Benefits shall be adjusted so as to accord with such redetermination or decision.

[53 FR 27937, July 25, 1988, as amended at 71 FR 35514, June 21, 2006]

§ 615.6 Extended Benefits; weekly amount.

(a) Total unemployment. (1) The weekly amount of Extended Benefits payable to an individual for a week of total unemployment in the individual’s eligibility period shall be the amount of regular compensation payable to the individual for a week of total unemployment during the applicable benefit year. If the individual had more than one weekly amount of regular compensation for total unemployment during such benefit year, the weekly amount of extended compensation for total unemployment shall be one of the following which applies as specified in the applicable State law:
   (i) The average of such weekly amounts of regular compensation,
   (ii) The last weekly benefit amount of regular compensation in such benefit year, or
   (iii) An amount that is reasonably representative of the weekly amounts of regular compensation payable during such benefit year.

(2) If the method in paragraph (a)(1)(i) of this section is adopted by a State, the State law shall specify how such amount is to be computed. If the method in paragraph (a)(1)(i) of this section is adopted by a State, and the amount computed is not an even dollar amount, the amount shall be raised or lowered to an even dollar amount as provided by the applicable State law for regular compensation.

(b) Partial and part-total unemployment. The weekly amount of Extended Benefits payable for a week of partial or part-total unemployment shall be determined under the provisions of the applicable State law which apply to regular compensation, computed on the basis of the weekly amount of Extended Benefits payable for a week of total unemployment as determined pursuant to paragraph (a) of this section.

§ 615.7 Extended Benefits; maximum amount.

(a) Individual account. An Extended Benefit Account shall be established for each individual determined to be eligible for Extended Benefits, in the sum of the maximum amount potentially payable to the individual as computed in accordance with paragraph (b) of this section.

(b) Computation of amount in individual account. (1) The amount established in the Extended Benefit Account of an individual, as the maximum amount potentially payable to the individual during the individual’s eligibility period, shall be equal to the lesser of—
   (i) 50 percent of the total amount of regular compensation (including dependents’ allowances) payable to the individual during the individual’s applicable benefit year; or
   (ii) 13 times the individual’s weekly benefit amount referred to in (ii), reduced by the regular compensation paid (or deemed paid) to the individual during the individual’s applicable benefit year.

(2) If the State law so provides, the amount in the individual’s Extended Benefit Account shall be reduced by the aggregate amount of additional compensation paid (or deemed paid) to the individual under such law for prior weeks of unemployment in such benefit year which did not begin in an Extended Benefit Period.

(c) Changes in accounts. (1) If an individual is entitled to more or less Extended Benefits as a result of a redetermination or an appeal which awarded more or less regular compensation or Extended Benefits, an appropriate change shall be made in the individual’s Extended Benefit Account pursuant to an amended determination of the individual’s entitlement to Extended Benefits.

(2) If an individual who has received Extended Benefits for a week of unemployment is determined to be entitled
§ 615.8 Provisions of State law applicable to claims.

(a) Particular provisions applicable. Except where the result would be inconsistent with the provisions of the Act or this part, the terms and conditions of the applicable State law which apply to claims for, and the payment of, regular compensation shall apply to claims for, and the payment of, Extended Benefits. The provisions of the applicable State law which shall apply to claims for, and the payment of, Extended Benefits include, but are not limited to:

1. Claim filing and reporting;
2. Information to individuals, as appropriate;
3. Notices to individuals and employers, as appropriate;
4. Determinations, redeterminations, and appeal and review;
5. Ability to work and availability for work, except as provided otherwise in this section;
6. Disqualifications, including disqualifying income provisions, except as provided by paragraph (c) of this section;
7. Overpayments, and the recovery thereof;
8. Administrative and criminal penalties;
9. The Interstate Benefit Payment Plan;
10. The Interstate Arrangement for Combining Employment and Wages, in accordance with part 616 of this chapter.

(d) Reduction because of trade readjustment allowances. Section 233(d) of the Trade Act of 1974 (and section 204(a)(2)(C) of the Act), requiring a reduction of Extended Benefits because of the receipt of trade readjustment allowances, shall be applied as follows:

1. The reduction of Extended Benefits shall apply only to an individual who has not exhausted his/her Extended Benefits at the end of the benefit year;
2. The amount to be deducted is the product of the weekly benefit amount for Extended Benefits multiplied by the number of weeks for which trade readjustment allowances were paid (regardless of the amount paid for any such week) up to the close of the last week that begins in the benefit year; and
3. The amount to be deducted shall be deducted from the balance of Extended Benefits not used as of the close of the last week which begins in the benefit year.