you. Direct Deposit payments are generally available 2 to 5 days sooner than payment by check. You do not have to worry about a check being lost, stolen, or misplaced, and you can be away from home without the worry of a check sitting unprotected in your mailbox. There is no need to wait for mail delivery of a check or to make a special trip to your bank.

To provide the information we need to correctly deposit your benefit payments, attach a voided personal check to your application or call your financial institution for the information needed to complete this item.

**If you change banks or accounts** while claiming benefits, be sure to give the RRB information to establish Direct Deposit in your new account. Do not close your old account until you receive the first RRB payment in your new account.

There are some exceptions that allow payments to be made by check. You may receive your payments by check if: (1) receiving your payments by Direct Deposit would cause a hardship because you have a physical or mental disability, or because of a geographic, language, or literacy barrier; (2) you do not have a checking or savings account at a bank or other financial institution; or (3) if receiving your payment electronically would cause you a financial hardship because it would cost you more than receiving your payments by check. If any of these apply to you, check box (e.) in Item 16.

**SECTION F CERTIFICATION AND SIGNATURE**  
Item 17 is self-explanatory.

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## **Instructions for Completing Claim for Unemployment Benefits (Form UI-3)**

After your application for unemployment benefits has been received and processed, your first unemployment claim will be mailed to you. Claims for subsequent 14-day periods will be mailed to you for as long as you remain unemployed and eligible for benefits. You must complete and return each claim promptly or you may lose benefits. **The time for filing a claim, including time for mailing, is limited to 15 days from the last day of the claim period or 15 days from the date the claim form was mailed to you, whichever is later.**

If you return to work and do not have at least 5 claimed days during a claim period, do not return the claim form. This will stop the release of additional claims to you.

If you stop claiming benefits during a benefit year, but become unemployed again and need a new claim form, contact your local Railroad Retirement Board office to obtain a new claim. **You must request your new claim within 30 days of the first day for which you wish to claim benefits or you may lose benefits.**

**Read the following instructions carefully before completing your claim form.** Failure to complete your claim correctly could delay the payment of your benefits.

### **Item 1a**

This item shows the 14-day period of your claim. Below each day of the claim period, you must enter the correct letter code showing whether you want to claim benefits for the day, or whether you worked, received vacation pay, holiday pay, or other earnings, or cannot claim benefits for some other reason.

Remember that you cannot claim benefits for any day on which you worked or otherwise earned wages, holiday pay, vacation pay, or other pay. This includes pay from full-time and part-time work in either railroad or nonrailroad employment, and from self-employment. In addition, you cannot claim benefits for any day on which you were not available for work. This means that you must not have been sick or injured on any day for which you claim benefits, and you must have been willing and ready to work on the day.

Use the following letter codes to show whether you are claiming benefits for the days in the claim period:

**X—Enter an “X” if you did not work on the day, will not receive any type of pay for the day, were not sick or unable to work because of injury or mental infirmity on the day, and were willing and ready to work.** Any day you mark with an “X” is considered to be a day of unemployment for which you are claiming benefits.

Use an “X” to show your normal **rest days**, unless you worked or otherwise received pay from either a railroad or non-railroad employer for the day, or unless you were sick or otherwise unable or not available for work on the day.

**E—Enter an “E” if you were employed either full-time or part-time on the day.** Include work for either a railroad or non-railroad employer, and any self-employment. Also show an “E” for days you were on active duty with the National Guard or a Reserve unit.

**P—Enter a “P” for any day that you were not employed, but will receive payment from a railroad or nonrailroad employer.** This includes such payments as vacation pay, holiday pay, daily wage guarantee payments, and pay for time lost.

If you receive guarantee pay or pay for time lost for days for which you previously claimed unemployment benefits, the benefits paid to you must be refunded to the RRB. You should notify us if you are eligible for guarantee pay or claiming pay for time lost so we can arrange for your employer to deduct the proper amount for refund to the RRB. Verify the accuracy of the amount of benefits withheld from your pay by checking your own record of RRB payments or by contacting the RRB. Notify us promptly if you believe the correct amount was not withheld.

**Do not show a “P”** for payments under a supplemental unemployment insurance plan paid or financed by your employer. Such payments are normally paid in addition to your unemployment benefits from the RRB. However, if railroad retirement taxes are deducted from payments by your employer, the payments are not “supplemental” payments and must be reported on your claim form.

