

## Ohio Unemployment Program Policy

### Qualifying Week, Average Weekly Wage, and Weekly Benefit Amount

Effective Date: 6/16/2025

#### Purpose

Provide guidance to OUIO staff in determining if an individual has met the wage and week requirements to establish a valid application.

#### Reference

Ohio Revised Code 4141.01	<a href="#">Section 4141.01 - Ohio Revised Code   Ohio Laws</a>
Ohio Revised Code 4141.30(B)	<a href="#">Section 4141.30 - Ohio Revised Code   Ohio Laws</a>
Ohio Revised Code 4141.30(D)	
Ohio Revised Code 4141.29(D)	<a href="#">Section 4141.29 - Ohio Revised Code   Ohio Laws</a>
Ohio Revised Code 4141.29(J)	
Ohio Revised Code 4141.33(C)	<a href="#">Section 4141.33 - Ohio Revised Code   Ohio Laws</a>

#### Legal Requirements

Under Ohio law, to allow an application for unemployment benefits, the agency must have the facts to establish that an individual meets certain criteria. This section describes two of those criteria:

- The individual must have worked in covered employment in at least 20 qualifying weeks within the base period.
- In such weeks, the individual must have earned OR been paid remuneration at an average weekly wage of not less than 27.5 percent of the statewide average weekly wage.

**Note:** Refer to "Valid Application Requirements" for details on the other requirements to establish an allowed application.

#### Definitions

**Qualifying week.** Any calendar week in an individual's base period with respect to which the individual earns or is paid remuneration in covered employment. If an individual earns remuneration in a week, but the payment is not made within the base period, the week may be considered a qualifying week when necessary for the individual to qualify for benefit rights. The number of qualifying weeks in a calendar quarter shall not exceed the number of calendar weeks in the quarter.

**Average weekly wage.** The individual's total remuneration for all qualifying weeks in the base period divided by the number of qualifying weeks. If the result is not a multiple of one dollar, the result shall be rounded to the next lower multiple of one dollar. The base period average weekly wage must equal or exceed 27½ percent of the statewide average weekly wage.

The statewide average weekly wage is calculated annually by the director.

**Weekly benefit amount.** The amount of benefits an individual would be entitled to receive for one week of total unemployment. The claimant's weekly benefit amount is calculated based on his/her dependency class and average weekly wage. In no event can the weekly benefit amount exceed the maximum weekly benefit amount for each dependency class.

**Regular Base Period.** The first four of the last five completed calendar quarters immediately before the first day of an applicant's benefit year. Only wages earned or paid to individuals in covered employment in the base period can be used in determining benefit rights. The base period never includes more than four quarters.

**Alternate Base Period.** The four most recently completed calendar quarters preceding the first day of an individual's benefit year. The alternate base period is ONLY used if the individual does not have sufficient qualifying weeks and wages in the regular base period to qualify for benefit rights.

If the individual's weeks and wages for the most recent quarter of the alternate base period are not available from the employer's regular quarterly reports of wage information:

- The Director may base the determination of eligibility on a claimant's affidavit regarding the weeks and wages (claimant shall furnish available payroll documentation);
- The determination shall be amended if the employer's quarterly report of wage information is timely received AND causes a change in the determination.{4141.01(Q)}

**Maximum Weeks in the Quarter.** When the claimant worked for two or more base period employers, the number of qualifying weeks used to compute the monetary entitlement will be the total qualifying weeks reported by the employers for the quarter, but not to exceed the number of calendar weeks within the quarter. **For purposes of determining the weeks that comprise a completed calendar quarter, only those weeks ending at midnight Saturday within the calendar quarter shall be utilized.**

**No calendar quarter used in a regular or alternate base period can be used to establish a subsequent benefit year.**

**Total Benefits Payable.** The total benefits payable is calculated by multiplying the weekly benefit amount by the number of qualifying weeks worked in the claimant's base period. A claimant is only entitled to the maximum 26 weeks of benefits if they worked 26 weeks or more during the base period.

#### **Separtions due to dishonesty**

When a claimant is separated because of dishonesty in connection with the work from a base period employer on an initial claim, the weeks and wages earned with that employer are excluded from the monetary. The weeks and wages earned in such employment cannot be used to determine the validity of the application, the weekly benefit amount, or the total benefits payable. {4141.29(D)}

#### **Seasonal Employment**

A claimant who worked for a single, seasonal base period employer and whose employment with that employer was determined to meet the requirements of seasonal employment, can establish eligibility with less than 20 qualifying weeks.

The Director shall establish the proportionate number of weeks of employment and earnings required to qualify for seasonal, as opposed to regular, benefits; b. the proportionate number of weeks for which

seasonal benefits may be paid. {4141.33(C )}

#### **Aliens Unauthorized for Work**

When a claimant who is not a citizen of the U.S. files an application for benefits, the agency is required to verify the individual's legal status with the U.S. Citizenship and Immigration Service (USCIS).

If either a primary or additional verification finds that the claimant was not authorized to work during any part of the based period, any weeks and wages in which the claimant did not have authorization to work in the U.S. must be excluded. {4141.29(J)}

#### **Review**

This policy will be subject to periodic review to ensure alignment with federal, state, and organizational requirements.

#### **Change Log**

Published Date	Status (Baseline, Revision, Deletion)	Document Version	Page(s) Affected	Description of Revision	Author
9/1/2024	Baseline	Vs.1	NA	Draft	ABW

#### **Questions?**

If you have questions, please call 1-877-644-6562 or complete either the Employer Inquiry or Claimant Inquiry form on our website at [Contact Us](#).