

## **2.8 ELIGIBILITY REQUIREMENTS**

**2.8.4 Actively Seeking Work.** IN GENERAL, A CLAIMANT SHALL BE CONSIDERED TO BE ACTIVELY SEEKING WORK IF HE OR SHE IS FOLLOWING A COURSE OF ACTION REASONABLY DESIGNED TO RESULT IN PROMPT RE-EMPLOYMENT.

**.1 EVIDENCE OF WORK SEARCH.** ALTHOUGH A CLAIMANT SHALL NOT BE REQUIRED TO MAINTAIN A WRITTEN LOG OF HIS OR HER WORK SEARCH ACTIVITIES, A CLAIMANT SHALL, UPON REQUEST BY THE DIVISION, PROVIDE VERIFIABLE INFORMATION REGARDING THOSE ACTIVITIES FOR THE PURPOSE OF DETERMINING THE CLAIMANT'S ELIGIBILITY FOR A GIVEN WEEK. SUCH ACTIVITIES MAY INCLUDE, BUT ARE NOT LIMITED TO :

1. APPLYING FOR A JOB
2. INTERVIEWING FOR A JOB
3. TAKING AN EXAM REQUIRED AS PART OF THE APPLICATION PROCESS FOR A NEW JOB
4. CONTACTING AN EMPLOYER, WHOM THE CLAIMANT REASONABLY BELIEVES MAY HAVE AVAILABLE SUITABLE WORK, TO INQUIRE AS TO WHETHER THEY ARE HIRING.
5. BEING REFERRED TO A JOB BY A STATE WORKFORCE CENTER OR OTHER ENTITY WHICH PROVIDES SIMILAR SERVICES
6. CREATING A RESUME
7. ADDING A RESUME TO AN ONLINE JOB BOARD
8. ENGAGING IN DOCUMENTED USE OF ONLINE CAREER TOOLS
9. PARTICIPATION IN REEMPLOYMENT SERVICES AT A STATE WORKFORCE CENTER OR OTHER LOCATION WHERE SUCH SIMILAR SERVICES ARE PROVIDED
10. PARTICIPATION IN STATE-SPONSORED OR OTHER PROFESSIONAL JOB-RELATED EDUCATION OR SKILLS DEVELOPMENT
11. CREATING A USER PROFILE ON A PROFESSIONAL NETWORKING WEBSITE
12. PARTICIPATING IN NETWORKING EVENTS RELATED TO A JOB OR OCCUPATION FOR WHICH THE CLAIMANT IS REASONABLY QUALIFIED

**.2 NUMBER OF WORK SEARCH ACTIVITIES.** THE ACCEPTABLE NUMBER OF WORK SEARCH ACTIVITIES THAT THE CLAIMANT ENGAGES IN EACH WEEK SHALL BE DETERMINED BY THE DIVISION. IN DETERMINING THE ADEQUACY OF AN INDIVIDUAL'S WORK SEARCH ACTIVITIES, THE DIVISION, OR THE DIVISION'S DESIGNEE, WHICH MAY INCLUDE, BUT NOT BE LIMITED TO, A WORKFORCE CENTER, SHALL CONSIDER, BUT NOT BE LIMITED TO, A CONSIDERATION OF THE EMPLOYMENT OPPORTUNITIES IN THE CLAIMANT'S LABOR MARKET AREA, THE QUALIFICATIONS OF THE CLAIMANT, AND THE NORMAL PRACTICES AND CUSTOMARY METHODS FOR OBTAINING WORK. FAILURE TO COMPLETE THE REQUIRED NUMBER

OF WORK SEARCH ACTIVITIES MAY RESULT IN A DISALLOWANCE OF BENEFITS.

**.3 SEASONAL WORKER.** A CLAIMANT WHO IS SEASONALLY EMPLOYED IS NOT RELIEVED OF THE RESPONSIBILITY TO ENGAGE IN WORK SEARCH ACTIVITIES.

**.4 INCARCERATED WORKER.** A CLAIMANT WHO IS INCARCERATED AND WHO IS UNABLE TO SEEK WORK IS NOT ACTIVELY SEEKING WORK.

**.5 LIMITED JOB OPPORTUNITIES.** IF, DUE TO ECONOMIC CONDITIONS WITHIN THE LABOR-MARKET AREA, THE DIVISION DETERMINES THAT ANY EFFORT TO SEARCH FOR WORK WOULD BE FRUITLESS FOR THE CLAIMANT AND BURDENSOME TO EMPLOYERS, THEN REGISTERING FOR WORK AS DIRECTED BY THE DIVISION SHALL CONSTITUTE AN ACTIVE SEARCH FOR WORK.

**.6 PART-TIME WORKER.** WHETHER A PART-TIME WORKER IS ACTIVELY SEEKING WORK SHALL BE DETERMINED IN ACCORDANCE WITH REGULATION 2.2.

**.7 SELF-EMPLOYMENT.** WHETHER AN INDIVIDUAL ENGAGED IN SELF-EMPLOYMENT ACTIVITIES IS ACTIVELY SEEKING WORK SHALL BE DETERMINED IN ACCORDANCE WITH REGULATION 2.5.

**.8 QUALIFYING JOB SEPARATION AS A SURVIVING MILITARY SPOUSE.** THE DIVISION SHALL WAIVE THE REQUIREMENT TO ACTIVELY SEEK WORK FOR A CLAIMANT WHO RELOCATES TO A NEW PLACE OF RESIDENCE BECAUSE OF THE DEATH OF A SPOUSE IN COMBAT, PROVIDED THAT THE CLAIMANT IS AVAILABLE FOR SUITABLE WORK AND THAT THE INDIVIDUAL CLAIMANT'S SPOUSE AT THE TIME OF DEATH HAD BEEN A MEMBER OF THE UNITED STATES ARMED FORCES ON ACTIVE DUTY AS DEFINED IN 10 U.S.C. SEC. 101(D)(1), ACTIVE GUARD AND RESERVE DUTY AS DEFINED IN 10 U.S.C. SEC. 101 (D)(6), OR TITLE 10 OR 32 OF THE UNITED STATES CODE. THIS WAIVER SHALL BE EFFECTIVE FOR A PERIOD OF FOUR WEEKS, BEGINNING IN THE WEEK IN WHICH THE CLAIMANT RELOCATES TO THE NEW PLACE OF RESIDENCE. THIS PERIOD MAY BE EXTENDED, HOWEVER, IF THE DIVISION DETERMINES THAT DOING SO IS NECESSARY TO SERVE THE SOCIAL AND ECONOMIC PURPOSES OF THE ACT. THEREAFTER, THE CLAIMANT SHALL BE REQUIRED TO ACTIVELY SEEK WORK IN ACCORDANCE WITH THIS PART II.

**2.8.5 Reemployment Services.** A claimant who fails to participate in reemployment services, after having been determined likely to exhaust regular benefits and to need such services pursuant to an identification system established by the director of the division, shall be ineligible to receive benefits with respect to any week unless it is determined that:

- .1 The individual has completed such services; or
- .2 There is good cause for the claimant's failure to participate in such services.