**O—Enter an “O” for days on which you did not work and did not receive any type of payment, but which you cannot claim because you were not able and available for work on the day.**

Show an “O” for days that you:

- were unable to work due to sickness or injury;
- marked off, missed a call to work, or did not report to work because of personal business or family obligations;
- did not work due to laying over or standing by between regularly assigned trips;
- failed to exercise seniority to obtain a suitable job for which you are qualified;
- did not work because the day is an extra rest day after you worked four 10-hour days;
- did not perform work which was available to you.

An example of how the boxes are to be completed is shown on page 10.

### Item 1b

Write in this item the dollar amount of your total gross earnings from all full-time and part-time work performed in the claim period. Include earnings from railroad, nonrailroad, and self-employment. Include pay for personal and vacation days and any other paid leave for days in the claim period. Also include any pay you would have earned except for your failure to mark up in time or report for duty, or because you missed a turn in pool service or were otherwise not available for work. Do not include payments you receive during the claim period that were earned on days outside the claim period. All earnings for a work shift are attributable to the day the shift begins. Do not include payments received under a supplemental unemployment benefit plan. See Examples A and B on pages 3 and 4.

### Item 2

You must enter the complete company name of your last railroad employer in Item 2a, and your last railroad occupation in Item 2b. In addition, complete Item 2c by entering an “X” in the appropriate box to show the reason why you are not now working for your last railroad employer.

## CLAIM FOR UNEMPLOYMENT BENEFITS

110901

C. SMITH

01-02

201

123-45-6789

1a. This claim is for unemployment benefits for the 14 consecutive days shown below. To claim benefits, mark the box under each date with the appropriate code (X, E, P, or O).

X — Claimed day of unemployment (Including rest days); E — Day employed; P — Vacation or holiday pay;

O — Day not claimed, other reason

This claim is for

11/04/01 Through 11/17/01

Mark each box with X, E, P or O

4	5	6	7	8	9	10	11	12	13	14	15	16	17
X	X	E	P	O	X	X	X	X	E	E	E	X	X

b. Enter the gross amount of wages and/or other pay (before deductions) you received or will be paid for days in **this** period. Do not include RRB benefits or payments received under a supplemental unemployment benefit plan. This item must be completed if you entered "E" or "P" for any day in Item 1a.

\$ 550.00

### Item 3

This item is prefilled with the name and address of your local Railroad Retirement Board office. Your completed claim is to be mailed to that office.

### Item 4

This item is prefilled with your name and address. If necessary, show corrections to your name and address in the box.

### Item 5

If you answer "Yes" that you have worked for a nonrailroad employer since your last day of railroad work, enter that nonrailroad employer's name and address in Item 5b and the date last worked before this claim for the nonrailroad employer, in Item 5c. Also, if you have stopped working for that nonrailroad employer, give the reason why in Item 5d. If you have not stopped working for that nonrailroad employer, enter "Still Working" in Item 5d.

### Item 6

If you worked in train and engine service or passenger service, enter the number of miles or hours you worked during the 14-day claim period in Item 6b. Include miles or hours earned for regular pay, premium pay, overtime, and deadheading. Also show the days that you did not work because of a layover or stand-by rule, mileage restriction, or because you missed a turn in pool service in Item 6c.

### Item 7

You must answer all of the questions in Item 7. Be sure to explain your answer if you complete a box that has an asterisk (\*) in front of it. Unless otherwise indicated, the questions should be answered for days included in the claim period.

### Item 8

By signing and dating this item you certify that the information contained on your claim form is true and complete. **Do not complete and sign the claim form before the last day of the claim period.** If your claim is mailed before the last day of the claim period, benefits due you may be delayed or denied.

## Record of Attempts To Find Work

If you do not have good prospects of returning to work soon, you must be looking for work. Keep a record of your attempts to find work. You may start your record by using the form below. Continue your record on a separate sheet of paper or notebook.

Name and Address of Employer	Date Contacted	Results
<b>1.</b>		
<b>2.</b>		
<b>3.</b>		
<b>4.</b>		
<b>5.</b>		
<b>6.</b>		

### Privacy Act Notice

To receive unemployment benefits you must apply and furnish information. Information that the Railroad Retirement Board (RRB) asks you to furnish is used to determine if you are eligible for benefits and the amount of benefits payable to you. Although furnishing information, including your social security number, is voluntary, the RRB cannot pay you benefits without this information. The RRB's authority for requesting information is section 5(b) of the Railroad Unemployment Insurance Act.

