

# **EMPLOYERS’ QUICK REFERENCE GUIDE**



Issued by the  
**Division of Unemployment Insurance**  
[mdunemployment.com](http://mdunemployment.com)  
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DEPARTMENT OF LABOR, LICENSING AND REGULATION

January, 2019

Dear Employer:

The Maryland Department of Labor, Licensing and Regulation has developed this Unemployment Insurance “Employers Quick Reference Guide.” It is designed to be a reference tool for those personnel at your place of business responsible for handling Unemployment Insurance (UI) tax forms, claim forms and other related issues. A copy of this Guide and other information about unemployment insurance can be found on our website at [www.mdunemployment.com](http://www.mdunemployment.com).

The UI program contains many complex components. We hope the information provided in this guide will help you with your required reports, and in tracking and controlling your UI costs. Pages 2, 19 and 26 contains pointed information on controlling your UI costs. While all the contents of this Guide are important, these pages provide useful tools for employers in responding to our requests for information when an unemployment insurance claim is filed. We also stress the importance of proper record keeping and timely and accurate reporting.

Please ensure that your tax accountant and human resources units receive the Guide. If you have any suggestions, comments or questions, please let us know.

You can reach us at 410-949-0033 or [dluiemployerassistance-dllr@maryland.gov](mailto:dluiemployerassistance-dllr@maryland.gov)

Working together, we can continue to maintain a solvent unemployment insurance trust fund while ensuring that benefits are properly paid to eligible individuals.

Sincerely yours,

Dayne M. Freeman  
Assistant Secretary  
Division of Unemployment Insurance

# HELP CONTROL YOUR UNEMPLOYMENT INSURANCE COSTS!

Here are the Top 5 ways you can help reduce costly UI Fraud.

**1 Report the reason a former employee is unemployed in a timely and accurate manner.**

You must provide the Division of Unemployment Insurance the reason a former employee is unemployed within 8 calendar days after the request is sent. The Division will send you a Request for Separation Information when a claim for unemployment insurance benefits is filed. The most efficient way to file is through the State Information Data Exchange System (SIDES) that is easily accessed on our website at [www.mdunemployment.com](http://www.mdunemployment.com) under "Employers". E-mail notification and Internet filing options are also available. It is also critical to provide information if contacted by Division of Unemployment Insurance for fact-finding information regarding the reason for separation. This prevents improper payments and improper charging of your account.

**2 Report all new hires and rehires to the Maryland New Hire Registry at: [www.mdnewhire.com](http://www.mdnewhire.com)**

Timely reporting of all new hires and rehires helps prevent payment of ineligible Unemployment Insurance (UI) claims after an individual has returned to work.

**3 Respond quickly to National Directory of New Hires letters and Benefit Cross Match letters.**

A prompt response to a request for verification of employee earnings will help prevent the improper payment of benefits.

**4 Attend appeal hearings.**

If you appeal a determination awarding unemployment insurance benefits to a former employee, you **MUST** participate in the appeal hearing. Failure to appear at the hearing, in most cases, will result in an award of benefits. Your participation is critical to the proper determination of claimant eligibility for benefits.

**5 File your quarterly tax and wage reports and pay your taxes on time.**

Failure to do so will result in the assessment of a penalty and interest and may increase your federal UI liability. The proper payment of taxes to the UI Trust Fund enhances the solvency of the Fund. The prompt and accurate reporting of wage information helps us in the proper determination of claimant eligibility for benefits.

To report UI fraud you can e-mail us at: [dluifraud-dllr@maryland.gov](mailto:dluifraud-dllr@maryland.gov)



**FOR MORE INFORMATION OR TO REPORT FRAUD, VISIT OUR WEBSITE AT: [MDUNEMPLOYMENT.COM](http://MDUNEMPLOYMENT.COM)  
CALL 1-800-492-5524 OR EMAIL [DLUIEMPLOYERASSISTANCE-DLLR@MARYLAND.GOV](mailto:DLUIEMPLOYERASSISTANCE-DLLR@MARYLAND.GOV)**



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## UNEMPLOYMENT INSURANCE (UI)

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Unemployment insurance is for workers who lose their jobs through no fault of their own. Unemployment insurance is precisely that, insurance, and is available to claimants who meet the terms and conditions of the Maryland Unemployment Insurance Law.

The UI Program is financed by the Federal Unemployment Tax Act (FUTA) and must adhere to broad federal guidelines. Administrative funds are distributed to States based on each State's claims load. The Maryland UI program is administered by the Department of Labor, Licensing and Regulation. Employers pay insurance premiums that are deposited into the Maryland Unemployment Insurance Trust Fund which is separate and apart from the Maryland general revenues or any other state fund. The UI trust fund is used for the sole purpose of paying benefits to the unemployed.

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## EMPLOYEE RIGHTS

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- ✔ It is unlawful for an employer to require an employee to release, repay, pay into, or waive any unemployment insurance benefit rights, for any reason. An employer may be prosecuted for doing so.

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## PROGRAM PURPOSE

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- ✔ The purpose of the unemployment insurance program is to pay benefits to the worker seeking work who is unemployed through no fault of his/her own and to help the worker find a suitable job through a Division of Workforce Development center and other Workforce Investment Opportunity Act (WIOA) partners.

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## IMPORTANT TIPS FOR EMPLOYERS

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- ✔ Complete a Combined Registration Application within 20 days after the business begins operation. The Division of Unemployment Insurance uses the application to determine if you are liable for Maryland unemployment insurance taxes. If you are liable, an unemployment insurance account number is established. The application can be completed at [marylandtaxes.com](http://marylandtaxes.com).
- ✔ Display two (2) posters about employees' unemployment insurance coverage in an area in the workplace where they can be easily seen by employees. Posters are provided when the unemployment insurance account is established. Additional posters can be obtained by calling (410) 767-2413.
- ✔ File quarterly unemployment insurance tax returns and pay the appropriate amount of taxes due by the respective due dates as summarized below.

Quarter Ending Date	Due Date
March 31	April 30
June 30	July 31
September 30	October 31
December 31	January 31

- ✔ NOTE: If the due date of the reports fall on a Saturday or Sunday, the reports are due on the next business day.
- ✔ Respond to requests for separation information you receive for any former employees who become separated from the business and file a claim for unemployment insurance benefits.

**Address Change Requests - submit to the:  
DLLR Employer Status Unit  
1100 North Eutaw Street - Room 300  
Baltimore, MD 21201  
or call (410) 767-2414 or e-mail: [dluicdemployerstatusunit-dllr@maryland.gov](mailto:dluicdemployerstatusunit-dllr@maryland.gov)**

- ✔ When requested, be available to provide information on eligibility issues resulting from claims filed by former employees.
- ✔ Review the statement of benefits paid to former employees and charged to your unemployment insurance account. If benefits are charged, a statement is mailed at the end of the calendar quarter in which the benefits are paid. These charges directly affect your tax rate and the amount of taxes you pay.

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### **IMPORTANT FACTS**

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Briefly, here are a few important facts about the value of unemployment insurance to our economy:

- ✔ No other insurance program, public or private, so effectively safeguards the income of the worker and the economic stability of the community.
- ✔ Unemployment insurance helps maintain skill levels of the labor force. For unemployed workers, it means partial wage replacement income to tide them over a period of unemployment. A worker who receives weekly benefits can afford to take reasonable time to find a job in his/her customary occupation instead of being forced to accept work at a lower skill level to meet expenses.
- ✔ Since World War II, the United States has endured six major recessions. Each time, unemployment insurance was an important

factor in recovery. It helped prevent a sharp drop in consumer spending, thus averting a possible full-scale depression.

- ✔ Unemployment insurance benefits are not paid to workers who cannot qualify.
- ✔ Benefits are not high enough, nor do they last long enough, to diminish the claimant's incentive to work.
- ✔ Unemployment insurance helps maintain purchasing power in a community where workers have been laid off. It helps prevent the secondary unemployment of people who provide goods and services that workers purchase.
- ✔ The vast majority of claimants prefer to work rather than draw unemployment insurance benefits.
- ✔ Unemployment insurance benefits are taxable for State and Federal purposes.

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### **CRITICAL PROCEDURES**

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Employers experiencing a "Mass Layoff", (even temporary) that affects 25 or more workers, are required by Maryland law to submit a listing of the laid off workers to the Secretary at least 48 hours in advance. See page 26 for details.

For layoffs of 100 or more workers, the Federal WARN (Worker Adjustment and Retraining Notification) Act provisions apply, (including fines of \$500 per day for non-compliance). See page 26 for more details.

# TABLE OF CONTENTS

## GENERAL INFORMATION

EMPLOYERS' LINE - WEBTAX - HOW TO USE IT .....	7
EMPLOYER LINE - WHAT IS IT? .....	8
Filing "No Wage" Quarterly Report .....	8
Employer's Account Balance and Tax Rate.....	8
How to use the Maryland UI Employers Line .....	9
UI Tax Unit - Employer Assistance Sheet .....	10
MOST FREQUENTLY ASKED TAX QUESTIONS .....	11
SUTA DUMPING.....	12
REGISTRATION OF "NEW" EMPLOYERS.....	12
EMPLOYER'S LIABILITY FOR UNEMPLOYMENT INSURANCE TAXES .....	12
DEFINITION OF "EMPLOYER" .....	13
DEFINITION OF "EMPLOYMENT".....	13
PROFESSIONAL EMPLOYER ORGANIZATION .....	14
TAXABLE WAGE INCLUSIONS AND EXCLUSIONS.....	14
REIMBURSABLE EMPLOYERS (NOT-FOR-PROFIT AND GOVERNMENT ENTITIES).....	14
EMPLOYEES WORKING IN SEVERAL STATES.....	14
BANKRUPTCY.....	15
TERMINATION OF EMPLOYER'S LIABILITY.....	15

## EMPLOYER TAXES

TAX RATES .....	15
TRANSFER OF EXPERIENCE RATES .....	16
REPORTING TAXABLE WAGES .....	17
QUARTERLY CONTRIBUTION AND EMPLOYMENT REPORT .....	17
PAYMENT OF UNEMPLOYMENT INSURANCE TAXES .....	18
MAGNETIC TAPE REPORTING.....	18
BENEFIT CHARGING (TO EMPLOYER ACCOUNTS).....	18
NON-CHARGES AND CREDITS.....	18
PROTESTS AND QUESTIONS .....	19
EMPLOYER AUDITS.....	19
FEDERAL UNEMPLOYMENT TAX RETURN (FEDERAL FORM 940).....	19

## UNEMPLOYMENT INSURANCE BENEFITS

MONETARY ELIGIBILITY ISSUES.....	19
Effective Date.....	19
Base Period / Benefit Year .....	19
Weekly Benefit Amount (WBA).....	20
Dependents' Allowance .....	20
Partial Benefits .....	20
Part-Time Workers .....	20
Maximum Benefit Payments.....	20
NON-MONETARY ELIGIBILITY ISSUES.....	20
Work Search Exemptions.....	21
Extended Work Search Exemption .....	21
Approved Training .....	21
ABLE, AVAILABLE, AND ACTIVE SEARCH FOR WORK ....	20
SEPARATION FROM EMPLOYMENT ISSUES .....	21
No Record of Employment.....	21
Claimant Still Employed.....	21
Leave of Absence.....	21
Retirement.....	22
Voluntary Resignations .....	22
Voluntary Quit Because of Medical Reasons.....	22
Voluntary Quit in Lieu of Discharge.....	22
Discharges.....	22
Temporary Help Firms (Located in Maryland Only).....	22
FRAUD .....	22
EMPLOYER OBLIGATIONS FOR PROTECTION AGAINST FRAUD .....	23
The Maryland New Hire Registry.....	23
Employer Notice of First Benefit Check Paid to a Former Employee .....	23
Reviewing Benefit Charges to your Account.....	23
FACT-FINDING INTERVIEWS .....	23
DISQUALIFICATIONS .....	24
Voluntary Resignations .....	24
Discharges and Suspensions .....	24

Simple Misconduct .....	24
Gross Misconduct .....	24
Aggravated Misconduct .....	24
LABOR DISPUTES .....	25
REFUSAL OF SUITABLE WORK.....	25
RECEIPT OF PAYMENTS OTHER THAN WAGES.....	25
SELF-SERVED PENALTIES.....	25
HEARINGS AND APPEALS .....	25
REPORTING CLAIMANT EARNINGS DURING THE CLAIM PROCESS .....	25
LAYOFF, MASS LAYOFF OR LACK OF WORK .....	26
WORK SHARING PROGRAM.....	26
POSTERS REQUIRED BY LAW .....	26
OTHER UI PROGRAMS .....	26
Trade Adjustment Assistance Program.....	26
Extended Benefits .....	26
Supplemental Unemployment Insurance Benefits .....	26
METHODS TO ENSURE PROPER PAYMENTS.....	27
Post Audit.....	27
Benefit Accuracy Measurement.....	27
UI Fraud Hotline .....	27
Eligibility Review and Reemployment Assistance Program .....	27
CONCLUSION.....	27
Division of Unemployment Insurance Directory.....	55
MARYLAND WORKFORCE EXCHANGE INFORMATION ...	59
MARYLAND ONE-STOP CAREER CENTER LOCATIONS.....	Inside Back Cover

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**FORMS**

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Claimant’s Telephone Appointment Notice (DLLR/DUI SR-6T).....	28
Maryland Unemployment Insurance Business Transfer Report.....	29
Electronic Funds Transfer Information Guide .....	30
Electronic Funds Transfer Authorization Agreement.....	31
Employer Alternate Base Period Wage Affidavit .....	33
Experience Rating Notice (DLLR/DUI 61 - Side 1).....	34

Experience Rating Notice (DLLR/DUI 61 - Side 2).....	35
Employer Notice Of First Benefit Check Paid To A Former Employee (DLLR/DUI 63 - Side 1).....	36
Employer Notice Of First Benefit Check Paid To A Former Employee (DLLR/DUI 63 - Side 2).....	37
Notice of Benefit Payment Charged to your Experience Rating Account (DLLR/DUI 64 - Side 1).....	38
Notice of Benefit Payment Charged to your Experience Rating Account (DLLR/DUI 64 - Side 2).....	39
Statement of Reimbursable Benefits Paid (DLLR/DUI 64-A - Side 1).....	40
Statement of Reimbursable Benefits Paid (DLLR/DUI 64-A - Side 2).....	41
Request for Separation Information (DLLR/DUI 207 - Side 1).....	42
Request for Separation Information (DLLR/DUI 207 - Side 2).....	43
Instructions for the Maryland Quarterly UI Contribution/Employment Report (DLLR/DUI 15-16).....	44
Web Tax New User Enrollment .....	45
Web Tax Employer Services and Information Menu.....	46
Audit Form (DLLR/DUI 330-M - Side 1).....	47
Audit Form (DLLR/DUI 330-M - Side 2).....	48
Notice of Benefit Determination (DLLR/DUI 222 - Side 1).....	49
Notice of Benefit Determination (DLLR/DUI 222 - Side 2).....	50
Benefit Entitlement Poster (DLLR/DUI 328).....	51
Health Insurance Coverage Poster (DLLR/DUI 6116) .....	52
Request for Wage Adjustment (DLLR/DUI 21) .....	53
Division of Unemployment Insurance Directory.....	54
Guidelines for Pre-employment Inquiries.....	55-57
Maryland Workforce Exchange.....	58-60

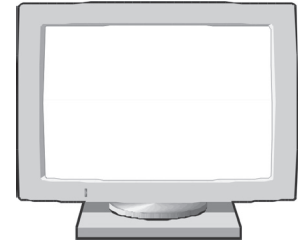


# NEED HELP ON LINE?

Try WebTax at [mdunemployment.com](http://mdunemployment.com)

WebTax offers the following services for employers:

- Sign up for WebTax Email Notifications.
- file a current quarter Contribution/Employment Report and pay the taxes due on the report.
- pay unemployment insurance taxes for any quarter by credit card or ACH Debit.
- view and print a quarterly contribution/employment report for a prior quarter that was filed online.
- view and print quarterly Benefit Charge Statements. Benefit Charge Statements list unemployment insurance benefits paid to former employees that are charged to the employer's account.
- view and print the annual Rate Notice.
- request to have an employment insurance account closed.
- change an address.
- request re-certification of State, UI payments (FUTA 940C).



**Requirements to Use WebTax:** <https://secure-2.dllr.state.md.us/webtax/Welcome.aspx>

*New Users:* You will need a PIN and save that PIN for future use. To establish the PIN, click “Enroll Me Now” when prompted. You will need your Maryland unemployment insurance account number and federal identification number.

*Previous Users:* You need your Maryland unemployment insurance employer number and the PIN that you created when you used WebTax for the first time.

*Forgot your PIN?* Click on “Request my PIN Reset” through the Automated PIN Reset Service. In order to reset your PIN, you will need your Maryland unemployment insurance account number, federal employer identification number, and the total wage amount on the prior quarter's Contribution Report. Please remember that the total wage amount on the report was rounded to the nearest whole dollar.



# **NEED HELP BY TELEPHONE?**

Call the Employers' Line at one of the  
Baltimore Metropolitan Telephone  
Numbers listed on page 9.



OR

If outside of the Baltimore Area,  
call 1-800-492-5524.

## **What Is The Employers' Line?**

The Employers' Line is a telephone system that provides the following services for employers:

- File a “no wage” quarterly contribution/employment report by telephone
- Obtain information about the Maryland Unemployment Insurance Program, including an employer's account balance and tax rate

The system intends to minimize transfers between persons, which avoids repeating the purpose of your call each time you would speak to a different person. If the unit's representatives are all busy with prior calls, leave a message on Voice Mail for a return call. A representative will return your call by the close of the next business day. If your call is not returned within one working day, we encourage you to call back. Every call is important to us because we want to provide timely and accurate information.

# HOW TO USE THE MARYLAND UNEMPLOYMENT INSURANCE EMPLOYERS' LINE

**1-800-492-5524**

**Baltimore Metro Area: 410-949-0033**

The following features of the Employers' Line are available 24 hours a day!

When ordering blank quarterly contribution/employment reports or obtaining your account balance or tax rate, you will be asked for your ten (10) digit Maryland account number. The number begins with two (2) zeros. If you prefer to speak with an Agency representative, contact the appropriate unit shown on the next page.

*Telephone keypad entries shown below should be entered as soon as you hear the recorded voice. Afterward make single entries in response to each question.*

SERVICE REQUESTED	QUICK DIALING KEYPAD ENTRIES
Automatic order of blank tax returns for the current and any delinquent prior quarters.	Press <b>1 3 1</b> (Then follow the instructions of each recorded message).
Automatic Fax of the form to adjust prior taxes paid.	Press <b>1 3 2</b> (Then follow the instructions of each recorded message).
Automatic Fax of blank Combined Registration Application for new employers to establish new U.I. accounts.	Press <b>1 3 2</b> (Then follow the instructions of each recorded message).
Dial N' File - Automated filing of Contribution/Employment Report to reflect "no wages" paid to employees for the most recent completed quarter and/or prior quarters	Press <b>1 1 1</b> (Then follow the instructions of each recorded message).
Employer's account balance	Press <b>1 5</b> (Then follow the instructions of each recorded message).
Employer's tax rate	Press <b>1 6</b> (Then follow the instructions of each recorded message).
Payment Plan	Press <b>1 7</b> (Then follow the instructions of each recorded message).

**For additional assistance, service representatives are available between 8 a.m. and 4:30 p.m., Monday through Friday. Refer to the table on the next page to determine the unit that can best assist you.**

**UI TAX UNITS EMPLOYER ASSISTANCE SHEET**

<p align="center">My Concern is:</p>	<p align="center">I Have Received One of The Following Forms and/or Notices</p>	<p align="center">Name of Responsible Unit and Direct Phone Line for the Baltimore Metro Area</p>	<p align="center">Toll Free (1-800-492-5524) Quick Dialing Instructions for Callers with Touch Tone Phone after Welcome by Recorded Voice (Rotary Dialers Stay on the Line For Operator).</p>
<p>New Employer - Establish U.I. Account; Questions About U.I. Coverage; Mailing and Business Location Address Changes; End Liability/Close U.I. Account.</p>	<p>Combined Registration Application; Notice of U.I. Liability</p>	<p>Employer Status (410) 767-2414</p>	<p>Press: <b>1 2 1 1</b></p>
<p>Tax Rate Assigned.</p>	<p>Tax Rate Notice</p>	<p>Experience Rate (410) 767-2413</p>	<p>Press: <b>1 2 1 3</b></p>
<p>Questions on How To Complete Quarterly Tax Returns; Inquiries About Delinquent Notices.</p>	<p>Quarterly Tax Returns Delinquent Notices Notice of Pending Civil Action</p>	<p>Employer Assistance (410) 767-2412</p>	<p>Press: <b>1 2 1 2</b></p>
<p>Inquiries Regarding the Assessment of \$15 Penalties For Not Returning Separation Notices.</p>	<p>Notice of \$15 Penalty Assessment</p>	<p>Separation Notices (410) 767-3200</p>	<p>Press: <b>1 2 1 7</b></p>
<p>Inquiries Regarding A Notice of First Benefit Check Paid to Former Employee; Inquiries Regarding Benefits Paid To A Former Employee and Charged To An Employer's Account.</p>	<p>Notice Of First Benefit Check Paid To A Former Employee; Quarterly Benefit Charge statement.</p>	<p>Benefit Charge Correspondence (410) 767-2411</p>	<p>Press: <b>1 2 1 5</b></p>
<p>Adjustments of U.I. Accounts Regarding Taxes Previously Paid; Refund of Overpaid Taxes; Questions About FUTA Certification to IRS.</p>	<p>Forms To Adjust Taxes Previously Paid.</p>	<p>Accounts Receivable (410) 767-2410</p>	<p>Press: <b>1 2 1 4</b></p>
<p>Functions Related to Non-Profit Organizations; (e.g. Collaterals and Benefit Charges for Self Insured).</p>	<p>Quarterly Benefit Charge Statements for Self Insured Non-Profit Organizations.</p>	<p>Reimbursable Employer Accounting (410) 767-8766</p>	<p>Press: <b>1 2 1 6</b></p>
<p>Questions When a Payment Owed To An Employer By The State of Maryland Is Held, Business Licenses Held and Tax Clearance Is Required. Pending Resolution Of An Outstanding U.I. Liability</p>	<p>Tax Offset Letter Licenses Held Letter Tax Clearance Letter</p>	<p>Skip Trace Unit (410) 368-5450</p>	<p>Press <b>1 7</b> (Ask for Vendor Intercept Program)</p>
<p>Inquiries On Judgment/Liens In Court and Subsequent Attachment and Injunction Proceedings to Collect Delinquent U.I. Taxes.</p>	<p>Certification of Assessment and Tax Lien</p>	<p>Legal Collection (410) 767-2416</p>	<p>Press: <b>1 2 1 8</b></p>
<p>Inquiries Concerning Payment Plan Agreements To Resolve U.I. Liability</p>	<p>Quarterly Tax Returns Delinquent Notices Notice of Pending Civil Action</p>	<p>Skip Trace Unit 410-368-5440</p>	<p>Press: <b>1 7</b> (Ask for Payment Plan)</p>

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# MOST FREQUENTLY ASKED TAX QUESTIONS

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## 1. What is meant by “covered employment” and are there exemptions?

When an individual performs service for a business entity (employer) in return for compensation in the form of wages, the individual is likely covered for unemployment insurance purposes. Therefore, the employer reports the wages to the Division of Unemployment Insurance and pays unemployment insurance taxes on those wages. In that event, the employer must have an unemployment insurance account that is assigned by the Division of Unemployment Insurance. See question 6 for information on how to obtain an unemployment insurance account.

Most individuals performing service for remuneration are covered for unemployment insurance purposes. Some exceptions for certain business entities are listed below. Other exceptions are shown on page 13 under “Definition of Employment”. If a person is not in covered employment, the person’s wages are not reported to the Division of Unemployment Insurance and the employer does not pay unemployment insurance taxes on those wages.

### *Sole Proprietors*

The following persons employed by a sole proprietor are not engaged in covered employment:

- The sole proprietor
- A spouse of the sole proprietor
- Children of the sole proprietor under the age of 21
- Parents of the sole proprietor

### *Partnerships*

A partner in a partnership is not engaged in covered employment

If a partnership consists exclusively of spouses, then their children under 21 years old employed by the partnership are not engaged in covered employment

### *Corporations*

All persons, including corporate officers and stockholders who perform service for the corporation, including subchapter S, are engaged in covered employment.

When a corporate charter has been forfeited or revoked and the entity continues to operate, the entity shall be treated as a sole proprietor or a partnership, as determined by the Division of Unemployment Insurance. Persons determined to be sole proprietors or partners are not engaged in covered employment. Any other employee of the entity is engaged in covered employment.

### *Limited Liability Companies*

Members of a limited liability company are not engaged in covered employment unless the limited liability company elected to be taxed as a corporation for federal tax purposes and reports wages paid to members on the annual federal unemployment tax return.

## 2. Are contributions under IRS Section 125 cafeteria plans and 401K plans taxable for Maryland unemployment insurance purposes?

### *IRS Section 125 Cafeteria Plans*

- Cash received by the employee, instead of purchasing a benefit under a cafeteria plan, is taxable
- The value of additional vacation days purchased under a cafeteria plan is taxable when used. The value of “cashed out” vacation days purchased under a cafeteria plan is taxable
- Employee pretax contributions and salary reductions or deductions in order to purchase the following benefits: (accident and health insurance, life insurance, dependent care assistance) are not taxable

### *401K Plans*

- Elective employee contributions and deferrals are taxable
- Employer matching contributions are not taxable

Questions should be directed to the Employer Status Unit, (410) 767-2414 or toll free 1-800-492-5524.

## 3. I am a domestic employer, agricultural employer, closely held corporation, subchapter S Corporation, or employer of subcontractors. Am I liable to pay Unemployment Insurance taxes?

Yes, if you meet the specified criteria as stipulated in the Maryland Unemployment Insurance (UI) Law. These requirements are explained fully on page 13 of this guide.

