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RULE ADOPTIONS

**LABOR AND WORKFORCE DEVELOPMENT
DIVISION OF UNEMPLOYMENT INSURANCE**

47 N.J.R. 651(a)

Adopted Amendment: N.J.A.C. 12:17-4.3

Reporting Requirements; Eliminating References to Claimants' Receipt of Written Certifications

Proposed: June 16, 2014, at *46 N.J.R. 1408(a)*.

Adopted: February 20, 2015, by Harold J. Wirths, Commissioner, Department of Labor and Workforce Development.

Filed: February 20, 2015, as R.2015 d.042, **without change**.

Authority: *N.J.S.A. 43:21-7.g.*

Effective Date: March 16, 2015.

Expiration Date: December 10, 2015.

Summary of Hearing Officer's Recommendations and Agency's Response:

A public hearing regarding the proposed amendment was held on July 8, 2014, at the Department of Labor and Workforce Development. David Fish, Executive Director, Legal and Regulatory Services, was available to preside at the public hearing and to receive testimony regarding the proposed amendment. There were no attendees at the public hearing and no written comments were submitted directly to the Office of Legal and Regulatory Services. Therefore, the hearing officer recommended that the Department proceed with the amendment without change.

Summary of Public Comment and Agency Response:

No comments were received.

Federal Standards Statement

The adopted amendments do not exceed standards or requirements imposed by Federal law. Specifically, the adopted amendments are consistent with the Federal Unemployment Tax Act, *26 U.S.C. §§ 3301 et seq.*, and the regulations promulgated in accordance therewith. Consequently, a Federal standards analysis is not required.

Full text of the adoption follows:

12:17-4.3 Reporting requirements for claiming completed weeks of unemployment benefits, employment services appointments, and other appointments

(a) (No change.)

(b) A claimant shall be issued written instructions, which shall indicate when and how the individual is to claim benefits, including when and how the individual is to claim continued benefits.

(c) Reporting by telephone to claim continued benefits requires the claimant to telephone the "State of New Jersey Unemployment Certification System" to claim a completed, designated, benefit period as indicated on the written instructions referred to in (b) above. Reporting via an Internet application means on the web form prescribed by the Division. An individual shall be ineligible for benefits unless the claimant completes a certification telephone call or an Internet application during the assigned week as directed by the Division, or within 21 calendar days of the last day of the designated benefit period. For the purposes of this section, a "designated benefit period" is the two consecutive calendar weeks that can be claimed for payment and which ends on the Saturday of the second week.

(d) When a claimant who reports by telephone, or by Internet application, and who, at the completion of the call, is directed to report to the Division in person, he or she shall be ineligible for benefits unless he or she reports in person or otherwise contacts the office within the 21 calendar days following the attempt to claim benefits by telephone or shows good cause as defined in *N.J.A.C. 12:17-4.1* for failing to do so.

Recodify existing (d)-(f) as (e)-(g) (No change in text.)

(h) A claimant who fails to comply with reporting requirements by any method directed by the Division shall report to the Division to claim benefits. Unless the claimant has "good cause," as defined in *N.J.A.C. 12:17-4.1*, for failing to report timely by the method directed by the Division, the claimant shall be ineligible for benefits for the designated benefit period.