The RRB may routinely furnish information from its records to other government agencies and to other persons or companies for the purpose of administering the Railroad Unemployment Insurance Act, the Social Security Act, or other benefit programs under Federal and State laws.

The RRB routinely furnishes information from its records to the following individuals, organizations, and/or agencies:

- 1.** The U.S. Treasury Department and the U.S. Postal Service, to issue benefit payments and to report non-delivery, forgery, theft, or loss of a benefit check.
- 2.** A person or company which the claimant reports may award pay for time lost or some similar payment for the same period for which the RRB pays benefits.
- 3.** Persons or companies named by the claimant as liable for paying damages for the same injury or illness for which the RRB pays sickness benefits.
- 4.** The Internal Revenue Service for use in administering Federal tax laws.

*(Continued on next page)*

5. A private collection agency, the General Accounting Office, the Department of Justice, or the Internal Revenue Service for the collection of an overpayment.
6. Employers or insurance companies for use in administering supplemental benefit plans.
7. Law enforcement agencies and the Department of Justice for investigating or prosecuting a violation of law.
8. Employers to verify entitlement to benefits and to provide notice of benefit payment determinations.
9. State unemployment agencies to verify entitlement to benefits.

Other than information that may be disclosed routinely, no information about your claim may be disclosed without your consent.

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## Computer Matching and Privacy Protection Act Notice

In addition to the uses of information described in the preceding Privacy Act Notice, information you provide may be used, without your consent, in automated matching programs. These matching programs are a computer comparison of Railroad Retirement Board records with records kept by other Federal agencies or State and local governmental agencies. Information from these matching programs is used to establish or verify a person's eligibility for benefits and for repayment of benefits or delinquent debts.

### What are Computer Matching Programs?

Computer matching programs compare our records with those of other Federal, State, or local government agencies. All agencies may use matching programs to find or prove that a person qualifies for benefits paid for by the Federal Government.

### How Do Computer Matching Programs Affect You?

On forms that you fill out for us, you give us facts about yourself. Sometimes, we check the facts you and others give us. We use computer matching to do the checking. The law allows us to check this way even if you do not agree to it. We can also give any facts we have about you to other governmental agencies for them to use in their computer matching programs.

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## Paperwork Reduction Act Notice

To receive unemployment benefits, you must complete an application and claim form(s). Estimates of how long we think it takes to complete these forms are shown below. The estimates include time for reviewing the instructions, getting the needed information, and reviewing the completed form. Federal agencies may not conduct or sponsor, and respondents are not required to respond to, a collection of information unless it displays a valid OMB number. If you wish, send comments regarding the accuracy of our estimates or other aspects of the forms, including suggestions for reducing completion time, to the Chief of Information Resources Management, Railroad Retirement Board, 844 North Rush Street, Chicago, Illinois 60611-2092. Be sure to include the form title with your comments.

<u>Form No.</u>	<u>Title</u>	<u>Estimated Completion Time (Minutes)</u>
UI-1	Application for Unemployment Benefits and Employment Service (3220-0022)	10
UI-1	Internet Application for Unemployment Benefits and Employment Service (3220-0022)	10
UI-3	Claim for Unemployment Benefits (3220-0022)	6

## Nondiscrimination on the Basis of Disability

Under Section 504 of the Rehabilitation Act of 1973 and Railroad Retirement Board (RRB) regulations, no qualified person may be discriminated against on the basis of disability. RRB programs and activities must be accessible to all qualified applicants and beneficiaries, including those who are vision- or hearing-impaired. Disabled persons needing assistance (including auxiliary aids or program information in accessible formats) should contact the nearest RRB office. Complaints of alleged discrimination by the RRB on the basis of disability must be filed within 90 days in writing with the Director of Administration, Railroad Retirement Board, 844 North Rush Street, Chicago, Illinois 60611-2092. Questions about individual rights under this regulation may be directed to the RRB's Director of Equal Opportunity at the same address.

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## Fraud and Abuse Hot Line

Call the toll-free Fraud and Abuse Hot Line if you have reason to believe that someone is receiving railroad retirement or unemployment/sickness benefits to which (s)he is not entitled; that persons responsible for the financial affairs of minors or incompetent beneficiaries are misappropriating benefits; or that a doctor, hospital, or other provider of health care services is performing unnecessary or inappropriate services or is billing Medicare for services not received. You may also use the Hot Line to report any suspected misconduct by a Railroad Retirement Board (RRB) employee. The Hot Line has been installed by the RRB's Inspector General to receive any evidence of fraud or abuse of the RRB's benefit programs.