## 4. I am a not-for-profit 501 (c) (3) organization, which has selected the reimbursable method of payment of UI taxes. What are the differences concerning payments, coverage and benefit charges?

Not-for-profit organizations choosing the reimbursable method of paying their UI taxes have chosen to pay dollar for dollar any benefits charged against their account in lieu of quarterly contributions (taxes). A request for the reimbursement method must be made within 30 days of coverage under the law. Also, these employers must post a bond of a specific dollar amount. This option may be changed only after 2 years upon request to the Assistant Secretary, Division of Unemployment Insurance. The Assistant Secretary has the authority to approve or disapprove this request. Billing is sent quarterly on a “Statement of Reimbursable Benefits Paid” (DLLR/DUI 64-A, sample on page 40 and 41). Interest is charged on late payments. Additional information is located on page 14 of this guide.

Only not-for-profit organizations and government entities have the option to be reimbursable employers.

## 5. My employees work in more than one state. Where do I pay my unemployment insurance taxes?

When there is employment in more than one state, and some service is performed in the state where the base of operations is located, then the earnings are to be reported to the state where the individual’s base of operations is located. If no services are performed in the state with the base of operations and some services are performed in the state where direction or control is received, then the earnings are to be reported to the state where the individual’s direction or control is received. If there are no services performed in the state where the base of operations is located or where direction or control is received, then the individual’s state of residence is to be used, provided some service is performed in the individual’s state of residence. Refer to page 14 for further discussion of this topic.

## 6. How do I open an account for unemployment insurance and how is the new account rate determined?

Employers may either register via the Internet at [marylandtaxes.com](http://marylandtaxes.com), or open an account by filing a Combined Registration Form. Please call (410) 260-7980 or toll-free 1-800-638-2937 to request this form. This single application covers reporting requirements for seven (7) State agencies. The tax rate for a new employer is determined by the average of the rates for employers in the State for the previous five years. If you need additional tax rate information, see page 15.

## 7. How is my experience rate computed?

Your experience rate is assigned on a calendar year basis (January to December). It is determined by finding the ratio between the benefits charged to your account and the taxable wages that you reported in the three fiscal years prior to the computation date (July 1 prior to rated year).

If you have only been in business for two fiscal years prior to the computation date, only the experience in those two years is used.

The benefit ratio converts to a rate according to the Table of Rates in the Unemployment Insurance Law.

**8. I just received a Request for Separation Information. What is the significance of this form and how do I complete it?**

The Agency must make a determination of qualification for benefits based on the claimant's reason for separation from the employer. The information that you provide on this form could affect whether your account is charged for benefits paid. When answering the questions on the form, be accurate and concise. A \$15 fine is assessed if the form is not returned by the due date. See page 21 for detailed information on how to respond through the State Information Data Exchange System (SIDES).

**9. How do I complete my contribution return and employment reports?**

All gross wages paid must be reported when paid, not earned. Gross wages include all remuneration for personal services, including commissions and bonuses and the cash value of all compensation in any medium other than cash. Employers must calculate the amount of "taxable wages." Taxable wages are defined as the first \$8,500 paid to each employee in a calendar year. The Contribution Return and Employment Report is filed four times a year at the end of each quarter. Additional information is provided on page 17 and complete instructions can be found on pages 44.

**10. What will happen if I fail to file the quarterly contribution return and employment report, and/or pay the unemployment insurance taxes in a timely manner?**

Failure to file the quarterly contribution return and employment report timely, or failure to file in an approved format (either paper or magnetic media), will result in a \$35 penalty being assessed for each late or improper filing. Failure to pay the tax due by the due date will result in interest charges at a rate of 1.5% per month. Also, late payments could affect your obligation for the Federal Unemployment Insurance Tax (FUTA). Employers filing state UI tax forms and paying their state UI taxes on time are eligible for a tax offset from FUTA. Additional information on FUTA is located on page 19.

**11. I am an employer being charged for unemployment insurance benefits. Why was I charged and how will this affect my experience rate? Is there anything I can do in the future to lower my rate?**

Your account is charged with unemployment insurance benefits paid to a former employee because you paid wages to the individual sometime during the first four of the last five completed calendar quarters (Standard Base Period) or the four most recent calendar quarters (Alternate Base Period) prior to the date the person filed the claim for benefits. This period of time during which wages determine employer charges is known as the claimant's "base period." The total amount of the charges to your account depends on the proportion of wages you paid to the person in relation to the total amount of wages paid by you and any other employers during the base period. This percentage, times the total amount of benefits ultimately received by the claimant while unemployed, equals your benefit charges. You are notified of the exact amount of charges at the end of each calendar quarter.

Benefits charged to your account will usually increase your tax rate and will result in higher tax payments that will enable the UI Trust Fund to recover the benefits paid over a three year period. Of course, the best way to minimize unemployment insurance costs is to avoid layoffs. It may be to your advantage to keep an employee on the payroll, perhaps at reduced hours during a slack period instead of a complete layoff. See "Work Sharing" on page 26 for more detailed information. Care should be exercised when hiring employees, especially for temporary positions. Ensure that a new hire is qualified in order to avoid a potential layoff situation.

Some employers find it advantageous to hire a student or a person with a steady full-time job for a temporary position because

that individual may not be as likely to file a claim for unemployment insurance benefits after your temporary job ends.

Finally, document unsatisfactory work performance and the reasons for separation, should it be necessary to contest a claim filed by an individual. The UI law provides that your account is not charged with benefits if an employee voluntarily quits your employment without good cause attributable to you or quits for better employment. Benefits are also not charged if the employee is discharged for gross or aggravated misconduct connected with the work. See page 24 for more detailed information.

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## SUTA DUMPING

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SUTA is an acronym for State Unemployment Tax Act and "Dumping" refers to the unlawful actions of an employer to pay at a lower unemployment insurance rate than should be assigned. Instead of paying unemployment insurance taxes at a rate based on its own experience with layoffs and payrolls, an employer attempts to avoid a higher rate by dumping its experience. Most frequently, it involves merger, acquisition or restructuring schemes, especially those involving the shifting of workforce/payroll from one business entity to another. The Maryland Division of Unemployment Insurance has invested in new computer software to detect SUTA Dumping and the Maryland legislature has enacted a law change to penalize an employer who knowingly withholds or provides false information regarding the transfer of workforce/payroll from one business entity to another. Penalties range from a higher unemployment insurance tax rate, monetary fines and even imprisonment. The best way to avoid getting caught in SUTA Dumping is to voluntarily notify the Division of Unemployment Insurance when workforce/payroll is shifted from one business entity to another and to readily provide information to the Division, if requested. A blank report to notify the Division of Unemployment Insurance of a workforce/payroll transfer is available on page 29. Refer to the section "Transfer of Experience Rates" on page 16 for more information.

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## REGISTRATION OF "NEW" EMPLOYERS

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Employers should submit a Combined Registration Form no later than twenty days after the first day of business. This single registration form covers obligations for seven (7) State agencies. Employers may register online at [marylandtaxes.com](http://marylandtaxes.com). To request a registration form, call (410) 260-7980 or toll free 1-800-638-2937.

If an employer is liable to pay quarterly unemployment insurance taxes, the Division of Unemployment Insurance will establish an unemployment insurance account for the employer and assign a ten digit number to that account. Inquiries and correspondence from the employer should always reference the account number.

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## EMPLOYER'S LIABILITY FOR UNEMPLOYMENT INSURANCE TAXES

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Most employers are liable to pay unemployment insurance taxes on wages paid to employees. However, there are a few exceptions, whereby the employer is not liable to pay unemployment insurance taxes. When an employer files a Combined Registration Application, the Division of Unemployment Insurance determines liability by asking the following questions:

1. Does the employer meet the definition of an employer according to the Maryland Unemployment Insurance Law? See "Definition of Employer" below for further information. If the answer to this question is "yes", the Division of Unemployment Insurance proceeds to question 2 below. If the answer is "no" the employer is not liable for unemployment insurance coverage.



2. Do employee(s) perform all or part of their service in Maryland? If employee(s) perform all of their service in Maryland, the Division of Unemployment Insurance proceeds to question 3 below. If employee(s) perform part of their service in Maryland, while performing services in other state(s), the Division of Unemployment Insurance will ask additional questions, based on information summarized on page 14 of this Guide, entitled "Employees Working in Several States". If no employee performs services in Maryland, the employer is not liable for unemployment insurance coverage in Maryland.
3. Do any exemptions as summarized under "Definition of Employment" apply to the employer? If no exemptions apply, the employer is liable to pay Maryland unemployment insurance taxes. An employer would not be liable for unemployment insurance taxes if an exemption applies to all workers.

Employers should not attempt to determine liability on their own. Instead, employers should file a Combined Registration Application and the Division of Unemployment Insurance will make a liability determination. See page 12, "Registration of New Employers" for information on filing a Combined Registration Application. In response to a Combined Registration Application, the Division of Unemployment Insurance will issue a notice that the employer is liable, or a notice that the employer is not liable.

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## DEFINITION OF "EMPLOYER"

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An employer is an individual or employing unit, which employs one or more individuals for some portion of a day. Besides the multitude of regular employers, such as manufacturers, retailers, etc., it also includes special types of employment that are sometimes overlooked. These special types and liability requirements are:

1. Agricultural Employer - if during any calendar quarter of the current or preceding year the employer paid cash remuneration of \$20,000 or more to individuals performing agricultural labor; or employed at any time ten or more individuals for a portion of a day in any twenty weeks in the current or preceding calendar year, the agricultural employer is liable.
2. Domestic Employer - if during any calendar quarter of the current or preceding calendar year there is a total payroll of \$1,000 or more to an individual(s) performing domestic service, the domestic employer is liable.
3. Farm Crew Leader - if a crew leader holds a valid certificate of registration under the Farm Labor Contractor Registration Act of 1963; or the crew leader provides mechanized equipment which substantially all the individuals operate or maintain, provided the individuals are not employees of another employer, the farm crew leader is liable.

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## DEFINITION OF "EMPLOYMENT"

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Employment is defined as any service performed for remuneration (payment) whether full-time or part-time. This also includes salaries paid to corporate officers who are employees of the corporation (including close and subchapter S corporations).

One of the most common employment exclusions is an "independent contractor." The criteria for independent contractor status are:

1. The individual who performs the work is free from control and direction over its performance both in fact and under the contract; and
2. The individual customarily is engaged in an independent business or occupation of the same nature as that involved in the work; and
3. The work is: (a) outside of the usual course of business of the person for whom the work is performed, or (b) performed out-

side of any place of business of the person for whom the work is performed.

When independent contractor status is in question, employers must document that all three of the criteria above are satisfied. An independent contractor should have the appropriate licenses, file business tax returns, and may have his/her own federal identification number and UI account number. The Code of Maryland Regulations (COMAR) provides additional guidance for making the proper determination regarding workers. The landmark Maryland Court of Appeals decision, *DLLR v. Fox* also provides insight into the analysis of the classification of independent contractor. Each of these resources can be found at the Unemployment Insurance web site [dllr.state.md.us/employment/uitaxpub.htm](http://dllr.state.md.us/employment/uitaxpub.htm).

The following specific exemptions from covered employment are provided under Labor and Employment Article 8 when certain criteria are met:

- Barbers and Beauticians
- Taxicab Drivers
- Owner Operated Tractor Drivers In Certain E & F Classifications
- Maritime Employment
- Election Workers
- Church Employees
- Clergy
- Certain Governmental Employees
- Railroad Employment
- Newspaper Delivery
- Insurance Sales
- Real Estate Sales
- Messenger Service
- Direct Sellers
- Foreign Employment
- Other State Unemployment Insurance Programs
- Work-Relief and Work-Training
- Family Members
- Hospital Patients
- Student Nurses or Interns
- Yacht salespersons who work for a licensed trader on solely a commission basis
- Services of aliens who are students, scholars, trainees, teachers, etc., who enter the U.S. solely to pursue a full course of study at certain vocational and other non-academic institutions.
- Recreational Sports Officials
- Home Workers
- Casual Labor

Casual Labor is defined as work performed that is not in the course of the employer's trade or business and which is occasional, incidental or irregular. Do not confuse "casual labor" with temporary or part-time employment, which is taxable. However, if during a calendar quarter the cash remuneration paid for casual labor is \$50 or more and the casual labor is performed by an individual who is regularly employed by the employer on some portion of 24 days during the calendar quarter or the preceding calendar quarter, the service is covered employment, and remuneration is taxable under the law.

If there are any questions regarding the categories listed, call the Employer Status Unit at (410) 767-2414 or toll free at 1 800 492 5524.

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## PROFESSIONAL EMPLOYER ORGANIZATION

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Maryland allows a professional employer organization (PEO), formerly known as an employee leasing company, to be considered an employing unit for the purposes of unemployment insurance coverage.

The PEO must perform ALL of the following functions in order to qualify as an "employing unit": (1) places the client company's workers on its own payroll, and assigns them to the client company by written agreement; (2) pays the workers from its own account(s); and (3) hires and terminates the workers after consultation with the client company. A PEO must notify the Agency when it places or removes all or part of client company's workers on its payroll. Upon the acquisition of all or part of a client company's workers, a PEO will be initially classified as a successor employer for purposes of assigning a contribution rate, assessing tax liability, and transferring the taxable wage base of these workers who were placed on the PEO's payroll.

A PEO must file an Annual Report of the company's clients with the Agency by December 31 of each year.

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## TAXABLE WAGE INCLUSIONS AND EXCLUSIONS

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Taxable wages include total remuneration paid up to the taxable wage base limit of \$8,500 before any deductions are made.

The following wages are taxable:

1. Meals and lodging provided by an employer to an employee, unless the meals and lodging are provided on the employer's premises for the employer's convenience.
2. Tips which are reported pursuant to Section 6053 of the Internal Revenue Code.
3. Payments to workers for: (a) dismissal; (b) vacations; (c) sick leave (if made within the first six months after the last calendar month in which the employee worked); and (d) payments to employees for travel or other expenses for which no accounting or reporting to the employer is required; (e) sick payments provided from a third party insurer financed by employer paid premiums are taxable to the employer, not the insurance company (if made within the first six months after the last calendar month in which the employee worked).
4. Payments by the employer of the employee's share of Social Security (except for payments made by domestic and agricultural employers).

The following wages are not to be reported:

1. Value of any special discount or markdown allowed to a worker on goods or services purchased from or supplied by the employer where such purchase is optional with the worker.
2. Payments toward retirement or a death benefit if the employee has no right to receive cash instead, or to assign his right therein, or to receive a cash payment in lieu thereof on withdrawal from, or termination of such insurance plan or upon termination of his employment.
3. Facilities or privileges (such as entertainment, cafeterias, restaurants, medical services, or so-called "courtesy discounts" on purchases) furnished or offered by an employer merely as a convenience to the worker or as a means of promoting the health, goodwill, or efficiency of his workers.
4. Discounts on property or security purchases.
5. Customary and reasonable directors' fees.
6. Supper money given to a worker to compensate him/her for the additional cost of a meal made necessary by working overtime.

7. Payments by the employer to or on behalf of an employee for sickness or accident disability after the expiration of six calendar months.
8. Wages of a sole proprietor, his/her parents, his/her spouse and children of the sole proprietor under 21 years of age.
9. Wages of partners. Wages of others, who work for the partnership, including relatives of the partners, are reportable. The only exception to this coverage is children under the age of 21 who are employed by a partnership composed exclusively of spouses.
10. Wages earned by an individual who is enrolled in a full-time educational program that combines academic instruction with work experience, which is an integral part of the educational program.
11. Wages paid to the "members" of a limited liability company (LLC) unless the LLC elected to be taxed as a corporation for federal tax purposes and reports wages paid to members on the annual federal unemployment tax return.
12. Any payment to employees of Cafeteria Plan Benefits and/or Dependent Care Assistance Benefits as defined in the Federal Unemployment Tax Act (FUTA), if the payments would not be treated as wages outside of the cafeteria plan.

Questions should be directed to the Employer Status Unit, (410) 767-2414 or toll free 1-800-492-5524.

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## REIMBURSABLE EMPLOYERS (NOT-FOR-PROFIT AND GOVERNMENT ENTITIES)

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Not-for-profit organizations classified under Section 501 (c)(3) and exempt from income tax under Section 501(a) of the Internal Revenue Code, and state and local government entities and subdivisions may elect to finance their UI costs by reimbursing the state dollar for dollar for benefits charged against their accounts, in lieu of paying quarterly UI contributions (taxes). Not-for-profit organizations are required to post a bond of a specific dollar amount. Questions concerning not-for-profit status and/or requirements may be directed to the Reimbursable Employer Accounting Unit, (410) 767-8766 or toll free 1-800-492-5524.

The election of the reimbursement method for newly formed not for profit organizations must be made in writing to the agency within 30 days of coverage under the law. Once electing the reimbursement method, Maryland law only permits an employer to change his/her option after two years on written notice to the Assistant Secretary not less than thirty days prior to January 1 of the year the new option becomes effective (if approved). Requests for a change in option should be sent to: Reimbursable Employer Accounting, Room 410, 1100 North Eutaw Street, Baltimore, MD 21201.

Billing for benefits chargeable to the not-for-profit organization or government entities is made via the "Statement of Reimbursable Benefits Paid," (DLLR/DUI 64-A, sample located on pages 40 and 41). This quarterly statement lists all claimants collecting benefits during the previous quarter. Organizations receiving this form have 15 days from the "Date of Invoice" to file a written protest. Interest is charged for any late payments.

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## EMPLOYEES WORKING IN SEVERAL STATES

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Services performed within this state, or both within and outside this state are to be reported to Maryland if:

- a. All or most services are performed in Maryland; or
- b. When there is employment in more than one state and some service is performed in Maryland where the base of operations is located, the earnings are to be reported to Maryland. If no services are performed in the state with the base of operations and some services are performed in



Maryland where direction or control is received, then the earnings are to be reported to Maryland. If there are no services performed in the state where the base of operations is located or where direction or control is received, and some service is performed in Maryland which is the employee's state of residence, then the earnings are to be reported to Maryland.

- c. If the circumstances of the employment do not meet the tests described in (a) and (b) above, and the employment is not covered in another state, then the earnings are reported to Maryland if the service is directed or controlled from Maryland.

The objective is for all services performed by an individual for a single employer to be covered under one State law, wherever it is performed. Employers may elect to cover an employee through a Reciprocal Coverage Agreement between states. Questions should be directed to the Employer Status Unit, at (410) 767-2414 or toll free at 1-800-492-5524.

## BANKRUPTCY

If the business is in bankruptcy, employers should notify the Division of Unemployment Insurance in writing. The notice should be mailed to the Litigation and Prosecution Unit, 1100 N. Eutaw Street, Room 522, Baltimore, Maryland 21201. The information concerning the bankruptcy should include: (1) date of bankruptcy filing; (2) State of bankruptcy filing; (3) chapter number and case number, if known; and (4) attorney's name and telephone number, if represented by an attorney. If the business is closed, provide the date that the business ceased operations.

## TERMINATION OF EMPLOYER'S LIABILITY

Employers who no longer pay remuneration to employees, regardless of the reason, are required to notify the Division of Unemployment Insurance. If an employer does not pay wages to employees and does not expect to pay wages to employees in the foreseeable future, the employer's unemployment insurance account will be closed and the employer will no longer be required to file contribution and employment reports for future quarters. A corporation that is not dissolved is presumed to have employees and wages because any payments to officers and owners for services must be reported for unemployment insurance. Employers can notify the Division of Unemployment Insurance that remuneration is no longer paid to employees, by entering a date on line 9 of the Contribution Report or by providing the information via one of the following methods: (1) fax 410-767-2848; (2) email to [dluicdemployerstatusunit-dllr@maryland.gov](mailto:dluicdemployerstatusunit-dllr@maryland.gov); or (3) letter to Employer Status Unit, 1100 N. Eutaw Street, Room 300, Baltimore, Maryland 21201. The employer's notice should include the date that wages were last paid to employees. If the employer's business closed because it was acquired by another employing entity, the purchaser's name, address and telephone number should be provided. If more than one employing entity purchased the business, each purchasing entity should be listed separately and the percentage of assets acquired by each employing unit should be shown. If liability ceases because of the death of an owner, notify the Legal Collections Unit, Division of Unemployment Insurance, Room 400, 1100 N. Eutaw Street, Baltimore MD 21201. Please include a copy of the death certificate. If an estate has been opened (or will be opened), please include the estate number.

## EMPLOYER TAXES

### TAX RATES

Tax rates are assigned to employers on a calendar year basis (January 1 to December 31). Employer "Experience Rate Notices" (DLLR/DUI 61, sample on pages 34 and 35) are issued in January for the tax year January 1 through December 31. There are three different types of rates: Experience (Earned) Rate, New Account Rate, or the Standard Rate. The type of rate assigned depends on whether the employer reported taxable wages in each of the three fiscal years (July 1 to June 30) prior to the computation date. The computation date is the July 1st preceding the calendar year for which the rate is assigned. For example, the computation date for calendar year 2016 rates is July 1, 2015. The fiscal years related to the 2016 tax rate follow:

Fiscal Year	Period in Fiscal Year
<b>2013</b>	July 1, 2012 to June 30 2013
<b>2014</b>	July 1, 2013 to June 30, 2014
<b>2015</b>	July 1, 2014 to June 30, 2015

Definitions of the various rates are:

#### 1. Experience (Earned) Rate

After an employer has paid wages to employees in two fiscal years prior to the computation date, the employer is entitled to be assigned a tax rate reflecting its own experience with layoffs. If the employer's former employees receive benefits regularly which result in benefit charges, the employer will have a higher tax rate. On the other hand, employers who incur little or no benefit charges will have lower tax rates.

The earned rate is determined by finding the ratio between the benefits charged to the employer's account and the taxable wages that were reported in the three fiscal years prior to the computa-

tion date (July 1st prior to the rated year). If the employer has only been in business for two fiscal years prior to the computation date, just the experience in those two years is used. The benefit ratio then converts to a basic rate according to the "Table of Rates" in the UI Law.

The Table of Rates may change from year to year, depending on the solvency of the Unemployment Insurance Trust Fund. A mathematical formula, as provided in the Unemployment Insurance Law, is calculated each year to determine if the Trust Fund can adequately pay benefits to unemployed persons in the future. If the formula determines that the Trust Fund would not need additional contributions from employers to pay benefits in the future, a Table of Rates that reflects lower tax rates would be in effect. If the formula determines that the Trust Fund would need additional contributions from employers to pay benefits in the future, a Table of Rates that reflects higher tax rates would be in effect.

#### 2. New Account Rate

"New Employer" means an employing unit that does not qualify for an earned rate because the employer did not pay wages to employees during each of the two fiscal years prior to the computation date. The new employer rate may range from 1.0% to 2.6%. It is based on the higher of: 1.0%, the State's five-year benefit cost rate, or the rates assigned to employers with no unemployment insurance experience. There is one exception - new employers in the construction industry, headquartered in another state are assigned the average rate for the construction industry in Maryland.

#### 3. Standard Rate

If an employer is eligible for an earned rate, but has no taxable wages in a fiscal year because the employer failed to file his/her quarterly tax and wage reports, the employer is assigned the

standard rate. The standard rate is highest rate from the “Table of Rates” that is in effect for the calendar year.

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## TRANSFER OF EXPERIENCE RATES

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Frequently, an employer will acquire its business from a previous owner or the employer will reorganize his/her business. The effect of various transactions on the employer’s contribution rate is summarized below:

A. **New Employing Unit Acquired Business** – When a new business entity is formed and it acquires assets, employees, business, organization, or trade from another employer, the new business entity is classified as a successor employer. If there is any common ownership, management or control between the successor employer and the former employer (predecessor), the predecessor’s tax rate and experience rating is transferred to the successor. If there is no common ownership, management or control with the predecessor employer, the experience rating is not transferred and the new business entity is assigned a new account rate.

Common ownership - There is common ownership, management or control when any person serves in any of the following positions for both the predecessor and successor:

- (1) Sole proprietor (includes spouse, children and parents of sole proprietor);
- (2) Partner of a partnership;
- (3) Member of a limited liability company;
- (4) Chief Executive Officer;
- (5) Chief Financial Officer;
- (6) Any corporate officer; or
- (7) Any shareholder owning, directly or indirectly, more than 50% of a corporation’s stock.

**Taxable Wage Calculation:** When calculating the amount of taxable wages for the quarterly contribution report in the year of the acquisition, a successor employer that assumed the experience rating of a predecessor should make the calculation for each employee based on wages paid to the employee by the predecessor and successor. If a successor employer does not assume the experience rating of the predecessor because there is no common ownership, management or control with the predecessor, the successor may not compute taxable wages based on wages paid by the predecessor. See the section “Reporting of Taxable Wages” for more information regarding the taxable wage calculation.

B. **Existing Employing Unit Acquired Business** – When an existing business entity acquires assets, employees, business, organization, or trade from another employer, the existing business entity is classified as a successor employer. The successor continues to pay contributions at the previously assigned rate from the date of transfer through the next December 31. The successor’s tax rate for the year following the acquisition is a blended rate that includes the predecessor’s experience.

**Taxable Wage Calculation:** When calculating the amount of taxable wages for the quarterly contribution report in the year of the acquisition, a successor employer that assumed the experience rating of a predecessor should make the calculation for each employee based on wages paid to the employee by the predecessor and successor. See the section “Reporting of Taxable Wages” for more information regarding the taxable wage calculation.

C. **A New Employer or An Existing Employer is not a successor if:**

- (1) the employer acquires less than 50% of the employees of the predecessor employer;
- (2) the predecessor continues to pay wages to the remaining employees after the acquisition of employees in the quarter following the acquisition of employees by the employer; and

- (3) other than the transfer of workforce, the employer does not acquire any tangible or intangible assets from the predecessor employer

**Taxable Wage Calculation:** When calculating the amount of taxable wages for the quarterly contribution report, a new employer or existing employer which is not classified as a successor employer must compute taxable wages for each employee based on wages that it paid and not on wages paid by any previous employer. See the section “Reporting of Taxable Wages” for more information regarding the taxable wage calculation.

