



# Employee Guide To Unemployment/Sickness Benefits

U.S. Railroad Retirement Board

Office of the Labor Member

The Railroad Unemployment Insurance Act (RUIA) provides qualified railroad employees with benefits to restore part of their lost wages arising from periods of unemployment or sickness (including, for female employees, health conditions related to pregnancy, miscarriage, or childbirth).

Benefit payments are based on biweekly claims filed with the Railroad Retirement Board (RRB). The funds to pay unemployment and sickness benefits are provided by payroll taxes on railroad employers only. Employees do not pay unemployment insurance taxes. (\*UB-9 page 2)

The following describes the requirements for railroad unemployment and sickness benefits, the amounts payable, and how to claim them.

## How You Qualify

Payments are made for days of unemployment or sickness in a benefit year (which generally begins every July 1) to employees who had sufficient earnings in the preceding calendar year (called the base year) to meet the qualifying conditions. **To qualify in the benefit year that began July 1, 2022, you must have base year earnings of at least \$4,275 in calendar year 2021, counting no more than \$1,710 per month.** In the benefit year beginning July 1, 2023, these amounts will increase to \$4,387.50 and \$1,755, and they will then refer to annual and monthly earnings in calendar year 2022. If the base year was your first year of railroad service, you must also have worked in 5 months of that year. (UB-9 page 2)

## Amounts Payable

The maximum daily benefit rate payable in the benefit year that began July 1, 2022, is \$85 and, for biweekly claims, maximum benefits can total \$850. Please note that under provisions of the Budget Control Act of 2011 and a subsequent sequestration order, unemployment and sickness benefits have been reduced in the past years, most recently by 5.7 percent. Under the Continued Assistance to Rail Workers Act of 2020, beginning January 3, 2021, all benefits under the RUIA are exempt from sequestration until 30 days

after the Presidential declaration of a national emergency concerning COVID-19 terminates.

Unless benefits are being paid for an on-the-job injury, **sickness benefits** payable for the first 6 months after the month you last worked are subject to tier I railroad retirement taxes. This reduces the maximum biweekly sickness benefits payable to \$784.98 (less under sequestration).

Benefits are normally paid for the number of days of unemployment or sickness over 4 in 14-day **registration periods**. Initial sickness claims must also begin with 4 consecutive days of sickness. However, during the first 14-day claim period in a benefit year, benefits are only payable for each day of unemployment or sickness in excess of 7 which, in effect, results in a 1-week waiting period.

Separate waiting periods are required for unemployment and sickness benefits. Only one 7-day waiting period is required during any period of continuing unemployment or sickness, even if that period continues into a subsequent benefit year. (UB-9 pages 2-3)

## Duration Of Benefits

**Normal benefits** are paid for up to 130 days (26 weeks) in a benefit year. Benefit rights are exhausted when a benefit year ends (normally June 30) or earlier if benefit payments equal base year creditable earnings. Maximum normal benefits payable in the benefit year that began July 1, 2022, cannot exceed your railroad earnings in base year 2021, counting monthly earnings of up to \$2,209. In the benefit year beginning July 2023, monthly earnings up to \$2,267 in base year 2022 will be counted.

In order to qualify for normal unemployment benefits, you must not have voluntarily quit work without good cause and not have voluntarily retired.

If you have 10 or more years of service (at least 120 cumulative service months) and exhaust your normal unemployment or sickness benefits, or if you are not qualified for benefits in the current benefit year, you may, under certain circumstances, be eligible to receive **extended** or **accelerated** benefits. (UB-9 pages 3-4)

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*\*Additional information can be found on these pages of our Railroad Unemployment and Sickness Benefits (Form UB-9) publication.*

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## General Eligibility Requirements

To be eligible for **unemployment benefits**, you must be ready, willing, and able to work and be available for work. A *day of unemployment* is a day on which you meet these conditions and do not receive any pay, are not disqualified, and have properly registered for unemployment benefits.

To be eligible for **sickness benefits**, you must be unable to work because of illness or injury. A *day of sickness* is a day on which you meet this condition, and for which you do not receive any pay and have filed an application for sickness benefits including a statement of sickness signed by your doctor or other authorized individual. This statement provides evidence of your medical condition and its expected duration.

**You may not receive benefits for any day for which you receive pay.** This includes railroad and nonrailroad wages, salary, pay for time lost, pay while sick, dismissal allowances, most wage guaranty payments, scheduled vacation pay, holiday pay, military reservist pay, earnings from self-employment, or pay for work performed other than subsidiary remuneration.

Also, an **earnings test** is applied to unemployment claims. If a claimant's earnings for days worked, and/or days of vacation or paid leave, in a 14-day registration period are more than a certain indexed amount, no benefits are payable for any days of unemployment in that period. (UB-9 pages 4-6)

## How To Get Benefits

In order to receive unemployment benefits, you must file an application for benefits through the RRB's website, or by mail. To file electronically, you must first establish an online account by visiting **RRB.gov/myRRB**, and clicking on the button labeled **Sign in with login.gov**.

The RRB encourages employees to establish their myRRB accounts while still working to expedite the filing process for future unemployment benefits, and for access to other online services.

If you choose to file by mail, you must obtain an *Application for Unemployment Benefits* (Form UI-1) from RRB.gov, your employer or labor organization, or any RRB field office. The completed application should be mailed to your local RRB field office as soon as possible and, in any case, must be filed within 30 days of the date on which you became unemployed or the first day for which you wish to claim benefits. Benefits may be lost if the application is filed late.

Whether you file online or by mail, your local RRB field office will review the completed unemployment application and notify your current employer, and your base-year railroad employer if different. Your employer

has the right to provide information about your benefit application.

Biweekly claim forms are then made available for completion on the RRB's website and/or mailed to you, as long as you remain unemployed and eligible for benefits. Completed unemployment claims must be received by an RRB field office within 15 days of the end of the claim, or the date the claim form was made available online or mailed to you, whichever is later.

An *Application for Sickness Benefits* (Form SI-1a) can be obtained from RRB.gov, railroad employers, railroad labor organizations, or any RRB field office. Attached to each application is a *Statement of Sickness* (Form SI-1b) which must be completed by your doctor. An application and a doctor's statement of sickness are required at the beginning of each period of continuing sickness for which benefits are claimed. If you become unable to work because of sickness or injury, complete your application and take or send it to your doctor for completion of the statement of sickness.

Completed forms must be received by the RRB within 10 days of the first day for which you want to claim benefits. Once received, the RRB will review your application and statement of sickness to determine eligibility. Biweekly claim forms will then be made available for completion on the RRB's website and/or mailed to you, as long as you remain unable to work due to an illness or injury and are eligible for benefits.

Completed sickness claims must be received at the RRB within 30 days of the last day of the claim period, or within 30 days of the date the claim form was mailed to you or made available online, whichever is later. Benefits may be lost if an application or claim is filed late. (UB-9 pages 6-9)

**Note** that once you submit an unemployment or sickness claim online, all subsequent claim forms will be made available online only, and will no longer be mailed.

## For More Information

The material presented here is issued for the purpose of general information. Certain limitations, exceptions, and special cases are not covered. Publications covering benefits and other related topics are available online at **RRB.gov** under the **Benefits** tab of the main menu. For additional information and assistance, please contact your local RRB field office by calling us toll-free at **1-877-772-5772**. You can also find the address of the RRB office serving your area by calling this toll-free number, or by visiting RRB.gov and clicking on **Field Office Locator**. (UB-9 page 15)