Call (toll-free) 1-800-772-4258. Or you may send your complaints in writing to the RRB, OIG, Hot Line Officer, 844 North Rush Street, Chicago, Illinois 60611-2092.

Please do not call the Inspector General's Hot Line with questions about eligibility requirements, delayed claims, or similar problems. Such matters should be directed to the nearest RRB field office.

### Did You Know. . .

Railroad employees **do not pay** for their unemployment protection. The funds come from a payroll tax on employers.

A **fine, jail sentence, and disqualification** may be imposed upon any person found to have withheld information or to have made **false or fraudulent statements or claims** for the purpose of causing benefits to be paid.

## Application for Unemployment Benefits and Employment Service

### Instructions

Before completing this application, read the section *Instructions for Completing Application for Unemployment Benefits and Employment Service (Form UI-1)* in the UB-10 booklet, which explains information needed to answer questions on this application. PRINT all answers in ink or use a typewriter. See the UB-10 booklet for the Privacy and Paperwork Reduction Act Notices.

### Section A Identifying Information

1. Name (First, Middle Initial, Last)				2. Social Security Number			
3. Mailing Address (Include Apartment Number)			4. Date of Birth			5. Sex <input type="checkbox"/> Male <input type="checkbox"/> Female	
			Month	Day	Year		
City, State, ZIP Code					County		
6a. Home/Cell/Message Telephone Number (Include Area Code)				6b. Work Telephone Number (Include Area Code)			

### Section B Employment Information

7a. Last Railroad you worked for \_\_\_\_\_

b. Last Railroad Job Title (i.e., Clerk, Trainman, etc.) \_\_\_\_\_

c. Location of Last Railroad Job (City and State) \_\_\_\_\_

d. Why are you not now working for your last railroad employer? Check one:

<input type="checkbox"/> 1. Laid Off/Furloughed/Abolished/Bumped	<input type="checkbox"/> 4. Quit or Resigned	<input type="checkbox"/> 7. Suspended
<input type="checkbox"/> 2. Extra Board/Part-Time	<input type="checkbox"/> 5. Retired	<input type="checkbox"/> 8. Strike/Work Stoppage
<input type="checkbox"/> 3. Sick or Injured	<input type="checkbox"/> 6. Discharged	<input type="checkbox"/> 9. Other, explain below

Explanation \_\_\_\_\_

e. Have you quit or resigned any work (railroad or other) during the last 3 years?  
 Yes - Complete (1) & (2) below       No - **Go to Item 7f.**

(1) Date resigned or quit and Employer's Name \_\_\_\_\_

(2) Date resigned or quit and Employer's Name \_\_\_\_\_

f. Are you discharged or suspended?  
 Yes - Complete (1) - (4) below       No - **Go to Item 7g.**

(1) Date of discharge or suspension period: From \_\_\_\_\_ To \_\_\_\_\_

(2) Are you seeking reinstatement to your job?       Yes       No

(3) Will you claim pay for time lost?       Yes       No

(4) Name of Union Official \_\_\_\_\_  
 Address \_\_\_\_\_  
 \_\_\_\_\_  
 City, State, ZIP Code \_\_\_\_\_  
 Telephone Number (Include Area Code) (      ) \_\_\_\_\_

g. Complete this item **ONLY** if you are unemployed due to a strike or work stoppage.  
 Name of your labor union \_\_\_\_\_

**Refer to the instructions in Booklet UB-10 before completing Item 8.**

8a. Date you want your first claim to begin. \_\_\_\_\_

b. Date you last worked for a railroad before date in Item 8a. \_\_\_\_\_



9. Are you covered by a job protection plan guaranteeing you a certain amount of work or pay?  Yes  No  
If "Yes," enter name of employer providing the guarantee, below.  
Employer \_\_\_\_\_
10. Have you been paid severance pay or a separation allowance?  Yes - Complete a. and b., below  No - Go to Item 11  
a. Date of separation \_\_\_\_\_  
b. Name of employer that paid \_\_\_\_\_
11. Have you been self-employed in the past 2 years?  Yes - Complete a. and b., below  No - Go to Item 12  
a. Type of self-employment \_\_\_\_\_  
b. Date you were last self-employed \_\_\_\_\_
12. a. Have you been employed by a nonrailroad employer in the past 2 years?  Yes - Complete (1)-(5) and b., below  No - Go to Item 13  
(1) Employer Name \_\_\_\_\_  
(2) Employer Address (Street, City, State, ZIP Code) \_\_\_\_\_  
(3) Date Last Worked \_\_\_\_\_ (4) Occupation \_\_\_\_\_  
(5) Reason Not Working \_\_\_\_\_  
b. Did you have other nonrailroad employment in the past 2 years?  Yes  No
13. Are you an active member of the National Guard or a military reserve unit?  Yes  No