D. **Reorganized Employer**

A reorganized employer is an employing unit that alters its legal status such as changing from a sole proprietor to a corporation. The reorganized employer shall continue to pay at the contribution rate of the employing unit before the reorganization from the date of the reorganization through the next December 31.

**Taxable Wage Calculation:** When calculating the amount of taxable wages for the quarterly contribution report in the year of the reorganization, a reorganized employer makes the calculation for each employee based on wages paid to the employee before and after the reorganization. See the section “Reporting of Taxable Wages” for more information regarding the taxable wage calculation.

E. **Out-of-State Transfers** – Employers transferring all or part of their business from another state to Maryland may be eligible to transfer their experience rate to Maryland. Contact the Experience Rate Unit at 410-767-2413 for additional information regarding out-of-state transfers.

**Taxable Wage Calculation:** When calculating the amount of taxable wages for the quarterly contribution report in the year of the transfer from another state, an employer should make the calculation for each employee based on wages paid to the employee before and after the transfer. See the section “Reporting of Taxable Wages” for more information regarding the taxable wage calculation.

F. **Penalties:**

- (1) The law provides for penalties if an employer “knowingly” withholds or provides false information regarding the transfer of experience rating. If an employer is penalized under section 8-614 of the law, the employer would be assigned the highest tax rate in the year of the violation and in each of the next three years. If the employer was already at the highest tax rate for any year, or if the amount of the increase would be less than 2% for that year, then a 2% penalty rate would be assigned. The employer who knowingly violates the law regarding successorship would be guilty of a misdemeanor and on conviction would be subject to imprisonment not exceeding one (1) year or a fine not exceeding \$10,000 or both.
- (2) The law also provides for civil and criminal penalties against a person who is not the employer if the person violates, or attempts to violate, or “knowingly” advises an employer in a manner that causes the employer to withhold or provide false information regarding the transfer of experience rating. The person who is not the employer would be subject to a civil penalty of not more than \$5,000. The person who is not the employer would be guilty of a misdemeanor and on conviction would be subject to imprisonment not exceeding one (1) year or a fine not exceeding \$10,000 or both.

Complete the form on page 29 of this Guide in order to report the transfer of workforce/payroll from one business entity to another business entity.

For additional information regarding “employer rates,” contact the Experience Rate Unit at (410) 767-2413 or toll free at 1-800-492-5524.

## REPORTING TAXABLE WAGES

Maryland employers are required to report the amount of total “gross wages” paid each quarter on the “Contribution Report” and on the “Employment Report”. Gross wages include all remuneration for personal services, including commissions and bonuses and the cash value of all compensation in any medium other than cash. Employers must also calculate and report the amount of total “taxable wages.” For Maryland UI tax purposes, “taxable wages” are defined as the first \$8,500 earned by each employee in a calendar year. The difference between total gross wages and taxable wages is referred to as excess wages. To compute the amount of excess wages for each individual employee, use the following worksheet:

1. Taxable Wage Base	\$ 8,500
2. Enter total wages paid to employee in prior quarter(s) of this same calendar year. If this is the first quarter of year or if the employee never received wages in prior quarter(s), enter -0- :	2. _____
3. Subtract line 2 from line 1, enter difference: If difference is zero or negative, stop here. All wages paid this quarter are excess wages and that amount must be entered on the contribution return, line 11. If difference is greater than zero, continue to line 4 of this worksheet:	3. _____
4. Enter wages paid to employee this quarter:	4. _____
5. Enter amount from line 3, above:	5. _____
6. Subtract line 5 from line 4, enter difference: If difference is zero or less, leave line 11 blank of the contribution report. If difference is greater than zero, enter difference on the contribution report, line 11. Ensure that differences for all employees are included on the contribution report, line 11.	6. _____

Employers are required to report their payroll and pay UI taxes four (4) times a year. Employers have one month following each quarter to file reports and pay the tax. Reports must be filed on time in order to:

1. Receive maximum credit for employer’s state payments against Federal Unemployment Tax (FUTA) payments;
2. Receive credit for the payroll in “experience rating”; and
3. Avoid interest charges at a rate of 1.5% per month for late payments and a penalty assessment of \$35 for each late report.

Accuracy when reporting the taxable wages is extremely important. It affects the amount of taxes owed and the tax rate.

Wage information and other confidential unemployment insurance information may be requested and utilized for other governmental purposes, including, but not limited to, verification of an individual’s eligibility for other governmental programs.

## QUARTERLY CONTRIBUTION AND EMPLOYMENT REPORT

Maryland employers are required to file a Contribution and Employment Report each quarter. The report is due by the end of the month following the close of the quarter. The Contribution and Employment Report may be filed by one of the methods shown in the following table:

METHODS OF FILING THE CONTRIBUTION/EMPLOYMENT REPORT	
Filing Method	Information on Filing Method
<b>Internet</b>	<p>All employers should use this method to file a report for the current quarter, or any prior quarter. Employers who paid wages to 200 employees or less in the prior quarter, will see preprinted information on the website.</p> <p>Go to <a href="http://mdunemployment.com">mdunemployment.com</a>. Click on “WebTax”.</p> <p>Password problems?: Contact 410-767-2412 or toll free at 1 800 492 5524 or email at: <a href="mailto:dluiemployerassistance-dllr@maryland.gov">dluiemployerassistance-dllr@maryland.gov</a></p> <p>See the pamphlet on WebTax for more information regarding online filing.</p>
<b>Web Wage</b>	<p>Employers with up to 5,000 employees may use this method. An employer files the contribution report online at <a href="http://www.mdunemployment.com">www.mdunemployment.com</a> and attaches a wage file (i.e. employment report) as instructed on the online filing application. Ensure the wage file has the proper format - See “Magnetic Media Specifications for Quarterly Filing” at <a href="http://www.mdunemployment.com">www.mdunemployment.com</a> for more information. This method is available for employers who file a report for the current quarter.</p>
<b>Telephone</b>	<p>An employer who reports no wages paid to employees in the current quarter, or any prior quarter, may use this method.</p> <p>An employer must have a touch-tone telephone to use this method.</p> <p>Dial 410-949-0033 in the Baltimore Metropolitan area, or toll free 1-800-492-5524 and follow the instructions.</p>
<b>FTP</b>	<p>Employers with large payrolls (more than 5,000 employees) may use this method to transmit their quarterly wage and contributions files via secure FTP transmissions</p> <p>Please visit <a href="http://mdunemployment.com">mdunemployment.com</a> for more information on the installation of this application.</p>

**Important:** The Contribution and Employment Report must be filed each quarter even if no wages are paid in a quarter. This filing requirement ends when the Division of Unemployment Insurance issues a letter to the employer to verify that the employer’s unemployment insurance account is closed. See page 15 of this Guide under “Termination of Employer’s Liability” for information regarding the closing of an employer’s unemployment insurance account.

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## PAYMENT OF UNEMPLOYMENT INSURANCE TAXES

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Unemployment insurance taxes may be paid by one of the following methods:

1. By check: Make checks payable to the Maryland Unemployment Insurance Fund. Mail checks to the Division of Unemployment Insurance, P.O. Box 17291, Baltimore, MD 21297-0365. A check which is returned for insufficient funds is subject to a \$25 penalty.
2. Electronic Funds Transfer (EFT): EFT is available to employers using a credit ACH or credit transaction

**ACH Debit:** There is no service charge to employers for ACH Debit transactions. If the ACH Debit payment is made when the quarterly Contribution/Employment Report is filed online, select Direct Debit (Electronic Check) when prompted and follow the online instructions. Otherwise, visit [officialpayments.com/echeck/index.jsp](http://officialpayments.com/echeck/index.jsp) and follow the on-line instructions.

**ACH Credit:** An ACH Credit transaction is available to an employer who has a signed agreement with the Division of Unemployment Insurance. An employer interested in the ACH Credit Transaction for the first time should complete the Electronic Funds Agreement on page 31 of the Guide and return the agreement to the address shown on the form. Otherwise, call 410-767-2412 for a copy of the agreement. An employer would be responsible for any cost charged by the employer's financial institution for an ACH Credit transaction.

3. By Credit Card: Acceptable cards are MasterCard, American Express, Discover/Novus and VISA. Official Payments Corporation processes the credit card transaction for the State of Maryland. Official Payments Corporation charges a convenience fee of 2.5% times the amount of the employer's tax payment. There is a \$1.00 minimum charge. The convenience fee is not paid to the State of Maryland. For example, an employer who charged a \$100.00 tax payment on their credit card would find a total charge of \$102.50 on the credit card statement: \$100 for the tax payment to the Maryland Unemployment Insurance Fund and \$2.50 for the convenience fee to Official Payments Corporation. When employers pay the unemployment insurance tax by credit card, employers should have the Contribution and Employment Report and credit card on hand.

Employers who file the contribution and employment report via the Internet should follow the instructions at the end of the filing in order to pay by credit card.

Employers who file the contribution and employment report by telephone or on paper have the option of making a credit card payment over the telephone by calling 1-800-2PAYTAX (1-800-487-4567), or by visiting the [officialpayments.com](http://officialpayments.com) web site. If the credit card payment is made via the Internet, online instructions are provided on the site. If the credit card payment is made over the telephone, the caller will be asked to indicate the payment option. In response, the caller presses 2 in order to pay state taxes. The caller will then be prompted for a jurisdiction code. When prompted for a jurisdiction code, the caller enters 3030#.

After the credit card payment is authorized, the employer is given a confirmation number that should be kept for the employer's records.

**Important:** The amount of an employer's check, EFT or credit card payment (minus convenience fee) must equal the amount on line 19 of the Contribution Report. An insufficient payment is first applied to penalty, then interest. This would result in additional taxes due, which accrues additional interest.

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## BENEFIT CHARGING (TO EMPLOYER ACCOUNTS)

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When an individual files a claim for benefits, two determinations are made. The first is a monetary determination of the amount of benefits the claimant may receive based on his/her wages paid in a specified time period (base period); the second is a non-monetary determination that considers the claimant's eligibility for benefits and reason for separation from employment. Both determinations affect the charging of benefits against an employer's account.

The gross wages paid to a claimant by all employers in the base period are used in determining a UI claimant's weekly benefit amount (WBA). An employer's percentage of charging for UI benefits is based on the following elements:

1. Base Period Gross Wages Paid By The Employer - The base period is defined in Maryland's UI Law as the first four of the last five completed calendar quarters prior to the filing of the claim, and is used to establish eligibility for benefits.
2. Percent of Liability - If a claimant has only one employer in the base period, that employer's account would be charged for 100% of any benefits paid and chargeable. If the claimant had two or more employers during the base period, all employer charges are pro-rated based proportionately on the wages the employer paid, to total wages paid.

Additional information can be found in question 11 of the "Most Frequently Asked Tax Questions" located in the front of this Guide.

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## NON-CHARGES AND CREDITS

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Specific provisions in the Maryland UI Law and regulations provide for relief from benefit charging and credits for repayments. Non-charging does not affect entitlement or eligibility. Claimants, if eligible and qualified, may still collect benefits. The non-charging provisions are not applicable for reimbursing employers, except for continuous part-time employment (item 7 of the following list).

The list below indicates reasons for non-charging and credit provisions:

1. Voluntary quit without good cause.
2. Voluntary quit for a better job.
3. Quit to attend approved training.
4. Discharge for reasons which constitute gross misconduct in connection with the work.
5. Discharge for reasons which constitute aggravated misconduct in connection with the work.
6. If the claimant is originally granted and paid benefits, but upon appeal is later disqualified, a credit will be given, except to reimbursing employers for benefits paid. Credits will only be given to reimbursing employers when the claimant repays any benefits improperly paid. Subsequent benefits will only be charged if the claimant resolves the disqualification and the benefits are otherwise payable.
7. Part-time/full-time employment - If a claimant loses his/her full-time job, but continues to work his/her part-time job, partial benefits received by the claimant will not be charged to the part-time employer's account as long as the claimant remains actively employed.

Employers receiving a "Request for Separation Information" (DLLR/DUI 207, sample on pages 42 and 43) for claimants actively employed on a part-time basis should clearly indicate the claimant's continued part-time status to the Agency.



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## PROTESTS AND QUESTIONS

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Employers may appeal a liability determination, a benefit charge, or a tax rate assignment in writing within 15 days of the decision. Follow instructions indicated on forms received for the proper address to submit your appeal.

The employer should include in the protest or appeal the employer's name, the employer's account number, the name and title of the individual submitting the protest, the date of the protest, and most importantly, the specific factual reason for the protest or appeal. The employer should attach any documentation that supports their contention. The Agency will respond to the employer's protest by issuing a Review Determination.

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## EMPLOYER AUDITS

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Periodically, an employer will be contacted directly by the Agency to schedule an audit. The main purpose of the audit is to verify the accuracy of reports filed. An audit initially covers the activity in one calendar year. An auditor will coordinate a visit to the employer's place of business or to the location of the employer's records. If an employer disagrees with the auditor's findings, the employer has the right of appeal through the Review Determination process described above.

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## FEDERAL UNEMPLOYMENT TAX RETURN (FEDERAL FORM 940)

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FUTA is paid annually on or before January 31 of the following year. The tax is based on the taxable payroll (up to \$7,000 per employee) of the calendar year immediately preceding the filing date. For example, employers will pay 2012 Federal UI taxes in January 2013.

Computation of the amount of Federal UI tax due requires information about wages reported to the State and taxes paid. To insure accuracy of data submitted, the Federal government compares taxable payroll information submitted on the 940 with State records. This is referred to as the "certification process."

If discrepancies arise, a discrepancy letter is sent to the employer from either the Federal government or the State Agency. Each letter shows the reported amount and how that amount differs from the actual "on-file" records. The letter also provides information on what action the employer should take if the employer disagrees with the findings. Employers can reduce the likelihood of discrepancies and related costs by ensuring that employment and tax returns are completed properly, accurately, and on time. Questions regarding FUTA discrepancies should be referred to 410-767-2410.

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## UNEMPLOYMENT INSURANCE BENEFITS

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All unemployed workers in Maryland are entitled to file a claim for unemployment insurance benefits. This right to file for benefits, however, does not guarantee eligibility for benefits under Maryland's Unemployment Insurance Law.

Filing for unemployment insurance benefits is done via the internet at [www.mdunemployment.com](http://www.mdunemployment.com) or by telephone to the claim center telephone numbers on page 54. When a claimant files for benefits, the last and all base period employers are notified. Each employer is required to provide information concerning the claimant's separation from employment. This information is used to determine whether or not the claimant is eligible and qualified for benefits.

To be eligible for benefits, a claimant must meet monetary (wage) and non-monetary (issues concerning the separation, availability for work, etc.) requirements. A claimant's weekly benefit amount (WBA) is based on the total earnings reported by all base period employers via a quarterly "Employment Report".

Generally, the claimant must file a weekly claim certification by telephone through the Interactive Voice Response (IVR) System or via the internet. When filing each claim certification, the claimant must answer several questions concerning eligibility. If an answer provided brings into question the claimant's eligibility, a telephone interview is scheduled to resolve any issues. If an interview is scheduled to resolve an issue, the claimant is notified to be available to provide additional facts over the telephone at a specific date and time. If information is required from the employer, he/she will also be contacted. If the claimant is found ineligible, the claimant has a right to appeal. If the issue involves an employer, he/she will also have the right to appeal. The filing process continues until the claimant becomes re-employed, the claimant no longer meets eligibility

requirements, benefit entitlement is exhausted, or the claimant stops filing for benefits.

Claimants are held liable for the truth and accuracy of the information they provide. A claimant who knowingly provides a false statement may be prosecuted for fraud and be subject to penalties of up to \$1,000 and/or a prison term.

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## MONETARY ELIGIBILITY ISSUES

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To be monetarily eligible for UI benefits, a claimant must meet certain earnings requirements. The following factors determine the claimant's weekly benefit amount, entitlement, and the employer's chargeability:

1. *Effective Date*

When a claimant applies for benefits, his/her claim is assigned an effective date that is usually the Sunday immediately preceding the day on which the claim is filed. Note: The effective date is not determined by the claimant's last day of work or the claimant's separation date.

2. *Base Period – Standard and Alternate/Benefit Year*

The Agency determines the claimant's base period and benefit year. The "standard" base period is the first four of the last five completed calendar quarters prior to the effective date. If the claimant is eligible for any amount of money on a "standard base period," regardless of the amount, that is the base period that will be used for the claim. However, if the claimant is not eligible for any amount of money, an "alternate base period" may be ex-

plored. An “alternate base period” is a one year period made up of the four most recently completed quarters immediately preceding the start of the benefit year. An “alternate base period” will generate the “Employer Alternate Base Period Wage Affidavit,” (DLLR/DUI/ EMABP 8/11) See page 33. This form requests gross wage information from the most recently completed calendar quarter. The wage information should be provided by the due date shown on the form. Failure to provide this information in a timely manner may result in a \$15 fine. The completed “Employer Alternate Base Period Wage Affidavit” should be signed, dated and returned to: Division of Unemployment Insurance, 1100 N. Eutaw Street, Wage Records, Room 210, Baltimore, MD 21201, or faxed to 410-333-5142.

The benefit year is the 52 week period beginning with the claimant’s effective date. Claimants are allowed to collect benefits during their benefit year, up to 26 weeks times their weekly benefit amount. If any extension programs are in place, a claimant may be paid additional weeks.

If no extension programs are in place, a claimant may receive more than 26 weeks of benefits only if he/she receives partial payments for less than his/her full weekly benefit amount for one (1) or more weeks. This may occur if the claimant is working part-time or on a reduced work schedule and receives only partial benefits.

### 3. *Weekly Benefit Amount (WBA)*

The weekly benefit amount is the maximum amount of UI benefits which may be paid to the claimant each week. The weekly benefit amount is about 54% of the claimant’s gross weekly wage earned during the base period up to the maximum WBA in the law. The State maximum weekly benefit amount is currently \$430.00. The minimum is \$50.00. The State Legislature determines the minimum and maximum WBA.

The claimant must have wages in at least two, not necessarily consecutive, calendar quarters of the base period. The claimant’s WBA is determined by wages paid in the high quarter and total wages paid in the base period. The Agency notifies each claimant of his/her eligibility for benefits and the amount of entitlement by sending the claimant a “Determination of Monetary Eligibility.” This form is mailed to the claimant the day after he/she files a claim. The determination also lists all of the claimant’s former base period employers and base period wages. This wage information is obtained from employers’ quarterly Employment Reports.

### 4. *Dependents’ Allowance*

A claimant may also be entitled to an additional allowance of \$8 per week for each dependent child up to a maximum of five children. A dependent child is a son, daughter, stepson, stepdaughter, or legally adopted child (not grandchild or foster children) under 16 years of age at the time the claim is filed for whom the claimant provides support. A claimant’s weekly benefit amount including dependents’ allowance cannot exceed the maximum weekly benefit amount. Also, if both parents are receiving UI benefits, only one parent can receive dependents’ allowance for an individual child. Dependents’ allowances are charged to employers’ accounts.

### 5. *Partial Benefits*

For any week a claimant is not fully unemployed, but working all available hours, the claimant may be eligible for partial benefits. The claimant may earn up to \$50 without any money being deducted from the weekly benefit amount. After \$50, earnings are deducted dollar for dollar. If a claimant’s earnings equal or exceed his/her weekly benefit amount, benefits are not payable.

When the Agency requests wages for an employee during a specific week, please ensure that:

- a. The wages are reported when earned not when paid;
- b. The gross amount of wages, before taxes and other deductions, is reported; and

- c. The wages are reported for the week requested. For unemployment insurance purposes, a week begins on Sunday and ends on Saturday. The week may not correspond with your pay period so it may be necessary to actually calculate an employee’s daily earnings to submit the requested information properly.

**NOTE:** For unemployment insurance tax purposes, wages are reported when paid. However, for unemployment insurance benefit purposes, wages are reported when earned.

### 6. *Part-Time Workers*

A part-time worker is an individual whose availability for work is restricted to part-time work, and who works predominantly on a part-time basis throughout the year at least 20 hours per week. A part-time worker is meeting the requirements of Maryland law when he/she is eligible for benefits based on wages that are predominantly earned from part-time work; is actively seeking part-time work; is available for part-time work for at least the number of hours worked at the part-time worker’s previous employment; does not impose any other restrictions on the part-time worker’s ability to work or availability for work; and is in a labor market in which a reasonable demand exists for part-time work. Special Note: A part-time worker is not considered to be unemployed if the part-time worker is working all hours for which the part-time worker is available regardless of the amount of money the part-time worker is earning. Therefore, the part-time worker will not be eligible for partial benefits if working all available hours.

### 7. *Maximum Benefit Payments*

If a claimant receives the full amount of his/her weekly benefit amount in each of 26 weeks during the claimant’s benefit year, the claimant’s maximum amount of benefits would equal 26 times the weekly benefit amount. If the claimant receives partial benefits, the benefits may last longer than 26 weeks. If the claimant is entitled to dependents’ allowance and is eligible for less than the maximum benefit amount or is filing partial unemployment while working part-time, any dependents’ allowance would be added to each week of unemployment. If the claimant qualifies for the maximum weekly benefit amount, no dependent’s allowance will be paid. Under no circumstances may the maximum benefit payment exceed 26 times the weekly benefit amount plus 26 times the dependent’s allowance.

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## NON-MONETARY ELIGIBILITY ISSUES

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Unemployment Insurance claimants meeting monetary eligibility requirements must also meet non-monetary eligibility requirements. To be eligible for benefits, a claimant must:

- be able to work;
- be actively seeking work;
- be available for full-time work (excluding part-time workers);
- not place any undue restriction on his/her availability for work or the work he/she will accept; and
- not refuse suitable work.

A claimant’s previous job experience, training, wage level, and other factors are considered in determining suitability of a job offer and a claimant’s acceptance or rejection of that offer.

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## ABLE, AVAILABLE, AND ACTIVE SEARCH FOR WORK

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To be eligible for unemployment insurance benefits, a claimant must be able to work full-time (unless designated as a part-time worker) without any unreasonable restrictions on the hours or days that he/she will work. Unless exempted (see page 21) a claimant must also be actively looking for work during each week that a claim is filed. If you have any information or proof that a claimant is not meeting

these requirements, notify the local unemployment insurance Claim Center in writing.

The Agency randomly audits selected claims, and all work search contacts are subject to verification. The Agency contacts employers by telephone and/or in writing to verify work search contacts.

It is important that employers keep records of who contacted them for employment, how they were contacted, the date the contact was made, type of work applied for, and the result of the job contact. This information will enable the Agency to verify more accurately work search contacts and determine if claimants have made a honest effort to obtain employment.

There are some exemptions to the actively seeking work requirements:

#### 1. *Work Search Exemptions*

**Ten Week Layoff** - If an employer shuts down operations for a period not exceeding ten (10) weeks and provides his/her employees with a definite return to work date at the beginning of the layoff, then the claimants will be exempt from actively seeking work during the period specified. The employer must provide this agency with the return to work date. If the layoff extends beyond the allowed 10 weeks, the individual will need to begin making an active search for work. The exemption cannot be extended beyond the allowed 10 weeks, except as noted below.

#### 2. *Extended Work Search Exemption*

If an employer shuts down operations for a period not exceeding 26 weeks, claimants will be exempt from the actively seek work requirements if the plant shutdown meets the following criteria:

- a. The shutdown is for a certain and definable period not exceeding 26 weeks;
- b. The work search exemption is jointly requested by the employer and the affected employees;
- c. The employer provides that all of the employees included in the exemption shall return to work for the employer; and
- d. The agency determines that the work search exemption during the shutdown will promote productivity and economic stability within the State.

This type of shutdown could be used, for example, if an employer's operation is shutting down to modernize. This exemption is not granted for seasonal layoffs. Requests for exemptions must be submitted in writing to the nearest Claim Center (see page 54.)

#### 3. *Approved Training*

If a claimant is otherwise eligible to receive benefits and is in a training program which is approved by the Agency, the claimant will be exempt from actively seeking work.

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## SEPARATION FROM EMPLOYMENT ISSUES

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The Agency must also make a non-monetary determination of qualification for benefits based on the claimant's reason for separation. The employer is required to provide separation information. All information provided is confidential and is only used to determine the claimant's eligibility for benefits.

The "Request for Separation Information" (DLLR/DUI 207, sample on pages 42 and 43) is sent to an employer when a former employee files a claim for benefits. This form serves two purposes: it informs the employer that a claim has been filed, and it requests that the employer provide the reason for separation. The facts presented on this form will be used to determine eligibility for benefits. By law, employers must complete and return the "Request for Separation Information" by the due date (eight {8} calendar days after form is generated) indicated on the form, or be assessed a \$15 penalty.

Employers have three options for responding to the "Request for Separation Information" (DLLR/DUI 207):

1. By accessing the State Information Data Exchange System (SIDES) by going to our website at [www.mdunemployment.com](http://www.mdunemployment.com) under "Employers".
2. By mail (to the address appearing on each form); or
3. Via the internet. A Confirmation Number will be provided once the transaction has been completed. Special Note: Email Alert notifies an employer that a request for separation information must be completed. Employers can register for Email Alert at [mdunemployment.com](http://mdunemployment.com) by providing the email addresses of up to two Email Alert recipients. A test email will be sent to these recipients to verify delivery to a valid email address and delivery must be confirmed by all recipients to complete the enrollment process. Email Alert may only be used by Maryland employers with a valid Maryland Unemployment Insurance employer account number. Instructions on how to respond to the Email Alert(s) will be included. If a completed 207 is not received within three days of the due date, a reminder Email Alert will be sent that indicates the 207 remains outstanding and that a \$15.00 penalty may be assessed. A confirmation number will be provided once the transaction has been completed.

If an employer fails to return the form by mail or via the internet, and the due date has passed, benefits will be paid if the claimant had indicated that he/she was separated due to lack of work or temporary layoff.

To prevent overpayments and improper employer charges, it is extremely important that the employer respond to the "Request for Separation Information" in a timely manner and respond to phone calls requesting more information. If the separation reason is not lack of work, a fact finding interview will be scheduled before benefits are paid. Employers must always return the DLLR/DUI 207, even if the separation information was obtained by telephone. Only the receipt of the original form (or internet submission) will prevent assessment of a penalty for late receipt or non-receipt.

**\*\*\* IMPORTANT NOTE \*\*\***

Employers using unemployment insurance cost control agencies have the responsibility to provide their agent with complete and timely information regarding separation of employment. This Agency will send separation notices directly to the representing agent, and will NOT contact the employer for additional information.

Employers can prevent improper benefit charges to their accounts by providing accurate information to ensure a proper determination. Employers providing false information for the purpose of disqualifying a claimant may be subject to criminal, as well as civil, penalties.

The following separation issues should be addressed when reporting separation information:

#### 1. *No Record of Employment*

Do not disregard a claim because you are unable to identify the claimant as a former employee. Check the claimant by Social Security number since names often change due to marriage, divorce, or other legal reasons. If you are unable to identify the claimant, return the "DLLR/DUI 207" indicating that you have "no record of employment" for this claimant.

#### 2. *Claimant Still Employed*

Even if a claimant is still working for you, check your records for a reduction in hours of work. An employee may be entitled to partial benefits if his/her hours were cut through no fault of his/her own. Did the employee file a claim during a temporary layoff or plant shutdown? Did the claimant return to work? If so, include the date of layoff and the date the claimant returned to work or was recalled.

#### 3. *Leave Of Absence*

If the claimant is on an approved leave of absence, provide to the Agency: the effective date of the employee's leave, the reason(s) for the leave, and the expected date of return. Has the claimant



notified his/her supervisor that he/she is now able and willing to return to work? If yes, is work available? A claimant cannot be paid benefits if he/she is on a leave of absence. The claimant is denied UI benefits because he/she is not able to work, available for work or actively seeking work. It is important to report whether the claimant is on a paid leave or unpaid leave. If paid, provide the weekly payment. If the claimant is on a paid leave, the payments are considered wages and will be deducted from the claimant's weekly benefit amount. It is also important to report whether the leave is indefinite or definite (a return to work date has been established). If definite, provide the date that the claimant is to return to work. If the claimant is on a definite leave and files for unemployment benefits during the week that includes the return to work date, a refusal of work issue will be created so that it can be determined why the claimant is not working.

#### 4. *Retirement*

In some instances, an employee may be receiving periodic retirement payments and collecting UI benefits at the same time. If a claimant is receiving a periodic payment or lump sum payment allocated to weeks he/she is filing for UI benefits, then the amount of the payment is deductible if it was contributed to or paid for by a base period employer. If only part of the retirement plan was paid by the base period employer, then only 50% of the payment will be considered. If the payment is less than the claimant's weekly benefit amount, he/she may receive partial benefits. If the payment is from a non-base period employer, it is not deductible.

Maryland UI Law requires that employers provide written notice to former employees of the effect of a lump sum payment on receipt of UI benefits. A lump sum paid as a result of a layoff or shutdown, it is not deductible. If the former employee places the entire lump retirement payment into a qualified retirement account within 30 days of receipt, it is not deductible. A lump sum paid at the time a claimant is fired, quits or retires is deductible and is allocated to the weeks following separation at the claimants' last wage rate.

#### 5. *Voluntary Resignations*

A claimant who is in a lack of work status and notifies the employer that he/she will not be returning to work for the employer is not considered to have voluntarily quit within the meaning of the law since the initial reason for the claimant's unemployment was a layoff initiated by the employer. However, a possible refusal of work issue may exist. Refer to the section entitled "Refusal of Suitable Work" for more information.

If the reason for quitting is personal and not job-connected, the claimant will be disqualified. In these cases, the employer's account should not be charged.

If a claimant voluntarily quits employment for reasons determined to be good cause directly attributable to the employment, no penalty is warranted and benefits are chargeable to the employer's account. For example, if an employee quits because the job conditions caused the employee to become ill and this is verified by a physician, no penalty applies (of course, the claimant must be able to work, available for work, and actively seeking full-time work in order to receive benefits).

It is in the employer's interest to ensure that the agency is made aware of the actual reasons for claimant separations. In evaluating a voluntary quit, the Agency will generally apply the "reasonable and prudent" test; that is, would a reasonable and prudent person have quit under the same circumstances?

#### 6. *Voluntary Quit Because of Medical Reasons*

If a claimant is unable to work in his/her normal occupation and has become unemployed for medical reasons not attributable to the job and presents medical documentation (ill, injured or pregnant), he/she will receive a weekly denial and the employer will be non-charged for any subsequent payments.

#### 7. *Voluntary Quit in Lieu of Discharge*

In a case in which the employer informs the claimant that he/she will be discharged and allows him/her the option to resign, or the claimant chooses to resign in the face of the imminent discharge, it is not considered a voluntary quit within the meaning of the law, because the employer is the moving party. Therefore, a resignation in lieu of discharge shall be treated as a discharge and should be checked as such on the separation notice.

#### 8. *Discharges*

Select "discharge" on the "Request for Separation Notice" (DLLR/DUI 207) if the former employee was separated for any of the following reasons:

- Absenteeism/Tardiness
- Rule Violation
- Insubordination
- Conviction for Criminal Offense
- Suspension
- Not qualified for job, but worked to best of ability. Special Note: If this reason is selected, and no other issues are blocking payment, the claimant will be paid benefits.

#### 9. *Temporary Help Firms (Located in Maryland Only)*

A claimant who works for a temporary help firm and is removed from an assignment will not be considered discharged unless the claimant is also removed from the temporary help firm's rolls.

A claimant, whose last employer was a temporary help firm, is not actively seeking work in the first week claimed if the claimant, at the end of the current assignment, does not request another assignment. Temporary help firms have the responsibility to notify their employees of the requirement and to keep documentation. (A temporary help firm is defined as an entity that assigns its own employees to perform services for clients on a nonpermanent basis).

Separation item #5 (refer to the "Request for Separation Information" (DLLR/DUI 207) should be completed by the temporary help firm when stating that the claimant has completed an assignment. After this statement, the employer will be asked whether the claimant requested another assignment.

The claimant will be allowed benefits if he/she shows that another assignment was requested or he/she had good cause for failing to request another assignment (e.g., a natural occurrence such as flooding, hurricane, etc.), or the temporary help firm consistently offered the claimant assignments that were not within his/her job classification, or did not meet the conditions under which the claimant was hired. If the claimant is offered and refuses an assignment while in active claim status, the issue will be adjudicated as a refusal of suitable work.

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## FRAUD

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It is considered fraud if an individual files for UI benefits while employed without reporting his/her wages, or provides false or insufficient information in order to obtain or increase benefits. Information regarding fraudulent claims should be reported to the Agency for investigation. Even if a UI claim has not been filed against your account, suspicions of fraud should be reported to the Agency by calling the toll free UI Fraud Hotline at (1-800-492-6804) Monday through Friday between 9:00 and 4:00 eastern standard time. The caller can remain confidential. We will need the following information to investigate your tip:

- Claimant's name
- Claimant's Social Security Number
- Claimant's date of birth
- Description of claimant
- Suspected place of employment
- Circumstances indicating fraud

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## EMPLOYER OBLIGATIONS FOR PROTECTION AGAINST FRAUD

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### 1. *The Maryland New Hire Registry*

The Maryland New Hire Registry is a tool the State of Maryland implemented to protect against unemployment insurance overpayments and fraud, public assistance fraud and to assist in the enforcement of Child Support. Federal and state law requires all employers who are covered under the Maryland Unemployment Insurance Law to report all new employees, re-hires or re-called employees to a central registry.

Employers are required to report the following information within 20 days of the employee's first day of work:

- Employee's name and Social Security Number
- Employee's home address
- First day of work
- Employer's name and address
- Maryland State Unemployment Insurance Ten-Digit Account Number
- Federal Employer Identification Number
- Whether health insurance is available

Several additional data elements are requested on a voluntary basis.

For more information contact the Maryland New Hire Registry Help Desk at (410) 281-6000 or 1-(888) MDHIRES, Fax Number (410) 281-6004, Toll Free Number 1-888-657-3534 or mdnewhire.com.

### 2. *Employer Notice of First Benefit Payment Paid To a Former Employee*

The "Employer Notice of First Benefit Check Paid to a Former Employee," (DLLR/DUI 63), (sample on pages 36 and 37) is sent to a base period employer when a UI claimant receives his/her first benefit payment. (Special Note: This notice is for your information only. This is not an appealable document.) A base period employer is an employer who paid wages to the claimant during the first four of the last five completed calendar quarters prior to the claim being filed. Employers should review this notice to ensure they understand whether or not they are being charged for a former employee's UI benefits. Questions should be directed to the Benefit Charge Unit at (410) 767-2411 or 1-800-492-5524. (Do not contact the Claim Centers).

### 3. *Reviewing Benefit Charges to Your Account*

Reviewing the "Notice of Benefit Payments Charged to Your Experience Rating Account," (DLLR/DUI 64, sample on pages 38 and 39) is probably the most important step in the UI management process. For experience rated employers, this report notifies you of charges against your account. These charges affect your experience rating. The DLLR/DUI 64 is not a bill. You have 15 days from the notice date to protest benefit charges. Other efforts to control your costs may have limited value without proper auditing of this notice for improper charges.

For reimbursing not-for-profit employers and government entities, the "Statement of Reimbursable Benefits Paid" (DLLR/DUI 64-A) IS a bill. This is your last chance to protest these charges. At the bottom of this statement are instructions on how you can request reviews of the charges you believe are in error. You have 15 days from the statement date to protest improper or incorrect benefit charges.

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## FACT-FINDING INTERVIEWS

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If the reason for separation given by you on the paper "Request for Separation Information Notice" (DLLR/DUI 207) or via the internet is something other than layoff or lack of work, you may be contacted by telephone to provide additional information when the claimant's

fact finding interview is held. It is important to respond to any telephone message and/or request for information within 48 hours or a determination will be made based on the information provided by the claimant.

All fact-finding interviews are held by telephone. These interviews are held to obtain a statement from the claimant about the facts surrounding his/her separation from employment and/or availability for work. The claimant gives a statement to a UI Claims Specialist, is informed of the information provided by the employer, and is allowed to rebut the employer's comments if the claimant disagrees. If the claimant provides information in rebuttal that you have not addressed, you will be contacted again and provided the opportunity to rebut the claimant information.

Frequently, additional information is needed when the separation is a "discharge." You may be contacted to discuss some of the issues raised below during a telephone interview. The burden of proof in a discharge is on the employer.

- a. **Culminating Event** - What event brought about the termination of an employee? In other words, what was the "last straw" that caused you to terminate this employee? Usually this event occurs on the last day of work. This is the most important information the Agency will use to make the non-monetary determination of eligibility. If the culminating event was not within the claimant's control, the claimant may be allowed benefits. While the details regarding the culminating event are important, employers should be able to provide dates and types of disciplinary action taken previously.
- b. **Absenteeism/Tardiness** - Provide the dates of any warnings and whether they were oral or written warnings. Distinguish between excused and unexcused absenteeism and lateness. Did you require a medical slip to justify the claimant's absences? Were there any patterns of absence or tardiness, such as on Mondays and Fridays or before and after holidays?  
  
Failure to call in should be noted in the employee's attendance records and should be discussed with the employee during counseling/warning sessions. Your reason for separation should include rule violations.
- c. **Rule Violation** - State the rule violated, and give details. Describe any warnings, and the dates warned. Note if the rule is in an employee handbook. Describe the consequences of the rule violation and indicate how the employee was made aware of the rule(s).
- d. **Insubordination** - Explain exactly what was said and done in detail. When did the incident occur? Were there witnesses? Were threats or abusive language used? Did the employee refuse to perform duties which were part of his/her job description? What were the consequences of his/her insubordination?
- e. **Conviction for Criminal Offense** - If you pressed charges, but the matter has not been resolved, include this information during the telephone interview. A criminal offense that is not directly against the employer may not be disqualifying.

The Agency will disqualify the claimant if the offense was "in connection" with employment. In determining whether an employee's actions are connected with the work, five factors are considered:

- (1) Was there a breach of duty to the employer?
- (2) Did the act occur during work hours?
- (3) Did the act occur on the employer's premises?
- (4) Did the act occur while the employee was engaged in his/her work?
- (5) Did the employee take advantage of the employment relationship to commit the act?

If discrepancies exist and cannot be resolved, the claimant and the employer will be scheduled at a specific date and time to partici-

pate in a conference call with an Agency representative to resolve the issue(s). This type of hearing is called a Predetermination or Pretermination hearing. This hearing allows both parties the opportunity to provide and offer rebuttals during the conference call.

Once a determination has been made, either from a fact finding interview or a hearing, a "Notice of Benefit Determination (DLLR/DUI 222) is mailed to the claimant and the employer. A sample of this form is located on pages 49 and 50.

The "Notice of Benefit Determination" will state the issue(s) adjudicated and the applicable section(s) of the Maryland Unemployment Insurance Law. It will also state the reason for the decision to allow or deny benefits. If benefits are denied, it will indicate the penalty that must be served before benefits may be paid. If the claimant has already begun receiving benefits, the "Notice of Benefit Determination" will show the amount of overpayment because of improperly paid benefits.

Both the claimant and the employer have the right to appeal this determination within 15 days. The last day to file an appeal and instructions on how to proceed is noted on the form.

**IMPORTANT** - If an employer fails to provide timely or adequate information for the initial fact-finding and determination and unemployment benefits are paid, the employer's account will not be relieved of any charges for benefits paid if, on appeal, the determination to pay is reversed and results in an overpayment of benefits.

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## DISQUALIFICATIONS

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A claimant is eligible to collect benefits if the job loss was through no fault of his/her own. A claimant may be disqualified if he/she does not meet this requirement.

It is important to note that a claimant may voluntarily quit employment or be discharged for cause, be disqualified, then receive unemployment benefits at a later date. In these cases, the claimant has served the penalty, which in most cases requires that the claimant return to work, meet an earnings requirement and then lose that job through no fault of his/her own. The possible disqualifications are as follows:

### 1. Voluntary Resignation

When an individual voluntarily leaves his/her job, the burden of proof is on the claimant to show that the quit was "with good cause or valid circumstances". The claimant must show that he/she made every reasonable effort to remain employed.

If a claimant quits for reasons that are directly attributable to the employment, it is for good cause and no penalty is assessed. The employer's account is charged.

If a claimant quits for reasons not directly attributable to his/her employer, but has made reasonable efforts to remain employed and shows he/she quit for valid circumstances, a five (5) to ten (10) week penalty may be imposed starting with the Sunday prior to the last day of work. This means that payment of benefits to the claimant will be delayed for five (5) to ten (10) weeks from the last day of work. When the penalty ends, benefits are payable, but the employer's account is not charged.

However, if the individual quits "without good cause or valid circumstances," a fifteen (15) times weekly benefit amount (WBA) penalty is imposed. That is, the claimant must become re-employed, earn fifteen (15) times his/her WBA and then become unemployed through no fault of his/her own before benefits can be paid. A claimant who "serves" the penalty may be allowed to collect benefits during the remainder of the benefit year up to the maximum benefit entitlement. If it is determined that a claimant voluntarily quit employment without good cause and subsequently receives benefits, the employer from whom the individual quit will be relieved of benefit charges.

An individual is not disqualified from receiving benefits, if the individual quit a part-time job before losing a full-time job.

Voluntarily quitting employment to attend school, follow a spouse to a new location or to become self-employed is held to be without good cause or valid circumstances and the maximum penalty is imposed. However, a five week penalty is imposed for any claimant who quits a stateside job to follow a military/military related spouse due to the mandatory transfer of that spouse.

### 2. Discharges and Suspensions

Discharges and suspensions are separations initiated by the employer. The employer is responsible for showing that the claimant's behavior constituted "misconduct" in connection with the work."

The employee's behavior must clearly be a willful disregard for the employer's interest, have a direct adverse effect on the employer's business, and must be reasonably related in time to the act causing the separation.

Employers must outline the expected behavior of the employees either verbally or in writing. Employers should document all warnings, including who gave the warnings, why were they given and the dates they were given.

The Agency looks for the following elements in imposing a disqualification: What happened on the last day of work that caused the separation? How soon after the alleged misconduct did the discharge or suspension take place?

There are three discharge disqualification categories under Maryland's UI law: "Simple Misconduct," "Gross Misconduct," and "Aggravated Misconduct."

a. **Simple Misconduct** - Simple misconduct means a violation of some established rule or policy of the employer, a disregard of the employer's best interests, a dereliction of duty, or a course of wrongful conduct. The penalty for simple misconduct is the delay of receipt of benefits for ten (10) to fifteen (15) weeks from the Sunday prior to the last day of work. When the penalty ends, benefits are payable and the employer's account is charged for any benefits paid after the penalty has been served.

Simple negligence with no harmful intent is not misconduct, nor is inefficiency, unsatisfactory conduct that is beyond the claimant's control, or good faith error of judgment or discretion. Under these situations, no penalty is assessed, benefits are payable, and the employer's account is charged.

b. **Gross Misconduct** - Gross misconduct means conduct that is either a deliberate and willful disregard of standards of behavior, showing a gross indifference to the employer's interests or a series of repeated violations of employment rules. The penalty for gross misconduct is the denial of the claimant's benefits until he/she becomes re-employed, earns twenty-five (25) times his/her weekly benefit amount (WBA), and thereafter becomes unemployed through no fault of his/her own. The employer is not charged for any benefits paid after the penalty has been satisfied.

c. **Aggravated Misconduct** - Aggravated misconduct is defined as behavior of the claimant that consists of physical assault, property loss or property damage so serious that neither simple nor gross misconduct penalties would apply. The claimant's act must have been committed with actual malice and a deliberate disregard for the property, safety and lives of others including the employer and those associated with the employer as defined in the law. Malice is the intent to cause physical harm, property loss or property damage. If the action was accidental, aggravated misconduct does not exist. If the action was intentional but not meant to cause any harm, loss or damage, aggravated misconduct does not exist. The penalty for aggravated misconduct is the denial of the claimant's benefits until he/she becomes re-employed, earns thirty (30) times his/her weekly benefit amount (WBA), and thereafter becomes unemployed through no fault of his/her own.

If a claimant's reason for separation from the employer is determined to be aggravated misconduct, the claimant is disqualified and serves the penalty. Any benefits eventually paid will not be charged to the employer's account.



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## LABOR DISPUTES

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Claims for benefits by individuals participating in a labor dispute are adjudicated by the Board of Appeals, once it has assumed jurisdiction, or by a special examiner. At the commencement of a labor dispute, the employer must inform the nearest Claim Center (list on page 54) of the dispute. Notice of the labor dispute must be made within 48 hours and must include a list of the names and Social Security numbers of the affected workers. The Agency will then contact the employer to obtain specific information. A claimant is denied benefits during the stoppage of work due to a labor dispute, other than a lockout, if:

1. the claimant is participating in, financing, or directly interested in the labor dispute; and
2. the claimant belongs to a grade or class of workers participating, financing, or directly interested in the labor dispute.

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## REFUSAL OF SUITABLE WORK

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A claimant must accept referrals to suitable employment opportunities and suitable offers of work. The factors considered in determining the suitability of a job referral or offer include:

1. training;
2. experience;
3. prior wages;
4. prospect of securing work in his/her customary occupation;
5. commuting distances; and
6. length of unemployment

A job is not considered to be suitable if it is vacant as a direct result of a labor dispute; if the wages, hours, or other conditions are less favorable than for other similar jobs in the local area; if there is an unreasonable degree of risk to the individual; or if a claimant is required to either join a company union, resign from a union, or be required to refrain from joining a labor union.

**\*\*\* IMPORTANT NOTE \*\*\***

When an employer offers a job to a claimant in filing status or recalls a former employee in layoff status, and the individual refuses the job (or fails to return), the employer must notify the Agency in writing or by e-mail at [ui@dllr.state.md.us](mailto:ui@dllr.state.md.us) within 15 days of the refusal. The Agency will then determine whether the claimant should be paid or denied benefits and may also request that the employer supply further information on the job offer and, if known, the reason for refusal.

If a claimant refuses suitable work without good cause, the individual will be disqualified from the receipt of benefits. The penalty will either be a postponement of benefits for five (5) to ten (10) weeks from the Sunday prior to the date the job was refused or a denial of further benefits until the claimant becomes re-employed, earns ten (10) times his/her weekly benefit amount, and thereafter becomes unemployed through no fault of his/her own. If a labor dispute exists at an employer's business and the striking employees file for UI benefits, an offer by the employer to return to work under the same conditions that existed prior to the labor dispute may constitute a suitable offer of work, and the employees may be disqualified from the receipt of benefits.

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## RECEIPT OF PAYMENTS OTHER THAN WAGES

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All severance payments are deductible from unemployment insurance benefits. The severance payments are prorated based on the individual's last weekly pay rate. Claimants who do not report severance payments are committing Unemployment Insurance fraud.

The receipt of vacation or holiday pay will be deducted from UI benefits if on or before the last day of work, the employer provides

a definite return-to-work date. If there is no definite return-to-work date, the vacation or holiday pay will not be deducted from benefits.

The receipt of bonus pay may reduce or prevent the receipt of UI benefits depending on the week or weeks to which it is attributed.

The receipt of a pension or annuity from a base period employer is deductible from UI benefits. Claimants who do not report payments other than wages are committing Unemployment Insurance fraud.

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## SELF-SERVED PENALTIES

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A claimant may be paid UI benefits and his/her previous employer charged for those benefits, even if the claimant was separated for a disqualifying reason. This occurs when a claimant has "self-served" the penalty. A penalty is self-served when an individual satisfies all possible penalties of time and earnings under the Maryland UI Law, prior to filing a claim for UI benefits.

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## HEARINGS AND APPEALS

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If you disagree with any part of a determination you may file an appeal. You have 15 days to mail your appeal letter to the Agency at the address listed on the form. At the top of the letter, list the claimant's name, Social Security number, your business name, employer account number and your reason for appeal. Make sure that your appeal is postmarked on or before the last day to appeal as stated on the determination. It would be helpful if you could attach a copy of the determination that you are appealing with your appeal letter. Timely appeal requests at this level will automatically result in an appeal hearing.

Be sure to have a system for tracking appeals that are filed. When you receive notice of the hearing, make copies of pertinent documentation, such as the notice of termination, letter of resignation, and written warnings, etc. Insure that the claimant's supervisor and any firsthand witnesses are available to attend the hearing. This hearing may be your only opportunity to present evidence and testimony and establish your side of the case. Although hearsay testimony is admissible in administrative hearings, hearsay testimony may not be given the same weight as sworn, first-hand testimony.

Postponements must be requested in writing at least three (3) business days before the hearing and can be followed up with a phone call to the Lower Appeals Division at (410) 767-2421. However, there are no guarantees that postponements will be granted. The telephone number and the address of the Lower Appeals Division appear at the bottom of the notice of hearing. Failure to attend an appeal hearing that you requested will result in a dismissal, meaning that the determination will stand unchanged. Failure to attend an appeal hearing that the claimant requested will result in a decision made solely on the claimant's testimony.

Review all Lower Appeals decisions carefully and completely. You may request an appeal to the Board of Appeals if you disagree with the Lower Appeals decision. The decision contains specific directions for requesting an appeal. Questions concerning Lower Appeals should be directed to (410) 767-2421; questions concerning appeals of Lower Appeals decisions and cases before the Board of Appeals should be directed to (410) 767-2781.

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## REPORTING CLAIMANT EARNINGS DURING THE CLAIM PROCESS

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Partial earnings are subject to verification. They can be verified by the Agency on a weekly or quarterly basis.

If an employer would like to report an employee who is a UI claimant and working part-time, he/she should notify the Agency in writing, listing the exact dates worked (by day) and gross wages when earned, not when paid. Claimants who do not report earnings during the claim process are committing Unemployment Insurance fraud.

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## LAYOFF, MASS LAYOFF OR LACK OF WORK

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If a layoff affects 24 or fewer workers, the employer is required to complete a separate "Request for Separation Information" (DLLR/DUI 207) for each laid off worker who files a claim for benefits. Upon receipt of this form, all requested information must be entered including the date of recall, if any. If a laid-off claimant fails to return to work, the Agency should be notified.

An employer experiencing a mass layoff, that affects 25 or more workers, and the layoff is permanent, indefinite, or for 7 days or more, is required by Maryland UI Law to submit a listing of the laid off workers to the Secretary at least 48 hours in advance. If you do not have advance knowledge of the layoff, the list of affected workers must be submitted within 48 hours after the commencement of the layoff.

The list must include employees' names, Social Security numbers, the last day of work and reason for layoff, in either alphabetical or Social Security number order. Additional information concerning bonus pay, vacation or holiday pay, severance pay, each employee's last weekly or hourly pay rate, and expected date of recall if known, should also be included. Each worker receiving pension or retirement pay should be indicated, and the amount received and whether or not the worker contributed to it noted. This information will prevent generation of individual separation notices. It is to the employer's advantage to provide the information in advance. Upon notification, the Secretary may adopt a plan modifying reporting requirements for these employees. Under this plan, the Department may distribute applications or establish dedicated call times for the laid off workers at Claim Centers or a designated job site. These applications, upon completion and returned in accordance with the plan, will constitute the employees' registration for work and claim for benefits.

\* \* \* IMPORTANT NOTE \* \* \*

The Worker Adjustment and Retraining Notification (WARN) Act is a Federal law which requires employers of 100 or more workers, in certain instances, to provide 60 days' notice of any mass layoff or plant closure. Employers are potentially liable for failure to provide notice. When required, notice must be given to the workers, the state, and to local elected officials. Failure to provide notice could result in full back pay to the workers and a fine of \$500 per day. We recommend you contact legal counsel. For more information contact the Dislocated Worker Unit at (410) 767-2830 or 2833.

UI benefits are not payable for any weeks in which the individual is receiving wages in lieu of notice.