**Section C School Information**

14. a. Are you now attending school?  Yes - Go to Item 15  No - Complete b., below  
b. Do you plan to attend school in the next 6 months?  Yes  No  
If "Yes," enter the month and year you will begin school \_\_\_\_\_

**Section D Other Benefits**

15. Are you receiving social security benefits, military retirement or retainer pay, or any other retirement or survivor benefits provided by law?  Yes - Complete a.-c., below  No - Go to Item 16  
a. Type of benefit(s) \_\_\_\_\_ b. Effective date \_\_\_\_\_  
c. Monthly amount before deductions \$ \_\_\_\_\_

**Section E Direct Deposit Information**

16. Benefits are normally paid by Direct Deposit to your bank, savings and loan, credit union, or other financial institution. To provide the information we need to correctly deposit your payments, **attach a voided personal check and go to Item 17**, or call your financial institution for the information you need to complete Items a. through d. If you do not have a bank account, or receiving your payments by Direct Deposit would cause you a hardship, go to Item e.
- a. Routing Transit Number 

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 b. Account Number \_\_\_\_\_
- c. Account Type:  Checking  Savings
- d. Name of Financial Institution \_\_\_\_\_
- e.  Check this box if you do not have a checking or savings account, or if Direct Deposit would cause you a hardship.

**Section F Certification and Signature**

17. I certify that the information I have provided on this form is true, correct, and complete. I know that I must immediately report to the Railroad Retirement Board any changes which might affect my entitlement to benefits. I understand that disqualifications and civil and criminal penalties may be imposed on me for false or fraudulent statements or claims or for withholding information to get benefits. I understand and agree to the requirements set forth in Booklet UB-10.

\_\_\_\_\_ SIGNATURE \_\_\_\_\_ DATE

## Important Reminders

**Filing requirements** —To avoid losing unemployment benefits, your benefit application must be received by a Railroad Retirement Board (RRB) office within **30 days** of the first day for which you want to claim benefits. Your unemployment claims must be filed within **15 days** of the last day of the claim or 15 days from the date we mail the form to you, whichever is later.

File only one application during a benefit year even if you become unemployed more than once during the year. In that case, you must request a new claim form from an RRB office within 30 days of the first day for which you want to claim benefits. Do not forget to **sign** and **date** your application and each claim form.

**Benefit Year/Base Year**—A new benefit year begins each July 1. Eligibility for benefits in a benefit year is based on your earnings in the previous calendar year (**base year**). For example, to qualify for benefits in the benefit year beginning July 1, 2002, you must have earnings of \$2,625.00 in calendar year 2001, counting earnings of no more than \$1,050.00 per month.

**Waiting period requirement**—Benefits are payable for your days of unemployment over 7 in your first claim in each benefit year in order to satisfy a **waiting period** requirement. Even though no benefits are payable for the first claim if it has only 5, 6, or 7 days of unemployment, you must file the claim for your days of unemployment during the waiting period. Otherwise you may lose benefits for claims after the waiting period.

**Do not claim benefits for days you work or receive pay**—Benefits are not payable for any day for which you receive pay. This includes wages from military reservist duty, full-time or part-time work for a railroad, nonrailroad employer or self-employment. It also includes vacation pay, holiday pay, pay for time lost, guarantee pay and other types of remuneration.

**If you are fully protected under a wage guarantee plan**, it is not to your advantage to claim benefits since your unemployment benefits are subject to recovery by the RRB from your wage guarantee payable for the same period.

**Reconsideration rights**—You may request reconsideration of any decision denying you benefits. A request for reconsideration must be made in writing within **60 days** from the date of notice of the Railroad Retirement Board's adverse decision.

**Please allow at least 15 days** from the date you mail your claim to receive a payment. That amount of time is needed for delivery of your claim and payment, and to allow your employer time to submit information about your claim. If you do not receive payment within 15 days, you should contact your local RRB office about your claim.

**When reporting earnings** for a claim period, report only pay you are entitled to for days in the claim period. Do not include pay you received during the claim period that was earned on dates outside of the claim period. All earnings for a work shift are attributable to the day the shift begins.