The DLLR Dislocated Worker Unit is required to provide Rapid Response assistance to workers impacted by plant closure or mass layoff. These services, which may be provided on-site, include assessment, testing, job search assistance, educational remediation and retraining. A call to the Dislocated Worker Unit will assure full readjustment services for any worker experiencing job loss.

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## WORK SHARING PROGRAM

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A primary goal of the Federal-State unemployment insurance program is the stabilization of employment. In the short-run, this goal is best achieved through the use of alternatives to layoff. One voluntary alternative incorporated into Maryland's UI Law is "work sharing." Under "work sharing", employees receive reduced UI benefits based on the percentage of reduction in work hours and pay. This alternative to layoff provides employers faced with a temporary need for payroll or staff reduction, a method of stabilizing employment, preventing total layoff, retaining its trained work force, maintaining its affirmative action goals, and improving the morale of its employees. Employers may also experience the benefits of increased productivity and lower administrative costs. The employer also keeps its work force in place, on the job, and maintains its employees' skills. When the business recovers, the employer can immediately restore

its workforce without incurring any additional costs for hiring, training, or retraining.

A work sharing plan need not affect the entire organization or location. Work sharing may be used for a portion of an employer's operation, such as a department, shift, or individual plant. It must, however, affect equally all employees of the designated employing unit. Employers interested in more information should contact the Work Sharing Unit at [ui.worksharing@maryland.gov](mailto:ui.worksharing@maryland.gov).

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## POSTERS REQUIRED BY LAW

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There are two posters required by Maryland UI Law to be displayed in an area where the information may be easily seen by employees: "Benefit Entitlement" and "Health Insurance Coverage." Samples can be found on pages 51 and 52.

Employers will automatically receive copies of these posters upon registration as a Maryland employer.

To obtain additional copies of these posters, call 410-767-2413 or download the posters directly from our website at [mdunemployment.com](http://mdunemployment.com).

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## OTHER UI PROGRAMS

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### 1. Trade Adjustment Assistance Program

The Trade Adjustment Assistance (TAA) program provides monetary and non-monetary benefits to workers unemployed or on reduced work schedules as a result of the impact of foreign competition. This Federal program is funded by Federal general revenues. Under TAA, unemployed workers are required to participate in job search activities and must apply for and be interviewed for job training opportunities. Benefits include:

- a. Trade Readjustment Allowances (TRA) which equal the claimant's WBA. TRA benefits are paid after the claimant exhausts regular UI benefits and are normally payable for 26 weeks. Additional TRA benefits may be paid if the affected worker is in training.
- b. Relocation allowances, job search, job training, and vocational instruction allowance.

U.S. Department of Labor  
Employment and Training Administration  
Office of Trade Adjustment Assistance  
601 D Street, N.W., Room 10400  
Washington, DC 20213

### 2. Extended Benefits

During periods of extremely high unemployment, the Federal government and/or State government may fund additional weeks of UI benefits. These extended benefits are usually established by Congress and implemented by the States. Extended benefits are payable only after regular UI benefits are exhausted. Claimants who become eligible for extended benefits must increase their work search activities and must provide more detailed work search documentation in order to continue receiving extended benefits.

### 3. Supplemental Unemployment Benefits

Supplemental Unemployment Benefits (SUB) are private plans that provide additional, non-governmental benefits to unemployed workers by supplementing state unemployment insurance benefits. Common features of SUB plans include:

- a. A contractual agreement between the employer and the employees - usually a union.
- b. Employer financing. Typically an established amount, such as 15 cents per hour worked, is paid by the employer into a separate fund. Employer contributions continue until a predetermined funding level is reached.

- c. Administration of the fund is performed by an independent trustee.
- d. Eligibility for SUB requires a qualifying job separation and eligibility for regular State unemployment insurance benefits.

Under Maryland's Law, supplemental unemployment benefits do not affect a claimant's weekly benefit amount.

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## METHODS TO ENSURE PROPER PAYMENTS

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Effective claims management procedures by employers are essential to controlling the occurrence of unemployment insurance claims as well as the severity of the claims. Listed below are tips for effective management:

- Verify Social Security numbers at the time of hire.
- Ask to see your employees' Social Security card. If they do not have one, they should be instructed to apply for one.
- Establish a central location for claims handling.
- Assign the responsibility and control of claims processing to one person (and a back-up) or department.
- Emphasize the potential consequences and impact on your account of untimely, inaccurate, or incomplete responses. Require that all personnel forward unemployment insurance forms promptly to the central location for claims processing.
- Verify the Social Security number and name of the UI claimant. Provide concise, complete and accurate dates of employment and wage information. Include any severance pay, pension, or vacation pay the claimant may have received. These payments may affect a claimant's UI benefits.
- Sign and date all correspondence for proper documentation. Failure to respond to requests for separation information or wages by the due date can result in a \$15 penalty.
- Sign and date any forms; also include your telephone number in case the Agency needs additional information.

The purpose of unemployment insurance is to pay benefits timely and accurately to eligible individuals. In order to prevent improper benefit payments, which are costly to employers, the Division of Unemployment Insurance uses numerous techniques.

### 1. *Post Audit*

The Post Audit is a computerized crossmatch that compares benefits paid to claimants, with employer wage reports. The purpose is to detect improper payments to claimants who were employed during periods in which UI benefits were paid. Whenever a match occurs, the employer is sent an "Audit Form" (DLLR/DUI 330-M, see sample on pages 47 and 48). Employers must complete the Audit Form promptly, completely, and accurately, and return it to the Agency by the due date.

### 2. *Benefit Accuracy Measurement*

Another important method ensuring accuracy of UI benefit payments is the Benefit Accuracy Measurement Program (BAM). The program's intent is to reduce fraud, errors, and to improve the efficiency of the UI Program by providing information on the rates, the types, and the causes of overpayments and underpayments made to claimants.

Each year, hundreds of claims are randomly selected for review. BAM investigators audit randomly-selected claims to determine whether the claimant was eligible to receive payment for that week. Employers are asked to substantiate a number of important items of information, including past or present wages of a claimant selected for audit, work search contacts reported by the claimant, and the reasons for a claimant's separation or reduced hours. BAM investigations are conducted either by phone, e-mail/regular mail, or fax, and certain items may require the signature of the employer. If the audit uncovers an improper

payment, a determination is made if it was claimant, Agency, or employer error or any combination of these. This information is then used by management to develop cost effective solutions to prevent, reduce and eliminate errors.

The Tax Performance Systems Program enables the Agency to determine the precise causes of tax related errors. This Agency will continuously inform employers what they can do to reduce costly errors that result in improper experience rating charges and improper unemployment insurance benefit payments.

REMINDER: The investigator's purpose is to determine the claimant's eligibility and if the correct payment was made. We request your cooperation in answering our investigators' inquiries. Eliminating fraud and errors saves employers money and helps to ensure the integrity of the UI program.

### 3. *UI Fraud Hotline/UI Fraud Mailbox/UI Fraud Tip Form*

The UI Fraud Hotline (1-800-492-6804) is toll free, confidential, and a direct means for the public to report suspected claimant and/or employer improper actions. The Hotline accepts calls Monday through Friday from 9:00 a.m. to 4:00 p.m. All calls are investigated and callers may remain anonymous. The UI Fraud Mailbox (uifraud@dllr.state.md.us) accepts email messages, and the UI Fraud Tip Form can be downloaded, completed and returned by mail to: Benefit Payment Control, 1100 N. Eutaw Street, Room 206, Baltimore, MD 21201, or faxed to 410-767-2610. Please visit [mdunemployment.com](http://mdunemployment.com) and click on the Stop Fraud icon for more information.

### 4. *Reemployment Services and Eligibility Assessment (RESEA) Program*

The Reemployment Services and Eligibility Assessment (RESEA) Program was developed with the U.S. Department of Labor in an effort to reduce the number of weeks that unemployment insurance (UI) claimants receive benefits by assisting UI claimants in quickly returning to the workforce. The RESEA Program is designed to help claimants identify potential barriers to employment, assess work search progress and includes an eligibility review which in turn helps the Division of Unemployment Insurance to identify claimants that may be out of compliance with basic UI laws and policies regarding ability and availability to work, school attendance and active work search.

Maryland's Reemployment Services and Eligibility and Assessment (RESEA) Program is administered by the Division of Workforce Development and Adult Learning (DWDAL), within DWDAL's American Job centers (AJC's - formally known as One-Stop Career Centers). There are criteria for determining who is selected for participation in the RESEA Program and the program targets those individuals who are more likely to exhaust their UI benefits.

Each claimant participates in an RESEA workshop where he/she will be given useful information such as the current labor market in the local area and career information that addresses the claimant's specific needs. Immediately following the workshop, the claimant has a one on one session with a RESEA Trainer who will develop or revise and Individual Reemployment Plan (IRP) that includes work search activities, accessing services provided through an AJC or using self-service tools and/or approved training. The claimant acknowledges the agreement and is referred to at least one reemployment service and/or referral to training if appropriate to the individual's needs.

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## CONCLUSION

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The UI Program contains complex components. The information provided in this guide should help you better understand your part in the Program and in tracking your costs. We do stress the importance of proper record keeping, and timely and accurate reporting.

Working together, we will continue to maintain a solvent Unemployment Insurance Trust Fund while ensuring that benefits are properly paid to eligible individuals.

# CLAIMANT'S TELEPHONE APPOINTMENT NOTICE

(DLLR/DUI SR-6T)

STATE OF MARYLAND  
DEPARTMENT OF LABOR, LICENSING AND REGULATION  
DIVISION OF UNEMPLOYMENT INSURANCE

Date Mailed:

Social Security Number:

Claimant's Phone No.

## CLAIMANT'S TELEPHONE APPOINTMENT NOTICE

**NOTICE TO CLAIMANT:** You MUST be available by telephone on the "Interview Date" and "Time" shown below. You must ensure that your telephone line is available at the "Interview Time" and for 60 minutes following that time. Even if you are not receiving benefits or have already been disqualified, being available for this interview may prevent future problems with your claim. If the "Claimant's Phone No." shown above is wrong or there is no number shown, you must call one of the numbers listed at the bottom of this form before the date of your interview. **IF YOU ARE NOT AVAILABLE AT THE TIME OF THE CALL, A DECISION WILL BE MADE BASED ON THE INFORMATION ON FILE, AND YOU WILL LOSE THE RIGHT TO PROVIDE INFORMATION FOR CONSIDERATION ON THIS ISSUE.** A written determination will be made based on available information and will be mailed to you. This determination may result in a denial of your benefits and/or an overpayment. If you disagree with the determination, you may file an appeal.

**NOTE:** It is your responsibility to file weekly claim certifications if you are unemployed and requesting benefits. Failure to file weekly claim certifications timely may also result in a denial of benefits. Be prepared to present your current and past work search contacts and to discuss your current and past ability and availability for work at the time of the interview.

CLAIM CENTER MAILING ADDRESS:

INTERVIEW DATE:

INTERVIEW TIME:

ISSUE TO BE RESOLVED:

CLAIMANT/EMPLOYER:

**IMPORTANTE:** Por favor esté dispuesto para ésta entrevista por teléfono para la fecha y hora que se muestra anteriormente. Si usted necesita ayuda para traducir éste documento, contáctese inmediatamente con el Centro de College Park al 301-313-8000, presione 2.

**NOTICE TO CLAIMANT AND EMPLOYER:** At the interview, all issues that are included in the "Issue To Be Resolved," section of this form and any issue that develops after this form is mailed or during the interview will be discussed.

If you cannot be available for the interview, you may submit written information regarding the "Issue To Be Resolved." Write the information on the back of this form and mail to the "Claim Center Mailing Address" listed above. To be taken into consideration, this information must be received before the "Interview Date."

If you wish to be represented during the interview or if you have witnesses with information relevant to the "Issue To Be Resolved," these persons must be available at the claimant's or employer's telephone number at the date and time specified above.

IF YOU ARE DISABLED AND HAVE SPECIAL NEEDS, CONTACT THE CLAIMANT INFORMATION SERVICE AT ONE OF THE NUMBERS BELOW PRIOR TO THE "INTERVIEW DATE."

### CLAIMANT INFORMATION SERVICE

410-949-0022 (Baltimore Area and Out-of-State)

1-800-827-4839 (Maryland Residents Outside Baltimore Area)

HEARING IMPAIRED USERS CALL VIA MARYLAND RELAY



# MARYLAND UNEMPLOYMENT INSURANCE

## BUSINESS TRANSFER REPORT

File this report when workforce/payroll has been transferred from one business entity to another business entity for any reason such as a business acquisition, merger, reorganization or change of legal entity. Attach additional pages whenever multiple business entities are involved, or additional space is needed. Label information as pertaining to the previous or successor business entity. Return this completed report by mail to Employer Status Unit, 1100 N. Eutaw Street, Room 300, Baltimore, Maryland 21201; or via fax to 410-767-2848 or as an email attachment to dluicdemployerstatusunit-dllr@maryland.gov

### PREVIOUS BUSINESS ENTITY INFORMATION:

Legal name \_\_\_\_\_

Maryland unemployment insurance account number \_\_\_\_\_ FEIN \_\_\_\_\_

Does previous business entity expect to pay wages to employees after date of transfer?  Yes  No

If no, enter date wages last paid to employees \_\_\_\_\_

According to the Chart of Principals by Business Entity, list the name(s) of principal(s) for the previous business entity

\_\_\_\_\_  
\_\_\_\_\_

### CHART OF PRINCIPALS BY BUSINESS ENTITY:

1. If business entity is sole proprietor, list the sole proprietor's name
2. If business entity is partnership, list the partners' names
3. If business entity is a limited liability company, list the members' names
4. If business entity is a corporation, list the Chief Executive Officer, Chief Financial Officer and all corporate officers responsible for daily operations

### SUCCESSOR BUSINESS ENTITY INFORMATION:

Legal name \_\_\_\_\_

Maryland unemployment insurance account number \_\_\_\_\_ FEIN \_\_\_\_\_

Percentage of previous business entity's workforce/payroll transferred to successor business entity \_\_\_\_\_

Enter date that previous business entity's workforce/payroll was acquired \_\_\_\_\_

Did successor business entity acquire any assets from the previous business entity?  Yes  No

According to the Chart of Principals by Business Entity, list the name(s) of principal(s) for the previous business entity

\_\_\_\_\_  
\_\_\_\_\_

### NAME, SIGNATURE AND TITLE OF PERSON WHO COMPLETED THIS FORM:

Name \_\_\_\_\_ Signature \_\_\_\_\_

Title \_\_\_\_\_ Date \_\_\_\_\_

## ELECTRONIC FUNDS TRANSFER INFORMATION GUIDE



DIVISION OF UNEMPLOYMENT INSURANCE  
CONTRIBUTIONS DIVISION  
1100 N. EUTAW STREET  
BALTIMORE, MD 21201

Electronic funds transfer (EFT) is a method of instructing financial institutions to transfer money from one account to another electronically, eliminating the use of paper checks. The Contribution Division of Maryland's Division of Unemployment Insurance now accepts limited EFT payments. The EFT program for the quarterly unemployment insurance payments is voluntary and limited to ACH credit payments.

### **AUTOMATED CLEARING HOUSE (ACH) CREDIT**

The ACH credit method allows you to transfer funds by instructing your financial institution to debit your account and credit the State Unemployment Insurance bank account. You are responsible for any costs charged by your financial institution for ACH transactions.

### **RECORD FORMAT REQUIREMENTS**

Your financial institution will debit your account and credit the state unemployment insurance bank account through the ACH network. To report your tax payment correctly, your financial institution must originate your payment using the Cash Concentration or Disbursement plus Tax Payment Addendum (CCD+/TXP) format. This standard has been adopted for tax payments by the National Automated Clearing House Association (NACHA). Check with your financial institution to confirm that they can originate your tax payment using this record format. If you choose the ACH credit method, the Contributions Division will mail you their EFT bank account and routing and transit number. You must provide this information to your financial institution before you report your first payment.

### **WHEN TO REPORT A PAYMENT**

An ACH credit transaction is timely if funds settle into the state unemployment insurance bank account the next banking day following the due date for the quarter. The four quarterly due dates are: April 30, July 31, October 31, and January 31. ACH credit filers may need one additional processing day for their payments to settle timely. Your financial institution should be able to advise you when to initiate your payment.

### **HOW TO REGISTER**

To begin remitting your unemployment insurance taxes by EFT, complete, sign, and submit an authorization agreement form to the Contributions Division of Maryland's Division of Unemployment Insurance. **KEEP THE ORIGINAL FOR YOUR RECORDS.** You may begin to remit your payments via EFT -ACH credit immediately.

PHONE: 410.767.2658 • 410.767.2501

LARRY HOGAN, GOVERNOR

BOYD K. RUTHERFORD, LT. GOVERNOR

KELLY M. SCHULZ, SECRETARY

**ELECTRONIC FUNDS TRANSFER AUTHORIZATION AGREEMENT**

**STATE OF MARYLAND  
DEPARTMENT OF LABOR LICENSING AND REGULATION  
DIVISION OF UNEMPLOYMENT INSURANCE - CONTRIBUTIONS DIVISION**

**ELECTRONIC FUNDS TRANSFER AUTHORIZATION AGREEMENT**

Employer Account Number – 00 \_\_\_\_\_ Telephone Number \_\_\_\_\_ – \_\_\_\_\_ – \_\_\_\_\_

Business Name \_\_\_\_\_

Business Mailing Address (Number, Street, Box Number): \_\_\_\_\_

Business Mailing Address (City, State, ZIP): \_\_\_\_\_

EFT Contact Person: \_\_\_\_\_ Telephone Number \_\_\_\_\_ – \_\_\_\_\_ – \_\_\_\_\_

Email Address: \_\_\_\_\_

Signature of owner, partner or officer: \_\_\_\_\_

**ACH CREDIT**

The Department of labor Licensing and Regulation (DLLR) is hereby requested to grant authority for the above-named taxpayer to initiate ACH credit transactions to the DLLR bank account. These payments must be in the NACHA CCD+ format using the Tax Payment Convention (TXP).

Signature of Bank Representative: \_\_\_\_\_ Title: \_\_\_\_\_

Bank Name: \_\_\_\_\_ Date: \_\_\_\_\_

**For DLLR Use Only**

Routing Transit Number 021000089 DLLR Bank #: 30886543

DLLR Bank Name: CitiBank

**Please complete this form.**

**Questions answered at:**

**Keep original and mail a copy to:**

DLLR - Contributions Division  
Cashier Unit - Room 412  
1100 N. Eutaw Street  
Baltimore, Maryland 21201

Telephone: 410-767-2658  
Fax: 410-767-2501  
E-mail: [dluinquirystaff-dllr@maryland.gov](mailto:dluinquirystaff-dllr@maryland.gov)

**TAX ADDENDUM (TXP) CONVENTION**

Segment Identifier	TXP
Separator	*
Maryland Unemployment Insurance Account Number Separator	00XXXXXXXXXX
Separator	*
Tax Type Code	130
Separator	*
Tax Period End Date	YYMMDD
Separator	*
Amount Type (Tax)	T
Separator	*
Amount	\$\$\$\$\$\$\$\$¢¢
Separator	*
Amount Type (Penalty)	P
Separator	*
Amount	\$\$\$\$\$\$\$\$¢¢
Separator	*
Amount Type (Interest)	I
Separator	*
Amount	\$\$\$\$\$\$\$\$¢¢
Separator	*
Terminator	\

An example of an unemployment payment, with penalty and interest would be:

**TXP\*0012345678\*130\*970630\*T\*1234567\*P\*3500\*I\*987\*\**

An example of a timely unemployment payment, without penalty or interest would be:

**TXP\*0012345678\*130\*970630\*T\*1234567\*\**

Transaction -	TXP	(REQUIRED)
Maryland UI Number -	0012345678	(REQUIRED)
Tax type code for unemployment insurance taxes -	130	(REQUIRED)
Tax period ending date -	June 30, 2016	(REQUIRED)
Amount type for tax -	T	(As Applicable)
Tax payment -	\$ 12,345.67	(As Applicable)
Amount type for penalty -	P	(As Applicable)
Penalty payment -	\$ 35.00	(As Applicable)
Amount type for interest -	I	(As Applicable)
Interest Payment	\$ 9.87	(As Applicable)
Terminator -	\	(REQUIRED)

**EMPLOYER ALTERNATE BASE PERIOD WAGE AFFIDAVIT**

Maryland Department of Labor, Licensing and Regulation Division of Unemployment Insurance  
1100 N. Eutaw Street  
Wage Records - Room 210  
Baltimore, Maryland 21201  
Fax 410-333-5142

**EMPLOYER ALTERNATE BASE PERIOD WAGE AFFIDAVIT**

Mail Date: \_\_\_\_\_

Due Date: \_\_\_\_\_

Maryland Unemployment Insurance Employer Account Number: \_\_\_\_\_

If this account number is incorrect, please provide the correct number here \_\_\_\_\_

Please provide your Federal Employer Identification Number in this space \_\_\_\_\_

If you have not applied for a Maryland Unemployment Insurance account number, do so immediately by calling 410-260-7980 in the Baltimore area or toll free on 1-800-638-2937. Website: marylandtaxes.com

Your current or former employee has applied for unemployment insurance benefits using an alternate base period as defined in Section 8-101 of the Maryland Unemployment Insurance Law. As a result, we need the most recently completed calendar quarter wage information requested below by the Due Date displayed above in order to determine his/her eligibility. Failure to provide this information in a timely manner may result in a fine of \$15 as permitted by Section 8-627 of the Law. This completed form should be faxed to 410-333-5142 or mailed to the address displayed above. For questions regarding this affidavit or the wages being requested, call 410-767-2557.

**Claimant's Name:**  
(Current or former employee)

**Claimant's SSN:** \_\_\_\_\_ If the SSN or name you have for this person is different, provide that number/name here \_\_\_\_\_

**Claimant's last Physical Day of Work** \_\_\_\_\_

**Calendar Quarter Wages**  
\$ \_\_\_\_\_  
**Gross Wages paid to this person**

Do the wages above include severance payments?  Yes  No

If yes, what amount is severance? \_\_\_\_\_

Will the wages above be reported to Maryland for unemployment insurance purposes?  Yes  No

If yes, the wages should match those on your Maryland quarterly wage report, DLLR/DUI 15/16.

If no, to which state will the wages be reported? \_\_\_\_\_

If these wages will not be reported to any state, please explain: \_\_\_\_\_

**I affirm, by my signature below, that the information provided above is true and correct to the best of my knowledge.**

Your Name: \_\_\_\_\_ Title: \_\_\_\_\_

Telephone Number: \_\_\_\_\_ Date: \_\_\_\_\_

OFFICE USE ONLY  
Date Wages Entered:  
Staff ID:

# EXPERIENCE RATING NOTICE

(DLLR/DUI 61 - SIDE 1)

**STATE OF MARYLAND**  
**DEPARTMENT OF LABOR, LICENSING AND REGULATION**  
**DIVISION OF UNEMPLOYMENT INSURANCE**  
**1100 NORTH EUTAW STREET BALTIMORE, MARYLAND 21201**  
**Telephones (410) 767-2413; Toll Free 1-800-492-5524**

A toll free caller using a touch tone phone can fast forward the recorded message by pressing 1213 as soon as you hear the recorded voice. If you follow the instructions of the recorded voice, your two digit voice response number is 13.

EMPLOYER ACCOUNT NO.

E-mail address: [DLUICDExperienceRating\\_DLLR@maryland.gov](mailto:DLUICDExperienceRating_DLLR@maryland.gov)

## EXPERIENCE RATE NOTICE

THIS NOTIFIES YOU OF YOUR CONTRIBUTION (TAX) RATE FOR THE PERIOD FROM **JANUARY 1, 2016 TO DECEMBER 31, 2016**.

THE CONTRIBUTION RATE IS COMPUTED PURSUANT TO THE MARYLAND UNEMPLOYMENT INSURANCE LAW.

**IMPORTANT: APPEAL RIGHTS ARE SHOWN ON THE REVERSE SIDE.**

CONTRIBUTION RATE PERCENTAGE	CONTRIBUTION RATE DECIMAL	TYPE OF RATE ASSIGNED	COMPUTATION DATE  7/1/15	DATE OF NOTICE  1/15/16

↑ THIS IS YOUR RATE. YOUR CONTRIBUTION RATE WILL APPEAR ON EACH QUARTERLY CONTRIBUTION REPORT FOR 2016.

**EXPLANATION OF RATE BASED ON TYPE OF RATE ASSIGNED:**

- If your type of rate assigned is "earned": An earned rate is assigned because you reported taxable wages in each of the three rating years prior to the computation date. (Note: An earned rate is assigned if you reported taxable wages in only the two most recent rating years prior to the computation date.) A summary of the rating years follows:

Rating Year	Period in Rating Year
2013	July 1, 2012 to June 30, 2013
2014	July 1, 2013 to June 30, 2014
2015	July 1, 2014 to June 30, 2015

RATING YEARS	BENEFIT CHARGES	TAXABLE WAGES		
	AMOUNT OF BENEFITS CHARGED TO YOUR ACCOUNT	AMOUNT OF TAXABLE WAGES		
	BENEFITS	TAXABLE WAGES	BENEFIT RATIO	CONTRIBUTION RATE
	•	•	=	PERCENTAGE
				DECIMAL

The computation of your rate is shown above. Your rate is computed by dividing unemployment insurance benefits paid to your former employees, and charged to your account, by the amount of taxable wages reported on your quarterly unemployment insurance contribution reports. Details on the amount of benefits charged were shown on Benefit Charge Statements previously mailed to you. The benefit ratio, which is carried to the fourth decimal place, determines your rate according to the Table of Contribution Rates from the Maryland Unemployment Insurance Law as shown on the reverse side of this notice.

- If your type of rate assigned is "new": A new account rate of 2.6% is assigned because our records show that you did not pay taxable wages to employees in each of the rating years 2014 and 2015. Therefore, there was insufficient experience to assign a rate based on benefit charges and taxable wages. Your rate is the average rate assigned to Maryland employers during the last 5 years. A construction employer headquartered in another state is assigned the average rate for the construction industry (7.5%).
- If your type of rate assigned is "standard": The standard rate is assigned because you are eligible for an earned rate, but there are no taxable wages in a rating year because you failed to file quarterly unemployment insurance contribution reports in that year. In the computation for an earned rate, above, a zero is shown in the year that is delinquent. The standard rate for 2016 is 7.5%.

## EXPERIENCE RATING NOTICE

(DLLR/DUI 61 - SIDE 2)

### RIGHT TO APPEAL

You have the right within fifteen days from the DATE OF NOTICE to request a review of your tax rate. Your request must be in writing and must include: the name of the employer; the employer's account number; the title and date of this statement; and the specific factual reasons why you believe the statement contains an error. Your request should be mailed to the address shown below. If a review is not requested within fifteen (15) days of the date on this notice, the rate on this notice shall be deemed to be final.

DIVISION OF UNEMPLOYMENT INSURANCE  
EXPERIENCE RATE UNIT, ROOM 405  
1100 N. EUTAW STREET, BALTIMORE, MD. 21201

If you have any questions or need additional information about this notice contact the Experience Rate Unit.  
(The Experience Rate Unit's contact information is listed on the front of this notice)

### TABLE OF CONTRIBUTION RATES

EMPLOYER'S BENEFIT RATIO	EMPLOYER'S CONTRIBUTION RATE
.0000 -	0.3%
.0001 - .0027	0.6%
.0028 - .0054	0.9%
.0055 - .0081	1.2%
.0082 - .0108	1.5%
.0109 - .0135	1.8%
.0136 - .0162	2.1%
.0163 - .0189	2.4%
.0190 - .0216	2.7%
.0217 - .0243	3.0%
.0244 - .0270	3.3%
.0271 - .0297	3.6%
.0298 - .0324	3.9%
.0325 - .0351	4.2%
.0352 - .0378	4.5%
.0379 - .0405	4.8%
.0406 - .0432	5.1%
.0433 - .0459	5.4%
.0460 - .0486	5.7%
.0487 - .0513	6.0%
.0514 - .0540	6.3%
.0541 - .0567	6.6%
.0568 - .0594	6.9%
.0595 - .0621	7.2%
.0622 - AND OVER	7.5%

All employer contributions to the Maryland Unemployment Insurance Fund are used only for the payment of Maryland unemployment benefits to eligible claimants.



# EMPLOYER NOTICE OF FIRST BENEFIT CHECK PAID TO A FORMER EMPLOYEE

(DLLR/DUI 63 - SIDE 1)

**STATE OF MARYLAND**  
**DEPARTMENT OF LABOR, LICENSING AND REGULATION**  
**DIVISION OF UNEMPLOYMENT INSURANCE**  
 1100 North Eutaw Street - Room 407  
 Baltimore, Maryland 21201

**TELEPHONE:** Local from Baltimore area: (410) 767-2411  
 Toll Free: 1-800-492-5524

A toll free caller using a touch tone phone can fast forward the recorded message by pressing 1215 as soon as you hear the recorded voice. If you follow the instructions of the recorded voice, your two digit voice response number is 15.

Employer's Account Number: **00**

## EMPLOYER NOTICE OF FIRST BENEFIT CHECK PAID TO A FORMER EMPLOYEE

This is to inform you that the former employee whose name is listed below will receive Unemployment Insurance benefits beginning with the "First Week Paid" as shown. Information concerning the items presented on this notice is printed on the reverse side. If you have any questions concerning charging, after reading the back of this form, contact the Benefit Charge Correspondence Unit. This Unit's telephone number and mailing address are shown above. Separation information should be sent to the claimant's Claim Center.

Claimant's Name:

Claimant's Soc.Sec. No:

Claim Effective Date:

### REASON CLAIMANT WAS PAID BENEFITS

- 1. Claimant was separated from your employ for a non-disqualifying reason under Maryland Law.
- 2. Based on information provided, claimant was separated from your employ for a disqualifying reason and was penalized. Claimant's penalty period is now over.
- 3. Although claimant may have been separated from your employ for a disqualifying reason, claimant has had subsequent employment and has satisfied the maximum disqualification that can be imposed under Maryland Law.
- 4. Although separation information was requested from you, it has not been received. Based on available information, the claimant is eligible for benefits.

### CLAIMANT DATA

A	B	C	D
First Week Paid	Weekly Benefit Amount	Dependent's Allowance	Maximum Benefit (26X(B+C))

### EMPLOYER DATA

E	F	G
Charge/Non-Charge	% Charged	Maximum Potential Charges (F Times D)

### BASE PERIOD WAGES PAID BY EMPLOYER ACCOUNT NO. 00

Quarters/ Years			
Amounts			

**TOTAL BASE PERIOD WAGES REPORTED BY ACCOUNT:**

# EMPLOYER NOTICE OF FIRST BENEFIT CHECK PAID TO A FORMER EMPLOYEE

(DLLR/DUI 63 - SIDE 2)

## INFORMATION CONCERNING THIS NOTICE

### CLAIMANT'S EFFECTIVE DATE

The effective date is the beginning date of the benefit year established by the claimant and also is used to determine the base period of the claim.

### BASE PERIOD WAGES PAID BY EMPLOYER

When an individual files a new claim for Unemployment Insurance benefits, a base period is established. The claimant's base period is the first four of the last five completed calendar quarters prior to the effective date of the claim. The total combined wages reported by you and all other employers during the base period determine the claimant's weekly benefit amount, maximum benefit amount, and the percent of benefits charged to each employer who reported base period wages. The wages shown on this notice were obtained from your employment reports, form DEED/DUI 16, filed for each of the quarters. If you reported different wages than shown, please provide specific information relating to the discrepancy to the Benefit Charge Correspondence Unit.

### PERCENT OF BENEFITS CHARGED

You will be charged this percent of total benefits paid to the claimant unless Box E states that your account is non-charged. The "Notice of Benefit Payments Charged to Your Experience Rating Account", sent to you quarterly, will contain the exact amount of benefits charged to your account. The percent of benefits charged is calculated as follows:

If the claimant had more than one base period employer, benefits are chargeable to each base period employer in the same proportion as the amount of wages paid to the claimant by each such employer is to the total amount of wages received by the claimant during the base period, and is rounded off to the nearest whole number without the decimals. If 00% is shown on the front side, it indicates that all benefits will be charged to another employer because your wages were insufficient to calculate a chargeable percentage or your account is non-charged.

NOTE: Non-profit, reimbursing employers are charged on a pro-rata basis in all cases.

### CHARGE/NON-CHARGE

A base period employer's account is not charged for benefits if the claimant was separated from the employer for one of the following reasons: 1) the claimant left employment voluntarily without good cause attributable to the employer; 2) the claimant was discharged by the employer for gross misconduct; 3) the claimant left employment voluntarily to accept better employment or enter training approved by the Secretary; 4) the employer participates in a work release program and the claimant's unemployment was the result of his/her release from prison; 5) the claimant was discharged by the employer for aggravated misconduct; 6) in certain circumstances, the claimant continues to work for you on a continuous part-time basis.

NOTE: These 6 non-charge provisions do not apply to non-profit reimbursing employers.

The way to accurately establish charging is to fully complete the Request for Separation Information, which was previously sent to you. All benefits paid as a result of your failure to complete the Request for Separation Information must remain charged to your account and cannot be subsequently non-charged.

### WEEKLY BENEFIT AMOUNT

The "Schedule of Unemployment Benefits" is used to determine the claimant's Weekly Benefit Amount (WBA) based on the claimant's total and high quarter wages during the base period. Remember that the WBA is based on all wages earned and paid to the claimant by all base period employers, not just on the wages paid by you as shown on this notice. Box C may include an allowance for the claimant's dependent children, if any. The claimant's WBA may be reduced if the claimant is working part time or receiving a deductible pension.

### MAXIMUM BENEFIT AMOUNT

If the claimant remains totally unemployed and otherwise remains eligible, he/she can receive a maximum of 26 weeks of full Unemployment Insurance benefits or 26 times his/her weekly benefit amount. No regular Unemployment Insurance benefits may be paid beyond the end of the claimant's benefit year.

### MAXIMUM POTENTIAL CHARGES

An employer's maximum potential liability assumes the claimant will receive the entire maximum benefit (box D) based on full weeks of unemployment. In that event, your account's applicable % charged (box F) multiplied times the maximum benefit (box D) provides the maximum potential charges to your employer account (box G). However, if a claimant receives partial weeks of unemployment while working part-time, any dependent's allowance would be added to each week of partial unemployment. The total amount paid could exceed the amount of maximum potential charges shown in box G. Under no circumstances may the maximum potential charges (box G) exceed 26 times the weekly benefit amount plus 26 times the dependent's allowance.

### UI FRAUD HOTLINE

The UI Fraud Hotline Program is a free, confidential and direct means of reporting to the Division of Unemployment Insurance suspected fraudulent activity and improper payments. If you know someone who is collecting Unemployment Insurance benefits but is self employed or is working full-time, working part-time, and not reporting their wages, being paid "under the table," is incarcerated, is out of town, is unable to work etc., call the FRAUD HOTLINE, toll free at 1-800-492-6804 between 9:00a.m. and 4:00p.m., Monday through Friday.



**NOTICE OF BENEFIT PAYMENT CHARGED TO YOUR EXPERIENCE RATING ACCOUNT**  
(DLLR/DUI 64 - SIDE 2)

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**\*\*\* FOR YOUR INFORMATION**

The benefit charges appearing on this notice will be used in the calculation of your contribution rate for a future fiscal year. Therefore, if you believe a charge is in error please exercise your appeal rights as provided on the bottom of side one. Failure to protest the charges now will preclude any appeal of the charges when they are used in the calculation of your contribution rate.

An employer is charged with benefits paid to a former employee if the employer paid wages to the individual during his/her base period. The base period is defined as the first four of the last five calendar quarters completed before the claimant filed his/her claim. Under certain circumstances, up to two years may elapse since an individual last worked for an employer and that employer is charged with benefit payments. Benefits are charged on a pro-rata basis to all base period employers, based on the percent of base period wages paid by each employer to total base period wages.

When an individual is separated from a job due to simple misconduct, a penalty will be imposed that will deny the payment of benefits until the person satisfies the penalty. Depending on the circumstances of each case, claimants are either denied benefits for a certain number of weeks or must satisfy the penalty through subsequent employment. If the claimant satisfies the penalty and he/she is paid benefits, they are charged to the employer's account.

Call the Unemployment Insurance Fraud Hotline at 1-800-492-6804 if you know of a claimant who:

- fails to actively seek work when required to do so.
- collects benefits while working full-time.
- works part-time or at odd jobs and does not report this income.
- receives "under the table" payments while collecting benefits.

All calls will be investigated.

**\*\* BENEFIT CODES**

1. Original benefit payment
2. Adjustment benefit payment
3. Overpayment established
4. Repayment of overpayment
5. Benefits paid by another State
6. Change to employer charge status
7. Change to employer charge percent
- A. Extended Benefit Payment

**\* CLAIM CENTER NUMBER**

The Claim Center reference code in the first column and on the same line as respective "Claimant's Name" indicates that the claimant filed his/her claim in the Claim Center listed below:

55 Internet Claims	61/62 College Park Claim Center
56 Combined Wage Claim Section	63 Cumberland Claim Center
60 Towson Claim Center	65 Salisbury Claim Center



# STATEMENT OF REIMBURSABLE BENEFITS PAID

(DLLR/DUI 64-A - SIDE 2)

## MAILING INSTRUCTIONS

- FOLD THE FORM ON THE LINES INDICATED.
- PUT FORM IN ENCLOSED ENVELOPE SO THE ADDRESS BELOW SHOWS THROUGH THE WINDOW.
- PLEASE MAKE A COPY OF THIS FORM FOR YOUR RECORDS.

DIVISION OF UNEMPLOYMENT INSURANCE  
P.O. BOX 84  
BALTIMORE, MARYLAND 21203-0084

(FOLD)

## \*\* BENEFIT CODES

1. Original benefit payment
2. Adjustment benefit payment
3. Overpayment established
4. Repayment of overpayment
5. Benefits paid by another State
6. Change to employer charge status
7. Change to employer charge percent
- A. Extended Benefit Payment

## \*\*\* INFORMATION FOR REIMBURSABLE EMPLOYERS

Protests of benefit charges must be submitted in writing within fifteen (15) days from the date of this invoice. Address letter to Benefit Charge Correspondence Unit, 1100 North Eutaw Street, Room 410, Baltimore, Maryland 21201. You will receive a reply within 30 days of the date of your letter.

A protest of benefit charges does not relieve an employer of the statutory responsibility to remit the total invoice balance by the due date.

An organization delinquent in making payments in lieu of contributions may have its authorization to make payment in lieu of contributions terminated as of the beginning of the next taxable year.

## CREDIT CARD CONVENIENCE FEE

Official Payments Corporation charges employers a convenience fee for using their service to pay Maryland Unemployment Insurance taxes. The convenience fee is the greater of \$1.00, or 2.5% times the amount of your tax payment. The convenience fee is not paid to the State of Maryland. For example, an employer who charged a \$100.00 tax payment on their credit card would find a total charge of \$102.50 on the credit card statement; \$100.00 for the tax payment to the Maryland Unemployment Insurance Fund and \$2.50 as a convenience fee to Official Payments Corporation.

(FOLD)

## CREDIT CARD TERMS AND CONDITIONS

Satisfactory completion of a payment transaction is contingent upon both the authorization of the payment by your Card issuer and our acceptance of your payment. In the event your credit card payment does not deposit to the Maryland Unemployment Insurance Fund, or the payment does not post in a timely manner, you will be subject to all applicable penalties and interest assessed by the Maryland Division of Unemployment Insurance. These payment obligations remain your responsibility.

## ELECTRONIC PAYMENT TERMS AND CONDITIONS

Satisfactory completion of an electronic check payment is contingent upon both the authorization of the payments by your financial institution and our acceptance of your payment. It is your responsibility to provide us with accurate and legitimate financial information to process your electronic payment. In the event your payment does not deposit to the Maryland Unemployment Insurance Fund, or the payment does not post in a timely manner, you will be subject to all applicable penalties and interest assessed by the Maryland Division of Unemployment Insurance. These payment obligations remain your responsibility.

## \* CLAIM CENTER NUMBER

The Claim Center reference code in the first column and on the same line as respective "Claimant's Name" indicates that the claimant filed his/her claim in the Claim Center listed below.

55 Internet Claims	61/ 62 College Park Claim Center
56 Combined Wage Claim Section	63 Cumberland Claim Center
60 Towson Claim Center	65 Salisbury Claim Center



# REQUEST FOR SEPARATION INFORMATION

(DLLR/DUI 207 - SIDE 1)

STATE OF MARYLAND  
DIVISION OF UNEMPLOYMENT  
INSURANCE

**207**

0	0																		
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## REQUEST FOR SEPARATION INFORMATION

EMPLOYER ACCOUNT NO.  
LO#  
IF INCORRECT EMP. ACCT.NO. ENTER CORRECT MARYLAND ACCT.NO. ABOVE.

RUN DATE:

**DUE DATE:**

INTERNET KEY:

EMPLOYEE SSN:

[www.mdunemployment.com](http://www.mdunemployment.com)

**GO PAPERLESS. NEW OPTIONS ARE AVAILABLE AT OUR IMPROVED WEBSITE: [www.mdunemployment.com](http://www.mdunemployment.com)**

The claimant whose name is shown below has filed a claim for Unemployment Insurance benefits. The first week ending date affected by the current claim is \_\_\_\_\_ . Our records indicate that the claimant worked for you. Please answer the questions below, sign and mail this copy of the form in the enclosed envelope by the DUE DATE **IF THIS FORM IS RETURNED LATE OR INCOMPLETE THE CLAIMANT'S REASON FOR SEPARATION WILL BE USED AND A PENALTY OF \$15 WILL BE ASSESSED.** NOTE: The Law provides penalties for false statements.

SSN	Employee's Name	Other Last Name	Effective Date of Claim
-----	-----------------	-----------------	-------------------------

### REASON FOR SEPARATION FROM EMPLOYMENT

- |  |   |
|--|---|
| <input type="checkbox"/> 1. TEMPORARY LAYOFF/TEMPORARY REDUCTION IN HOURS (10 WEEKS OR LESS) (97) EXPECTED DATE OF RETURN _____ MM/DD/YYYY<br><input type="checkbox"/> 2. LACK OF WORK/LAYOFF (MORE THAN 10 WEEKS)/ REDUCTION IN FORCE/ JOB ABOLISHED/ (99)<br><input type="checkbox"/> 3. VACATION/HOLIDAY SHUT DOWN (28) RETURN TO WORK DATE _____ MM/DD/YYYY<br><input type="checkbox"/> 4. HIRED PART TIME, CONTINUES TO BE EMPLOYED ON A PART TIME BASIS (41)<br><input type="checkbox"/> 5. FOR TEMPORARY HELP FIRMS ONLY END OF ASSIGNMENT (89)<br>Did claimant request another assignment? YES <input type="checkbox"/> NO <input type="checkbox"/><br>Is claimant still on your active rolls? YES <input type="checkbox"/> NO <input type="checkbox"/><br><input type="checkbox"/> 6. QUIT (30) | <input type="checkbox"/> 7. FIRED/DISCHARGED (50)<br><input type="checkbox"/> 8. DISCHARGED-NOT QUALIFIED FOR JOB, BUT WORKED TO BEST OF ABILITY (51) NOTE: BENEFITS WILL BE PAID IF CLAIMANT IS OTHERWISE ELIGIBLE.<br><input type="checkbox"/> 9. ON SUSPENSION <input type="checkbox"/> WITHOUT PAY (58) <input type="checkbox"/> WITH PAY (59)<br><input type="checkbox"/> 10. LEAVE OF ABSENCE (MEDICAL/PERSONAL) (88)<br><input type="checkbox"/> 11. FOR EDUCATIONAL INSTITUTIONS ONLY SCHOOL VACATION (22) RETURN TO WORK DATE _____ MM/DD/YYYY<br><input type="checkbox"/> 12. LABOR DISPUTE/STRIKE/LOCKOUT (29)<br><input type="checkbox"/> 13. NEVER EMPLOYED HERE |
|--|---|

Note: If the reason for separation given by you on this form is something other than layoff or lack of work, you may be contacted by telephone to provide additional information when the claimant's fact finding interview is held.

\*\*\*\*\*  
**FOR ANY PERIOD SINCE THE LAST DAY WORKED, HAS THE CLAIMANT RECEIVED, OR WILL HE/SHE RECEIVE:**

1. PENSION OR ANY OTHER RETIREMENT PAYMENT? \_\_\_\_\_  
 PER MONTH \$ \_\_\_\_\_ EFFECTIVE DATE \_\_\_\_\_  
 LUMP SUM \$ \_\_\_\_\_  
 DID CLAIMANT CONTRIBUTE ? YES  NO
2. PROFIT SHARING AMT \$ \_\_\_\_\_ DATE PAID \_\_\_\_\_
3. BONUS OR SPECIAL PAYMENT \$ \_\_\_\_\_ DATE PAID \_\_\_\_\_
4. SEVERANCE PAY \$ \_\_\_\_\_ GROSS WEEKLY WAGE \$ \_\_\_\_\_  
 Check Box if ALL benefits, including leave accrual, continue during severance period.
5. VACATION PAY \$ \_\_\_\_\_ VAC. DATES FROM: \_\_\_\_\_ TO: \_\_\_\_\_
6. HOLIDAY PAY \$ \_\_\_\_\_ DATE OF HOLIDAY(S) \_\_\_\_\_

Claimant's First Day of Work			Claimant's Last Day of Work		
MO	DAY	YR	MO	DAY	YR

GROSS WAGES EARNED SINCE \$ _____ IF NECESSARY, ENTER APPROXIMATE AMOUNT IF NONE ENTER ZERO (0)
--

\*\*\*\*\*

Name Of Employer \_\_\_\_\_ Date \_\_\_\_\_  
 Person To Be Contacted For Further Info \_\_\_\_\_ Telephone No: \_\_\_\_\_  
 Name of Official Completing Form (Print) \_\_\_\_\_ E-Mail: \_\_\_\_\_  
 Signature \_\_\_\_\_

## REQUEST FOR SEPARATION INFORMATION

(DLLR/DUI 207 - SIDE 2)

NOTE: YOU MAY HAVE EMPLOYED THIS PERSON FOR A BRIEF TIME OR EVEN OVER A YEAR AGO. WHEN SOMEONE APPLIES FOR UNEMPLOYMENT INSURANCE, WE EXAMINE ALL EMPLOYMENT DURING THE PREVIOUS 18 MONTHS. ANY EMPLOYER DURING THOSE 18 MONTHS CAN BE POTENTIALLY CHARGED FOR BENEFITS IF THE CLAIMANT IS DETERMINED TO BE ELIGIBLE. IT IS IMPORTANT FOR YOU TO SUBMIT THIS DOCUMENT TO ENSURE BENEFITS ARE PAID PROPERLY AND THAT YOU ARE CHARGED (OR NOT CHARGED) FOR BENEFITS BASED ON THE REASON FOR SEPARATION FROM YOUR EMPLOYMENT.

**RECALL - IF THE CLAIMANT REFUSES AN OFFER OF EMPLOYMENT WHILE RECEIVING BENEFITS, NOTIFY THE OFFICE BELOW IMMEDIATELY, IN WRITING, (WITHIN 15 DAYS OF THE JOB OFFER)**

### **IMPORTANT CHANGES AND IMPROVEMENTS**

**YOU MAY NOW REGISTER TO RECEIVE FUTURE  
REQUESTS FOR SEPARATION INFORMATION  
BY EMAIL ALERT  
WWW.MDUNEMPLOYMENT.COM**

To respond online use the INTERNET KEY shown in the upper right-hand corner on the reverse side of this form. Please do not submit a paper version also.

Responding to this form by the DUE DATE helps to ensure that your account will be correctly charged for any benefits paid and will prevent any penalty from being assessed.

QUESTIONS OR CORRECTIONS - Please contact the office shown above if you have any questions or need to report a change/correction to any previously submitted information concerning this claimant. The office's telephone number has been provided below.

OFFICE	TELEPHONE
College Park Claim Center	(301) 313-8037
Combined Wage Claim Section	(410) 767-2552
Cumberland Claim Center	(301) 723-2145
Salisbury Claim Center	(410) 334-6868
Towson Claim Center	(410) 853-1713

IF YOU NEED TO CORRECT THE "EMPLOYER NAME" OR ADDRESS SHOWN ON THE FORM PLEASE CALL THE EMPLOYER STATUS UNIT AT 410-767-2414 OR E-MAIL THE CHANGES TO: STATUS@DLLR.STATE.MD.US

IF YOU RECEIVE MORE THAN ONE FORM, YOU MUST COMPLETE AND RETURN ALL FORMS.

# INSTRUCTIONS FOR THE MARYLAND QUARTERLY UI CONTRIBUTION/EMPLOYMENT REPORT

## INSTRUCTIONS FOR THE MARYLAND QUARTERLY UNEMPLOYMENT INSURANCE CONTRIBUTION/EMPLOYMENT REPORT

### WHAT IS REQUIRED?

Each quarter, an employer must do the following:

1. Report its covered employees and the wages paid to each employee during the quarter on an Employment Report. Include all employees who were paid wages, even if wages were paid in excess of the \$8,500 taxable wage base.
2. Indicate the total amount of wages paid and compute unemployment insurance taxes due on a Contribution Report.
3. Submit the Contribution/Employment Report plus the appropriate payment by the due date (see Box 5 on the Contribution Report). Reports are due on the next business day following a due date if the due date falls on a Saturday or Sunday.

### Notes:

1. The Contribution/Employment Report is due even if an employer paid no wages in a quarter. This filing requirement ends when the Maryland Division of Unemployment Insurance issues a letter to verify the account is closed.
2. Wage information and other confidential unemployment insurance 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.

### PENALTIES:

1. A \$35 penalty is charged for each failure to file a contribution or employment report by the last day of the month immediately following the end of the quarter and for filing on paper forms not approved by the Division of Unemployment Insurance.
2. Late payments bear interest at the rate of 1.5% per month.
3. Employers are subject to a \$25 fine for every check returned by the bank.
4. A fine of up to \$1,000 or imprisonment up to 90 days, or both, on any person who willfully violates the Maryland Unemployment Insurance Law or regulations, if no other penalty is provided.

METHODS OF FILING THE CONTRIBUTION REPORT	
Filing Method	Information on Filing Method
<b>Internet</b>	All employers should use this method to file a report for the current quarter, or any prior quarter. Employers who paid wages to 200 employees or less in the prior quarter will see preprinted information on the website. Go to <a href="http://www.mdunemployment.com">www.mdunemployment.com</a> . Click on "WebTax". Password problems?: Contact 410-767-2412 or toll free 1-800-492-5524 or email at <a href="mailto:empassist@dllr.state.md.us">empassist@dllr.state.md.us</a> . See the pamphlet on WebTax for more information regarding online filing.
<b>WebWage</b>	Employers with up to 5,000 employees may use this method. An employer files the contribution report online at <a href="http://www.mdunemployment.com">www.mdunemployment.com</a> and attaches a wage file (i.e. employment report) as instructed on the online filing application. Ensure the wage file has the proper format - See "Magnetic Media Specifications for Quarterly Filing" at <a href="http://www.mdunemployment.com">www.mdunemployment.com</a> for more information. This method is available for employers who file a report for the current quarter, or any prior quarter.
<b>Telephone</b>	An employer who reports no wages paid to employees in the current quarter, or any prior quarter, may use this method. An employer must have a touch-tone telephone to use this method. Dial 410-949-0033 in the Baltimore Metropolitan area, or toll free 1-800-492-5524 and follow the instructions.
<b>FTP</b>	Employers with large payrolls (more than 5,000 employees) may use this method to transmit their quarterly wage and contributions files via secure FTP transmissions. Please visit <a href="http://mdunemployment.com">mdunemployment.com</a> for more information on the installation of this application.

Regardless of your filing method, round your wage entries to the next whole dollar. Round 50¢ or less down to the nearest whole dollar; round 51¢ or more up to the nearest whole dollar. After rounding, do not report zeros as cents on the Employment Report and on lines 10, 11, and 12 of the Contribution Report. Your tax payment is computed to the penny.

Payment Method	Information on Payment Method
<b>Credit Card</b> (Acceptable cards are Visa, MasterCard, American Express and instructions, or Discover/Novus) - The service charge for a credit card transaction is the greater of \$1.00 or 2.5% of the tax payment.	<ol style="list-style-type: none"> <li>1. Select credit card payment when prompted after the Contribution/Employment Report is filed online and follow instructions, or</li> <li>2. Visit <a href="http://www.officialpayments.com">www.officialpayments.com</a> and follow instructions, or</li> <li>3. Call 1-800-272-9829. When asked for payment option, press 2 in order to pay state taxes. Then follow the recorded instructions. When prompted for a jurisdiction code, enter 3030#.</li> </ol>
<b>ACH Debit</b> There is no service charge to employers for ACH Debit transactions. Payments up to \$500,000.00 are accepted. As soon as the ACH Debit transaction is completed, payment is requested from the employer's financial institution. An employer may not designate a future date for payment by the financial institution.	<ol style="list-style-type: none"> <li>1. Select Direct Debit (Electronic Check) when prompted after the Contribution/Employment Report is filed online and follow instructions, or</li> <li>2. Visit <a href="http://www.officialpayments.com/echeck/index.jsp">www.officialpayments.com/echeck/index.jsp</a> and follow instructions</li> </ol>
<b>ACH Credit</b> An employer would be responsible for any cost charged by the employer's financial institution for an ACH Credit transaction.	ACH Credit is available to employers who have a signed agreement with the Division of Unemployment Insurance. Call 410-767-2412 or visit <a href="http://www.mdunemployment.com">www.mdunemployment.com</a> to obtain agreement. Click "Electronic Funds Transfer (EFT)".
<b>Check</b> Make check payable to Maryland Unemployment Insurance Fund. Include your Maryland unemployment insurance employer number on the check	Mail checks to: Division of Unemployment Insurance P. O. Box 17291 Baltimore, Maryland 21297-0365 <span style="float: right;">No Certified Mail</span>
<b>Payment Plans</b> Payment plans are available for qualified employers.	Visit <a href="http://www.mdunemployment.com">www.mdunemployment.com</a> , or contact the Skip Trace and Investigation Unit at 410-767-2525 or e-mail the unit at: <a href="mailto:DLUTaxSkip_DLLR@maryland.gov">DLUTaxSkip_DLLR@maryland.gov</a>

Important: The amount of your check, ACH Credit, ACH Debit or credit card payment must equal the amount on line 19 of the Contribution Report. An insufficient payment is first applied to interest and penalty. This would result in taxes due, which accrues additional interest.

# WEB TAX NEW USER ENROLLMENT

**State of Maryland**  
DEPARTMENT OF LABOR, LICENSING, AND REGULATION  
Division of Unemployment Insurance

**New User Enrollment**

Please enter your Maryland Unemployment Insurance Employer Account Number and your Federal Employer Identification Number below. If you do not have a Maryland UI Employer Account Number click on the link [To Register A New Business](#). If you do not have a Federal Employer Identification Number click on the link [To Apply For An Employer Identification Number With The IRS](#).

Maryland UI Employer Account Number \*: 00

Federal Employer Identification Number \*:

\* represents required field

[Web Accessibility](#) [Privacy Statement](#)

When you click Enroll Me Now on the Welcome page, you will see the New User Enrollment page. You must know your Maryland Unemployment Insurance Fund (MUIF) ten-digit account number and your Federal Employer Identification Number (FEIN) to register as a valid user of this Internet application. Below is the screen once an employer is enrolled.

**State of Maryland**  
DEPARTMENT OF LABOR, LICENSING, AND REGULATION  
Division of Unemployment Insurance

**Maryland Unemployment Insurance WebTax**

Use this site to file and pay the quarterly Contribution & Employment Report, and/or obtain information and services related to your Maryland Unemployment Insurance account.

**ENROLLED EMPLOYERS**

Enter your Maryland Unemployment Insurance (UI) Employer Account Number and PIN.

Employer Account Number \*: 00

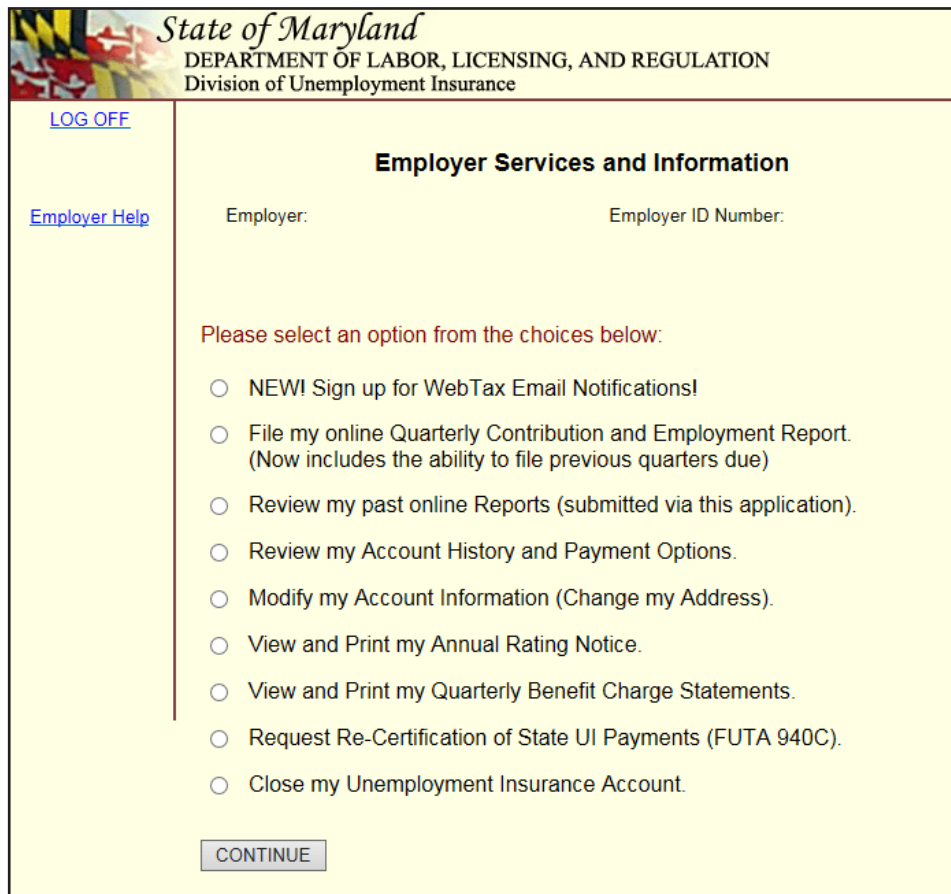
PIN \*:  [Forgot your PIN? Click Here](#)

\* represents required field

**IF YOU DID NOT PREVIOUSLY ENROLL TO USE THIS INTERNET APPLICATION, AND WOULD LIKE TO NOW, CLICK THE BUTTON BELOW:**

[Web Accessibility](#) [Privacy Statement](#)

# WEB TAX EMPLOYER SERVICES AND INFORMATION MENU



*State of Maryland*  
DEPARTMENT OF LABOR, LICENSING, AND REGULATION  
Division of Unemployment Insurance

[LOG OFF](#)

[Employer Help](#)

**Employer Services and Information**

Employer: \_\_\_\_\_ Employer ID Number: \_\_\_\_\_

Please select an option from the choices below:

- NEW! Sign up for WebTax Email Notifications!
- File my online Quarterly Contribution and Employment Report. (Now includes the ability to file previous quarters due)
- Review my past online Reports (submitted via this application).
- Review my Account History and Payment Options.
- Modify my Account Information (Change my Address).
- View and Print my Annual Rating Notice.
- View and Print my Quarterly Benefit Charge Statements.
- Request Re-Certification of State UI Payments (FUTA 940C).
- Close my Unemployment Insurance Account.

This is the screen you will see upon successfully logging into the Web Tax Application. Each of the menu selections will take you to a separate function within the application. The selections are:

- NEW! Sign up for WebTax Email Notifications!
- File my online Quarterly Contribution and Employment Report. File the current quarter contribution return and employment report. File any previous quarter's contribution and employment reports that are due.
- Review my past online reports. Review and print any report filed on-line.
- Review my Account History and payment options.
- Modify my Account Information (Change my Address)
- View and Print an Annual Rating Notice - (Form DLLR/DUI 61).
- View and Print Quarterly Benefit Charge Statements - (Form DLLR/DUI 64).
- Request Re-Certification of State UI Payments (FUTA 940C).
- Close my Unemployment Insurance Account. Complete an E-mail to request DLLR to close your Maryland Unemployment Insurance Account.
- Change my PIN. Complete an on-line transaction to change your PIN.



# AUDIT FORM

(DLLR/DUI 330-M - SIDE 1)

STATE OF MARYLAND  
Department of Labor, Licensing and Regulation  
1100 N. Eutaw Street - Room 206  
Baltimore, MD 21201  
Phone (410) 767-2404  
Fax (410) 767 - 2610

## EMPLOYER WAGE REQUEST

DATE:

Please Mail this Completed Form by

**\*\*\*Notice - Please complete form and return by the above due date. You may return this form by mail OR by fax, please do not do both. This form was: Mailed \_\_\_\_\_ Faxed \_\_\_\_\_ (check one)**

This form has been sent in response to a Report of Hire notification received from your company. Verification of earnings is needed to determine if unemployment insurance benefits were improperly paid for weeks after the first day of work reported on the Report of Hire. Title 8-625 of the Labor & Employment Article, Annotated Code of Maryland requires an employer response to the information being requested. If there is an improper payment due to failure to respond to this request timely, any benefits charged to your account will not be relieved even if the information is provided at a later time.

Employer Account #:

Post Audit Quarter:  
Amount Reported:

Social Security #:

Claim Center:

CLAIMANT'S NAME:

PLEASE PROVIDE ADDRESS: \_\_\_\_\_  
\_\_\_\_\_

(▼ Please Circle)

First Day of Work:	Still Working: YES NO	Last Day of Work:
Reason for Separation: Lack of work Quit Discharge; If other than lack of work, please attach a detailed explanation		
Is the claimant's name and social security number the same as your records? YES NO If no indicate changes and explain.		

Was the claimant paid any money other than wages after the last day of work?  
If so, please indicate reason for payment (severance, vacation, etc.) \_\_\_\_\_  
Please list the amount of any severance pay included in the quarterly amount reported shown above.

PLEASE COMPLETE OTHER SIDE

## AUDIT FORM

(DLLR/DUI 330-M - SIDE 2)

### MAILING INSTRUCTIONS

- PLEASE MAKE A COPY OF THIS FORM FOR YOUR RECORDS
- PLEASE FOLD THE FORM ON THE LINES INDICATED
- PUT FORM IN THE ENCLOSED ENVELOPE SO THAT THE ADDRESS BELOW SHOWS THROUGH THE WINDOW

DEPARTMENT OF LABOR, LICENSING AND REGULATION  
 DIVISION OF UNEMPLOYMENT INSURANCE  
 1100 N. EUTAW STREET, POST AUDIT , ROOM 202  
 BALTIMORE, MD 21201

Enter the number of weeks with wages from table below \_\_\_\_\_ .

Please report GROSS WAGES during the week in which they were EARNED (NOT PAID), between Sunday and Saturday, even though this may not correspond with your payweek. If no wages are entered was work available?    Yes <input type="checkbox"/> No <input type="checkbox"/>			
Week Ending	Weekly Earnings	Week Ending	Weekly Earnings

I certify that the information in this report is true and correct.

\_\_\_\_\_

Print Name Title Phone Number

\_\_\_\_\_

Signature Date Fax Number

# NOTICE OF BENEFIT DETERMINATION

(DLLR/DUI 222 - SIDE 1)

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STATE OF MARYLAND  
DEPARTMENT OF LABOR, LICENSING AND REGULATION  
DIVISION OF UNEMPLOYMENT INSURANCE  
NOTICE OF BENEFIT DETERMINATION

NAME :  
SSN :  
DATE MAILED :  
BENEFIT YEAR BEGINS :

MAIL APPEAL TO ADDRESS ABOVE  
OR FAX TO: 410-225-9781

ISSUE  
SECTION OF LAW  
DATE OF DETERMINATION  
SPECIALIST ID

THE LAST DAY TO FILE AN APPEAL IS:  
(IF THIS DECISION IS CHANGED ON APPEAL, THE CLAIMANT  
WILL BE REQUIRED TO REPAY ANY RESULTING OVERPAYMENT.)  
DETERMINATION:

### APPEAL RIGHTS:

**IMPORTANTE:** Esta determinación puede afectarlo para recibir sus beneficios del Desempleo. Si usted no está de acuerdo con la decisión, usted debe apelar inmediatamente. Contáctese con el Centro de College Park, al 301-313-8000, presione 2.

**CLAIMANT AND EMPLOYER:** Section 8-508 of the Maryland Unemployment Insurance Law provides the right to appeal this determination. If you disagree with the decision you may file an appeal. Appeals must be in writing and explain why you disagree with the decision that was issued. The appeal must be postmarked within (15) days of the date of this determination. If the appeal is filed late, the Appeals Division will determine, during the hearing, if the reason for the late filing is with good cause. A claimant who appeals a determination and remains unemployed must continue to file timely continued claims for each week. **NO LATE CONTINUED CLAIMS WILL BE ACCEPTED.** If an appeal decision results in reversal or modification of this determination, the claimant may be paid benefits previously denied or may be overpaid benefits previously paid.

SEE BACK OF FORM FOR PROVISIONS OF THE LAW

## NOTICE OF BENEFIT DETERMINATION

(DLLR/DUI 222 - SIDE 2)

### SECTION OF LAW

### PROVISIONS OF THE LAW REGARDING BENEFITS

- 8-801 The claimant must be totally or partially unemployed through no fault of his/her own.
- 8-803 A claimant must report all earnings for each week he/she files claims for unemployment insurance benefits.
- 8-804 The dependents allowance is payable only if the claimant provides support for the dependent child under 16 years of age at the beginning of the claimant's benefit year.
- 8-809 If the claimant has received benefits for which he/she is found to have been ineligible, the claimant must repay those benefits. In addition, the amount may be recovered from benefits payable to the claimant in the future.
- 8-809 If the claimant knowingly made a false statement or failed to disclose material facts in order to obtain benefits, he/she will be disqualified for one year, must repay all benefits received, and may be prosecuted.
- 8-901 The claimant must file a claim for each week of unemployment in accordance with regulations.
- 8-902 The claimant must register for work and continue to report and keep his/her registration active.
- 8-903 The claimant must be able to work and available for work and make a reasonable effort to find work.
- 8-910 The claimant who received benefits in a previous benefit year shall not be eligible for future benefits unless the claimant has worked for an employer and earned wages equal to ten times his/her new weekly benefit amount after the beginning of the first of such benefit years.
- 8-1001 If the claimant voluntarily left work without good cause, the claimant may be disqualified from five to ten weeks or until he/she has become reemployed and earned fifteen times his/her weekly benefit amount. If a claimant voluntarily leaves work to become self-employed, to accompany or join a non-military spouse in a new locality or to attend an educational institution the claimant will be disqualified until he/she has become reemployed and earned fifteen times his weekly benefit amount.
- 8-1002 If the claimant was discharged or suspended for gross misconduct connected with the work, the claimant will be disqualified until he/she becomes reemployed and has earned twenty times his/her weekly benefit amount on a claim effective prior to 3-6-11. The claimant will be disqualified until he/she becomes reemployed and has earned twenty-five times his/her weekly benefit amount on a claim effective on or after 3-6-11.
- 8-1002.1 If the claimant was discharged or suspended for aggravated misconduct connected with the work, the claimant will be disqualified until he/she has become reemployed and has earned thirty times his/her weekly benefit amount.
- 8-1003 If the claimant was suspended or discharged for misconduct (not gross) connected with the work, the claimant may be disqualified from five to ten weeks on a claim effective prior to 3-6-11. The claimant may be disqualified from ten to fifteen weeks on a claim effective on or after 3-6-11.
- 8-1004 If the claimant's unemployment is due to a stoppage of work because of a labor dispute (other than a lockout) he/she will be disqualified for the duration of the stoppage of work.
- 8-1005 If the claimant failed, without good cause, to apply for available, suitable work, or to accept such work when offered to him/her, the claimant may be disqualified from five to ten weeks or until he/she becomes reemployed and has earned ten times his/her weekly benefit amount.
- 8-1006 If the claimant has applied for or is receiving unemployment benefits under the laws of another State or of the United States, the claimant is not eligible for benefits in Maryland.
- 8-1007 If the claimant is receiving vacation or holiday pay and has a definite return to work date at the time of separation, benefits will be denied or reduced for the week(s) to which the pay applies.
- 8-1008 If the claimant is receiving a pension, annuity, profit sharing, or retirement pay other than Social Security, or any other similar periodic payment based on his/her previous work for a base period employer, benefits will be denied or reduced.
- 8-1009 If the claimant receives dismissal pay, benefits will be denied or reduced for the week(s) to which the pay applies.

**BENEFIT ENTITLEMENT POSTER**  
(DLLR/DUI 328)

**TO EMPLOYEES**

YOUR EMPLOYER IS SUBJECT TO the Maryland Unemployment Insurance Law and pays taxes under this law. No deduction is made from your wages for this purpose.

IF YOU ARE LAID OFF or otherwise become unemployed, immediately file a claim by calling the telephone number for the area in which you reside or you may file a claim on the internet at the web site address indicated below.

IF YOU ARE ELIGIBLE, you may be entitled to unemployment insurance benefits for as many as 26 weeks.

IF YOU ARE WORKING LESS THAN FULL TIME, you may be eligible for partial benefits. If your regular hours of work have been reduced, promptly file a claim as instructed above, to determine your benefit rights.

IF YOU HAVE BEEN FILING FOR BENEFITS AND RETURN TO WORK, you must report your gross wages before deductions during the week you return to work regardless of whether or not you have been paid.

**YOU ARE ENTITLED TO BENEFITS IF:**

1. You are unemployed through no fault of your own.
2. You have sufficient earnings in your Base Period.
3. You have registered for work and filed a claim for benefits with a Department of Labor, Licensing and Regulation Claim Center listed below.
4. You are able to work, available for work, and actively seeking work.

NOTE: To insure prompt handling of your claim, it is necessary to have your Social Security number available. If you claim dependents under sixteen (16) years of age, you must know the Social Security number of each dependent when you file. If you do not know the Social Security numbers, you will be provided with instructions on how to provide a copy of the dependent's birth certificate or other forms of proof of dependency.

**IF YOU ARE TOTALLY OR PARTIALLY UNEMPLOYED CALL:**

Phone Number To File A Claim	Area Served	Phone Number To File A Claim	Area Served	Phone Number To File A Claim	Area Served
410-368-5300 1-877-293-4125 (toll free)	Baltimore City Anne Arundel Howard	301-723-2000 1-877-293-4125 (toll free)	Allegany Frederick Garrett Washington	410-334-6800 1-877-293-4125 (toll free)	Caroline Dorchester Kent Queen Anne Somerset Talbot Wicomico Worcester
301-313-8000 1-877-293-4125 (toll free)	Calvert Charles Montgomery Prince George's St. Mary's	410-863-1600 1-877-293-4125 (toll free)	Baltimore Carroll Cecil Harford		
SOLICITUD DE BENEFICIOS DEL DESEMPLEO PARA LA POBLACIÓN DE HABLE HISPANA 301-313-8000 Para Relevos en Maryland presione 711		TTY FROM BALTIMORE AREA AND OUT-OF-STATE  For Maryland Relay Dial 711		TTY TOLL FREE OUTSIDE BALTIMORE (but within Maryland)  For Maryland Relay Dial 711	

**TO FILE A CLAIM VIA THE INTERNET:  
[www.mdunemployment.com](http://www.mdunemployment.com)**

**IMPORTANT NOTICE**

Unemployment Insurance is intended for persons who are unemployed through no fault of their own and who are ready, willing and able to work. Persons who receive benefits through false statements or fail to report ALL earnings will be disqualified and will be subject to criminal prosecution.

The Civil Rights Act of 1964 states that no person shall be discriminated against on the basis of race, color, religion, age, sex, or national origin. If you feel you have been discriminated against in the Unemployment Insurance process because of any of these factors, you may file a complaint with the Office of Fair Practices, 1100 North Eutaw Street, Room 613, Baltimore, Maryland 21201.

**MARYLAND DEPARTMENT OF LABOR, LICENSING AND REGULATION  
OFFICE OF UNEMPLOYMENT INSURANCE**

THIS CARD MUST BE POSTED IN A CONSPICUOUS PLACE



HEALTH INSURANCE COVERAGE POSTER  
(DLLR/DUI 6116)

**TO BE POSTED**  
**HEALTH INSURANCE COVERAGE**

You and other members of your family may be eligible under Maryland law to continue to be covered by your former employer's health insurance policy if:

- ◇ You quit your job or you were terminated from your employment for a reason other than for cause; and
- ◇ You are covered by your employer under a group hospital-medical policy or a health maintenance organization (HMO) for at least three (3) months prior to being separated from your employment; and
- ◇ You do not have other similar insurance.

If you wish to continue your health insurance, you **MUST** give your employer written notice no later than forty-five (45) days after your last day of work.

**IMPORTANT:**

You will be responsible for paying the entire cost of the health insurance policy.

For further information about the program, you should contact your employer, or if necessary, telephone the Insurance Administration in Baltimore at (410) 468-2244 or 1-800-492-6116 (Ext. 2244).

State of Maryland  
Department of Labor, Licensing and Regulation

**THIS NOTICE APPLIES TO STATE LAW.**  
**YOU MAY HAVE BROADER BENEFITS UNDER FEDERAL LAW.**

**TO BE POSTED**

**REQUEST FOR WAGE ADJUSTMENT**  
(DLLR/DUI 21)



Division of Unemployment Insurance  
Accounts Receivable Unit – Room 415  
1100 North Eutaw Street  
Baltimore, Maryland 21201

I-800-492-5524 Ext. 2410  
Local: 410-767-2410  
Fax: 410-767-2680

Federal Number: \_\_\_\_\_ - \_\_\_\_\_

**Request for Wage Adjustment**  
(A Separate Form Must Be Submitted For Each Quarter)

Gentlemen:

Request is hereby made for an adjustment to my account for the following reason(s): \_\_\_\_\_

AMOUNT OF REMITTANCE: (If Applicable) \$ _____		FOR THE QUARTER ENDING:	
EMPLOYER ACCOUNT NUMBER: 00 _____			
<b>ITEM</b>	<b>AMOUNT REPORTED</b>	<b>CORRECTED AMOUNT</b>	<b>DIFFERENCE (+ OR -)</b>
Total Wages			
Excess Wages			
Taxable Wages			
X Tax Rate	. _____	. _____	. _____
Contributions (Tax)			
*Interest should be calculated at .5% per month from the quarterly due date.		<b>INTEREST DUE</b>	\$ _____
<b>(Make your check payable to Maryland Unemployment Insurance Fund)</b>		<b>TOTAL</b>	\$ _____

**WAGE DETAIL**

(If more space is needed, please send on additional blank sheets.)

SOCIAL SECURITY NUMBER	EMPLOYEE NAME	AMOUNT REPORTED	CORRECT AMOUNT	DIFFERENCE (+ OR -)

Firm Name: \_\_\_\_\_

Signature: \_\_\_\_\_  
(State whether individual, owner, partner – title, if officer of Corporation)

Date: \_\_\_\_\_

<b>FOR INTERNAL USE ONLY</b>
_____ (Account Adjusted By)

DLLR Home Page: <http://www.dllr.state.md.us>

E mail: [uiacctrec@dllr.state.md.us](mailto:uiacctrec@dllr.state.md.us)

LARRY HOGAN, GOVERNOR

BOYD K. RUTHERFORD, LT. GOVERNOR

DLLR/DUI 21 (Revised 1-19)

## DEPARTMENT OF LABOR, LICENSING AND REGULATION

Division of Unemployment Insurance Directory  
1100 North Eutaw Street  
Baltimore, MD 21201

**EMPLOYERS' LINE** – Use to obtain information about the 1-800-492-5524  
Unemployment Insurance Program or go to website [www.mdunemployment.com](http://www.mdunemployment.com) (410) 949-0033

**TOLL-FREE UI FRAUD HOTLINE** 1-800-492-6804

**CLAIMANT INFORMATION SERVICE** Outside Baltimore 1-800-827-4839  
Check information and filing bi-weekly Telecerts Other States & Baltimore (410) 949-0022  
TTY Other States & Baltimore MD Relay 711  
TTY Outside Baltimore MD Relay 711

**MARYLAND EMPLOYMENT SERVICE INFORMATION** (410) 767-2021  
TTY users call via the Maryland Relay Service 711

Assistant Secretary	Room 508	(410) 767-2444	Fax (410) 333-7099
Lower Appeals Division	Room 511	(410) 767-2421	Fax (410) 767-2532
Board of Appeals	Room 515	(410) 767-2781	
Director of Contributions (Tax)	Room 414	(410) 767-2488	Fax (410) 767-2501
Work Sharing	Room 522	(410) 767-2613	

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### UNEMPLOYMENT INSURANCE CLAIM CENTERS

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College Park (301) 313-8000  
Claim Center 1-877-293-4125  
P.O. Box 1901 Fax (301) 313-8101  
College Park, MD 20740-1423

Cumberland (301) 723-2000  
Claim Center 1-877-293-4125  
P.O. Box 1717 Fax (301) 777-5978  
Cumberland, MD 21501

Salisbury (410) 334-6800  
Claim Center 1-877-293-4125  
P.O. Box 4278 Fax (410) 543-6646  
Salisbury, MD 21803

Towson (410) 853-1600  
Claim Center 1-877-293-4125  
P.O. Box 9756 Fax (410) 853-1668  
Towson, MD 21284-9756

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**SEE "INSIDE BACK COVER" FOR LOCATION OF JOB SERVICE OFFICES  
CLAIMS BY PHONE FOR SPANISH SPEAKING POPULATION (301) 313-8000**

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## **GUIDELINES FOR PRE-EMPLOYMENT INQUIRIES**

(Interview and Applications for Employment)

Employers wanting to select qualified and capable individuals through effective, fair and lawful recruitment and selection processes are sometimes confused about the legality or appropriateness of some pre-employment inquiries. Although determining appropriate and nondiscriminatory questions to ask when conducting pre-employment interviews or to include on employment applications is not always an easy task, there are laws, guidelines and policies which provide guidance in this area.

This will provide summaries of some related points made in relevant State and federal equal employment opportunity laws and guidelines (primarily Title VII of the Civil Rights Act of 1964, as amended, the Equal Employment Opportunity Commission's (EEOC) 1981 Pre-Employment Inquiries Guidelines, the Americans with Disabilities Act of 1990 (ADA) and Article 49B of the Annotated Code of Maryland). For additional guidance, refer to the Maryland Human Relations Commission's Guidelines on Employee Selection Procedures and the EEOC's Technical Assistance Guide on the Employment Provisions of Title I of ADA.

### **General Points to Remember / Employers Should:**

- Standardize and Structure the Selection Process.
- Determine Essential Requirements of the job before recruiting and interviewing.
- Develop Written, Job Related Position Descriptions which detail these essential requirements.
- Prepare Written Questions.
- Ask only those Questions Necessary to Determine Qualifications and Suitability, and ask all questions of all applicants/candidates.
- Maintain Job Related Documentation.

### **General Questions Employers Should Ask Themselves:**

- Will the answers to this question, if used in making a selection, have a disparate effect in screening out minorities or members of one sex?
- Will the response to this question screen out qualified candidates because of their disability before their actual ability to do the job is evaluated?
- Is this information really necessary to judge an applicant's competence or qualifications for the job in question?
- Is this question permitted on the basis of a bona fide occupational qualification?
- Is the employer a federal contractor or program subject to special employment/selection guidelines?
- Is the job part of a special affirmative action hiring program or consent decree and therefore subject to special employment/selection considerations?

### **SUBJECT: AGE**

#### **LAWFUL INQUIRIES/REQUIREMENTS**

Whether the applicant meets the minimum age requirement set by law; if required as a Bona Fide Occupational Qualification (BFOQ); or After hire, if inquiry serves a legitimate record-keeping purpose.

#### **UNLAWFUL INQUIRIES/REQUIREMENTS**

That applicant state age or date of birth. That applicant produce proof of age (birth certificate, baptismal record). Specifications such as: "young", "college student", "recent college graduate", "retired person."

### **SUBJECT: ARREST AND CONVICTIONS**

#### **LAWFUL INQUIRIES/REQUIREMENTS**

Inquiries about convictions that bear a direct relationship to the job and have not been expunged or sealed by the courts. Consideration should be given to the nature, recentness and rehabilitation.

#### **UNLAWFUL INQUIRIES/REQUIREMENTS**

Inquiries about a candidate's general arrest and conviction record.

*This information Is Not A Substitute For Legal Advice.*

**SUBJECT: CITIZENSHIP, BIRTHPLACE**

LAWFUL INQUIRIES/REQUIREMENTS

After employment, verification of legal right to work (all new hires).

UNLAWFUL INQUIRIES/REQUIREMENTS

Whether applicant, parents or spouse are naturalized or native-born U.S. citizens. Birthplace of applicant, parents or spouse. Requirement that applicant produce naturalization papers.

**SUBJECT: DEPENDENTS**

LAWFUL INQUIRIES/REQUIREMENTS

UNLAWFUL INQUIRIES/REQUIREMENTS

Inquiries regarding: the number and ages of children; what child care arrangements have been made; family planning.

**SUBJECT: DISABILITY**

LAWFUL INQUIRIES/REQUIREMENTS

Whether applicant is able to perform the essential functions of the job with or without reasonable accommodation. That applicant demonstrate how she/he would perform the job and with what accommodation(s). After a job offer, but before hire, require medical examination for all similarly situated entering employees.

UNLAWFUL INQUIRIES/REQUIREMENTS

Requirement that applicant take medical examination or provide information about workers' compensation claim(s) before a job offer. General inquiries into the applicant's state of health or the nature and severity of a disability.

**SUBJECT: DRIVER'S LICENSE**

LAWFUL INQUIRIES/REQUIREMENTS

Inquiry if driving is necessary to the job.

UNLAWFUL INQUIRIES/REQUIREMENTS

Inquiring if all applicants have a valid driver's license regardless of job.

**SUBJECT: MARITAL STATUS**

LAWFUL INQUIRIES/REQUIREMENTS

UNLAWFUL INQUIRIES/REQUIREMENTS

Whether applicant is: single, married, divorced, widowed, etc.; Mr., Mrs., Miss, Ms. Inquiries regarding the names and ages of spouse or children.

**SUBJECT: MILITARY SERVICE**

LAWFUL INQUIRIES/REQUIREMENTS

Job related inquiries into military experience in the U.S. Armed Forces or state militia (e.g. branch, occupational specialty).

UNLAWFUL INQUIRIES/REQUIREMENTS

Inquiries regarding foreign military experience. Whether honorably discharged.

**SUBJECT: NAME**

LAWFUL INQUIRIES/REQUIREMENTS

Whether the applicant has used another name (for the purpose of verifying past work record).

UNLAWFUL INQUIRIES/REQUIREMENTS

Inquiries or comments about the name which would reveal applicant's lineage, national origin, marital status, etc. (e.g. maiden name?) Mr., Mrs., Miss, Ms.?

**SUBJECT: NATIONAL ORIGIN**

LAWFUL INQUIRIES/REQUIREMENTS

What languages applicant reads, speaks or writes fluently if relevant to the job or if required as a Bona Fide Occupational Qualification.

UNLAWFUL INQUIRIES/REQUIREMENTS

Inquiries regarding: applicant's nationality, ancestry, lineage or parentage; nationality of applicant's parents or spouse; maiden name of applicant, wife or mother.



**SUBJECT: PHOTOGRAPH**

LAWFUL INQUIRIES/REQUIREMENTS

May be requested after hire (for identification).

*UNLAWFUL* INQUIRIES/REQUIREMENTS

Request before hire.

**SUBJECT: POLYGRAPH, LIE DETECTOR**

LAWFUL INQUIRIES/REQUIREMENTS

*UNLAWFUL* INQUIRIES/REQUIREMENTS

Require test to be taken as a condition of employment.

**SUBJECT: PROFESSIONAL ASSOCIATIONS**

LAWFUL INQUIRIES/REQUIREMENTS

Inquiries regarding memberships in job-related clubs and organizations. Applicants may omit those which reveal the race, religion, age, sex, disability, etc. of applicant.

*UNLAWFUL* INQUIRIES/REQUIREMENTS

Requesting the names of all organizations, clubs, associations to which the applicant belongs. Inquiries regarding how the applicant spends his/her spare time.

**SUBJECT: RACE, COLOR**

LAWFUL INQUIRIES/REQUIREMENTS

*UNLAWFUL* INQUIRIES/REQUIREMENTS

Inquiries regarding: applicant's race; color of applicant's skin, eyes, hair or other questions directly or indirectly indicating race or color; applicant's height (unless a Bona Fide Occupational Qualification).

**SUBJECT: REFERENCES**

LAWFUL INQUIRIES/REQUIREMENTS

Inquiring by whom was applicant referred. Requesting names of persons willing to provide professional or character references. Making job related inquiries of references.

*UNLAWFUL* INQUIRIES/REQUIREMENTS

Requiring the submission of religious references. Inquiries of references which would elicit information on applicant's race, color, national origin, age, marital status, disability or sexual orientation.

**SUBJECT: RELIGION**

LAWFUL INQUIRIES/REQUIREMENTS

Inquiries regarding the normal hours of work. After hire, inquiries regarding religious accommodations.

*UNLAWFUL* INQUIRIES/REQUIREMENTS

Inquiries regarding applicant's religious denomination or affiliation or religious holidays observed. Any inquiry which would indicate or identify religious customs or holidays observed.

**SUBJECT: SEX**

LAWFUL INQUIRIES/REQUIREMENTS

Inquiry only if required as a Bona Fide Occupational Qualification.

*UNLAWFUL* INQUIRIES/REQUIREMENTS

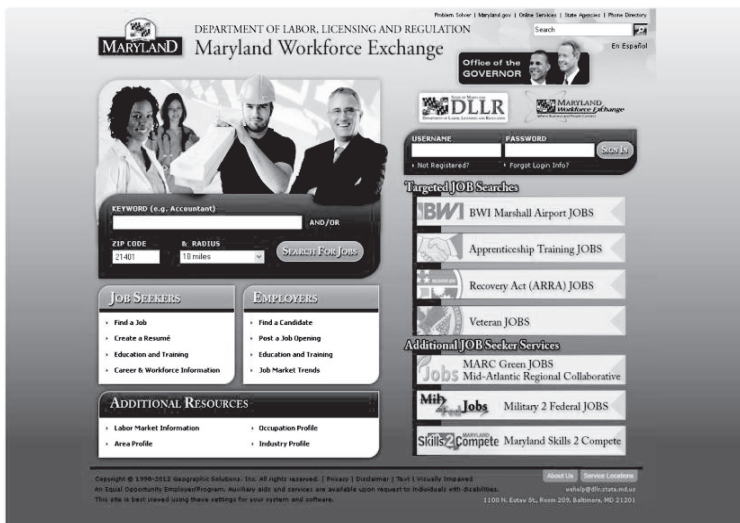
Inquiries regarding: applicant's sex; Mr., Mrs., Miss, Ms.; if applicant is expecting, planning a family or uses birth control.

**SUBJECT: SEXUAL ORIENTATION**

LAWFUL INQUIRIES/REQUIREMENTS

*UNLAWFUL* INQUIRIES/REQUIREMENTS

Any inquiry concerning an applicant's heterosexuality, homosexuality or bisexuality.



**Manage your company's hiring needs with the newly enhanced Maryland Workforce Exchange!**  
**mwejobs.maryland.gov**

- Administer your entire hiring process at no cost online at your One Stop Career Center or "24/7" via the Internet
- Reach today's top talent including recent training graduates to staff your job or business
- Gain maximum exposure for your job openings
- Obtain quick access to current economic and real-time local job market data

**If you are seeking to expand your business in Maryland, the Maryland Workforce Exchange allows you to:**

- Create and manage your own recruitment strategy online through your own business folder
- Maintain a database of favorite candidates and rank them using the automated system
- Search the job seeker pool for potential candidates and track those who are referred to your job openings
- Create and maintain multiple job offerings
- Sign-up for workshops or business seminars offered in your community
- Access local economic and real-time labor force data
- Find business and economic development resources to help your business grow

**The Maryland Workforce Exchange has enhanced the services your business can receive from your One Stop Career Center staff by enabling them to:**

- Manage services provided to their business accounts
- Coordinate employer contacts and services
- Post and manage job offerings on behalf of business customers
- Create and manage workshops or seminars that are targeted to local businesses
- Develop customized labor market information materials

**For more information, contact your local One Stop Career Center listed on the back cover of this flyer or visit the DLLR website at:**

**[dllr.maryland.gov](http://dllr.maryland.gov)**



STATE OF MARYLAND

# DLLR

DEPARTMENT OF LABOR, LICENSING AND REGULATION

## JOB ORDER FORM

### **EMPLOYER DATA:**

Company Name: \_\_\_\_\_ Telephone: \_\_\_\_\_

Street: \_\_\_\_\_ Fax: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_ URL: \_\_\_\_\_

Contact Person: \_\_\_\_\_ E-mail: \_\_\_\_\_

Type of Business: \_\_\_\_\_ FEIN # (Required): \_\_\_\_\_

Are you a federal contractor? Yes \_\_\_ No \_\_\_

### **JOB DATA:**

Job Title: \_\_\_\_\_ No. of Openings: \_\_\_\_\_

Salary: \_\_\_\_\_ per \_\_\_\_\_ No. of Applicants Needed: \_\_\_\_\_ Training Available: Yes \_\_\_ No \_\_\_

Part Time / Full Time Temp / Perm Hours per Week: \_\_\_\_\_ Minimum Age: \_\_\_\_\_

Days to be Worked: \_\_\_\_\_ Hours to be Worked: \_\_\_\_\_

Experience: (years) \_\_\_\_\_ (month) \_\_\_\_\_ Min. Education Req'd: \_\_\_\_\_ Licenses(s) Req'd: \_\_\_\_\_

Physical Demands of Job (circle): Light Medium Heavy Indoors Outdoors

Special Skills Req'd:  
\_\_\_\_\_  
\_\_\_\_\_

### **JOB DESCRIPTION:**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

### **APPLICATION PROCEDURES:**

Call for Appointment \_\_\_ Apply in Person \_\_\_ Fax/Mail Resume \_\_\_ E-mail Resume \_\_\_ Drug Test Req'd? Yes \_\_\_ No \_\_\_

Criminal Background Check: \_\_\_

When to Apply: \_\_\_\_\_ Closing date: \_\_\_\_\_ Job Reference #: \_\_\_\_\_ Attach Company Profile: \_\_\_\_\_

Testing Req'd: Yes \_\_\_ No \_\_\_ If yes, what type: \_\_\_\_\_

Type of Interview (circle): Phone One-on-One Group Written Oral

**THANK YOU FOR ALLOWING THE ONE STOP CAREER CENTER TO SERVE YOU!  
PLEASE ATTACH ADDITIONAL PAGES (INCLUDING PREPARED JOB DESCRIPTION) IF NEEDED.**

Auxiliary aids and services are available upon request to individuals with disabilities.

Name: \_\_\_\_\_

*Business Services Representative*

Address: \_\_\_\_\_

\_\_\_\_\_

Phone: \_\_\_\_\_

Fax: \_\_\_\_\_

Email: \_\_\_\_\_

Website: \_\_\_\_\_

**mwejobs.maryland.gov**

## **Employers:**

- Do you spend too much time screening resumes and applications?
- Do you find that many applicants are not really qualified?
- Are advertising costs increasing?
- Could your time be spent on more productive and cost-effective activities for your business?

## **The Solution:**



[mwejobs.maryland.gov](http://mwejobs.maryland.gov)

***Your local One Stop Career Center  
can save you time and money!  
Since your employer taxes have  
paid for this service, shouldn't you  
take advantage of it?***

## **Benefits to Employers at No Additional Cost:**

- Job openings listed on the Maryland Workforce Exchange Virtual One Stop (MWE-VOS) which allows a broader base of applicants to review your openings.
- Pre-screening of applicants.
- Assistance with any size recruitment effort from 1 to 5,000.
- Facilities available to use in recruitment efforts with access to telephones, fax, and copiers.
- Assistance with recruitment of veterans, minorities, and/or disabled to help meet EEO and affirmative action requirements.
- Labor market information and tax savings programs.

**Find out what the One Stop Career Centers can do for you!**

**Department of Labor, Licensing and Regulation (DLLR),  
Division of Workforce Development and Adult Learning (DWDAL), and  
Your local One Stop Career Center:**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Telephone: \_\_\_\_\_ Fax: \_\_\_\_\_

TTY users call via the Maryland Relay Service

E-mail: \_\_\_\_\_ Website: \_\_\_\_\_



The Maryland Department of Labor, Licensing and Regulation is an equal opportunity program.  
Auxiliary aids and services are available upon request to individuals with disabilities.

## AMERICAN JOB CENTERS (One Stop Career Centers) (33 Centers)

(E) = Aqui se habla español (11) (ESOL) = English Classes (7) (AE) = Adult Ed. Classes (1) (FS) = Full-Service Center (24) (S) = Satellite Center (8)

### ANNE ARUNDEL COUNTY

(FS) Glen Burnie American Job Center  
7480 Baltimore-Annapolis Boulevard, Suite 100  
Glen Burnie, MD 21061  
Hours: 8 AM - 4 PM, M-F  
Phone: 410-424-3240 / Fax: 410-508-2002

### (FS) Arnold American Job Center

1460 Ritchie Highway, Suite 207  
Arnold, MD 21012  
Hours: 8:30 AM - 4:30 PM, M-F  
Phone: 410-793-5635 / Fax: 410-793-5639

### (S) Ft. Meade Outreach Center

(for Military and Spouses) Bldg. 4432  
Fort Meade, MD 20755  
Hours: 8 AM - 4 PM, M-F  
Phone: 410-674-5240 / Fax: 410-672-3543

### (S) Arundel Mills Sales and Service

Training Center (Business Services only)  
7000 Arundel Mills Circle  
Hanover, MD 21076  
Hours: 8:30 AM - 4:30 PM, M-F  
Phone: 410-777-1845 / Fax: 410-799-4411

### (S) BWI Thurgood Marshall Airport

BWI Airport American Job Center  
P.O. Box 46024  
BWI Airport, MD 21240  
Hours: 11 AM - 4 PM  
Phone: 410-684-6838

### BALTIMORE CITY

(FS) Eastside American Job Center  
3001 E. Madison Street  
Baltimore, MD 21205  
Hours: 8:30 AM - 4:30 PM, M-W, F  
8:30 AM - 7 PM, Th  
Phone: 410-396-9030 / Fax: 410-396-4063

### (FS) Northwest American Job Center

(Re-entry Center) Mondawmin Mall  
2401 Liberty Heights Avenue, Suite 202  
Baltimore, MD 21215  
Hours: 8:30 AM - 4:30 PM, M, W-F  
8:30 AM - 7 PM, T  
Phone: 410-523-1060 / Fax: 410-523-0970

### BALTIMORE COUNTY

(E) (ESOL) (FS) Baltimore County Workforce  
Development Center at Eastpoint  
7930 Eastern Avenue  
Baltimore, MD 21224  
Hours: 8:30 AM - 4:30 PM (Computer lab 4 PM)  
Phone: 410-288-9050 / Fax: 410-288-9260

### (FS) Baltimore County Workforce Development

Center at the Liberty Center  
3637 Offutt Road  
Randallstown, MD 21133  
Hours: 8:30 AM - 4:30 PM  
Phone: 410-887-8912 / Fax: 410-496-3136

(FS) Baltimore County Workforce  
Development Center at Hunt Valley  
11101 McCormick Road, Suite 102  
Hunt Valley, MD 21031  
Hours: 8:30 AM - 4:30 PM  
(Computer Lab 4 PM)  
Phone: 410-887-7940 / Fax: 410-329-1317

### FREDERICK COUNTY

(FS) Frederick County Workforce Services  
Frederick County Business and Employment  
Center  
5340 Spectrum Drive, Suite A  
Frederick, MD 21703  
Hours: 8 AM - 6 PM, M-Th; 8 AM - 4 PM, F  
Phone: 301-600-2255 / Fax: 301-600-2906

### LOWER SHORE

(E) (ESOL) (AE) (FS) SOMERSET, WIC-  
OMICO, WORCESTER COUNTIES  
One Stop Job Market  
31901 Tri-County Way, Suite 111  
Salisbury, MD 21804  
Hours: 8 AM - 4 PM, M-F  
Phone: 410-341-8533 / Fax: 410-334-3454

### MID-MARYLAND

CARROLL COUNTY  
(E) (ESOL) (FS) Business & Employment  
Resource Center  
224 N. Center Street  
Westminster, MD 21157  
Hours: 8 AM - 4:30 PM, M-TH 8 AM-2 PM Fri  
Phone: 410-386-2820 / Fax: 410-876-2977

### HOWARD COUNTY

(E) (FS) Columbia Workforce Center  
7161 Columbia Gateway Drive, Suite D  
Columbia, MD 21046  
Hours: 8 AM - 4:30 PM, M-F  
Phone: 410-290-2600 / Fax: 410-312-0834

### MONTGOMERY COUNTY

(E) (ESOL) (FS) WorkSource Montgomery  
American Job Center  
Westfield Shopping Center  
South Office Building  
11002 Veirs Mill Road  
Wheaton, MD 20902  
Hours: 8:30 AM - 5 PM, M & W  
8:30 AM - 6 PM, T & Th; 8:30 AM - 3 PM, F  
Phone: 301-929-4350 / Fax: 301-929-4383

(E) (FS) WorkSource Montgomery  
Germantown American Job Center  
12900 Middlebrook Road  
Germantown, MD 20874  
Hours: 8:30 AM - 5 PM, M-Th; 8:30 AM-3, F  
Phone: 240-777-2050 / Fax: 240-777-2070

### PRINCE GEORGE'S COUNTY

(E) (ESOL) (FS)  
Prince George's American Job Center  
1801 McCormick Drive  
Largo, MD 20774  
Hours: 8 AM - 4:30 PM, M-Th; 8 AM - 2 PM, F  
Phone: 301-618-8425 / Fax: 301-386-5533

### (E) (FS) Laurel Regional Workforce Center

312 Marshall Avenue, 6<sup>th</sup> Floor  
Laurel, MD 20707  
Hours: 8 AM - 4:30 PM, M-Th  
8 AM - 2 PM, F  
Phone: 301-362-9708 / Fax: 301-362-9719  
301-362-9709 español

Professional Outplacement Assistance Center  
(POAC)  
312 Marshall Avenue, 6<sup>th</sup> Floor  
Laurel, MD 20707  
Hours: 8 AM - 4:30 PM, M-Th; 8 AM - 2 PM, F  
Phone: 301-362-1646 / Fax: 301-362-9719

### SOUTHERN MARYLAND

CALVERT COUNTY  
(S) Southern MD JobSource  
Louis L. Goldstein Multi-Purpose Center  
200 Duke Street, Room 1400  
Prince Frederick, MD 20678  
Hours: 8 AM - 4 PM, M-F  
Phone: 443-550-6750 / Fax: 301-855-1961

### (E) (FS) CHARLES COUNTY

Southern MD JobSource  
175 Post Office Road  
Waldorf, MD 20602  
Hours: 8 AM - 4 PM, M-F  
Phone: 301-645-8712 / Fax: 301-645-8713

### SAINT MARY'S COUNTY

(S) Southern MD JobSource  
21795-F N. Shangri-La Drive  
Lexington Park, MD 20653  
Hours: 8:30 AM - 4 PM, M-F  
Phone: 301-844-6404 / Fax: 240-237-8384

### SUSQUEHANNA REGION

HARFORD COUNTY  
(FS) Susquehanna Workforce Center - Bel Air  
Mary Risteau Building  
2 South Bond Street, Suite 204  
Bel Air, MD 21014  
Hours: 8 AM - 4:30 PM, M-F  
Phone: 410-836-4603 / Fax: 410-836-4640

### (FS) Susquehanna Workforce Center

University Center  
1201 Technology Drive  
Aberdeen, MD 21001  
Hours: 8 AM - 4:30 PM, M-F  
Phone: 410-272-5400 / 443-327-8763

### CECIL COUNTY

(FS) Susquehanna Workforce Center - Elkton  
1275 West Pulaski Hwy, Elkton, MD 21921  
Hours: 8 AM - 4:30 PM, M-F  
Phone: 410-996-0550 / Fax: 410-996-0555

### UPPER SHORE

CAROLINE COUNTY  
(S) Caroline County American Job Center  
P.O. Box 400  
300 Market Street  
Denton, MD 21629  
Hours: 8:30 AM - 4 PM, M-W-Th  
Phone: 410-819-4549 / Fax: 410-819-4503

### DORCHESTER COUNTY

(FS) Dorchester County Career Center  
627A Race Street  
Cambridge, MD 21613  
Hours: 8 AM - 4 PM, M-F  
Phone: 410-901-4250 / Fax: 410-221-1817

### KENT COUNTY

(FS) Kent County American Job Center  
118A Lynchburg Street  
Chestertown, MD 21620  
Hours: 8 AM - 4 PM, M-W-Th-F  
Phone: 410-778-3525 / Fax: 410-778-3527

### QUEEN ANNE'S COUNTY

(S) Queen Anne's County Career Center  
125 Comet Drive  
Centreville, MD 21617  
Hours: 8 AM - 4 PM, T-W  
Phone: 410-758-8044 / Fax: 410-758-8113

### (E) (ESOL) (FS) TALBOT COUNTY

Talbot County American Job Center  
301 Bay Street, Suite 301  
Easton, MD 21601  
Hours: 8 AM - 4 PM, M-F  
Phone: 410-822-3030 / Fax: 410-820-9966

### WESTERN MARYLAND

ALLEGANY COUNTY  
(FS) Allegany County American Job Center  
138 Baltimore Street, Suite 102  
Cumberland, MD 21502  
Hours: 8 AM - 4 PM, M-F  
Phone: 301-777-1221 / Fax: 301-784-1702

### GARRETT COUNTY

(S) Western Maryland Consortium  
Garrett County Office  
215 South Third Street  
P.O. Box 516  
Oakland, MD 21550  
Hours: 8 AM - 4 PM, M-F  
Phone: 301-334-8136 / Fax: 301-359-0324

### (E) (FS) WASHINGTON COUNTY

Washington County American Job Center  
14 N. Potomac Street, Suite 100  
Hagerstown, MD 21740  
Hours: 8 AM - 4 PM, M-W, F  
8 AM - 3 PM, Th  
Phone: 301-393-8200 / Fax: 301-791-4673



[dllr.maryland.gov](http://dllr.maryland.gov)



[mwejobs.maryland.gov](http://mwejobs.maryland.gov)



A proud partner of the [americanjobcenter](http://americanjobcenter.org) network

[MDJobsNow.com](http://MDJobsNow.com)

"Maryland's American Job Center system, a proud partner of the American Job Center network, is an equal opportunity employer/program committed to diversity in the workplace. We do not discriminate on the basis of race, religion, color, sex, age, sexual orientation, national origin, or disability. Please contact a local American Job Center to make arrangements for auxiliary aids, interpreter services, and reasonable accommodations."

Revised 05/24/2016

State of Maryland  
Department of Labor, Licensing & Regulation  
1100 North Eutaw Street  
Baltimore, MD 21201-2298