



Notice of Intent to Adopt Rules

A copy of the proposed rules may be obtained at <https://rules.wyo.gov>

Revised August 2023

1. General Information

a. Agency/Board Name*		
b. Agency/Board Address	c. City	d. Zip Code
e. Name of Agency Liaison	f. Agency Liaison Telephone Number	
g. Agency Liaison Email Address		
h. Date of Public Notice	i. Comment Period End Date	
j. Public Comment URL or Email Address:		
k. Program		
Amended Program Name (if applicable):		
* ☐ By checking this box, the agency is indicating it is exempt from certain sections of the Administrative Procedure Act including public comment period requirements. Please contact the agency for details regarding these rules.		

2. Legislative Enactment For purposes of this Section 2, "new" only applies to regular non-emergency rules promulgated in response to a Wyoming legislative enactment not previously addressed in whole or in part by prior rulemaking and does not include rules adopted in response to a federal mandate.

a. Are these non-emergency regular rules new as per the above description and the definition of "new" in Chapter 1 of the Rules on Rules?

☐ No. ☐ Yes. If the rules are new, please provide the Legislative Chapter Number and Year Enacted:	Chapter:	Year:
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3. Rule Type and Information For purposes of this Section 3, "New" means an emergency or regular rule that has never been previously created.

a. Provide the Chapter Number, Title and Proposed Action for Each Chapter. Please use the "Additional Rule Information" form to identify additional rule chapters.

Chapter Number:	Chapter Name:	☐ New ☐ Amended ☐ Repealed
Amended Chapter Name (if applicable):		
Chapter Number:	Chapter Name:	☐ New ☐ Amended ☐ Repealed
Amended Chapter Name (if applicable):		
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Amended Chapter Name (if applicable):		
Chapter Number:	Chapter Name:	☐ New ☐ Amended ☐ Repealed
Amended Chapter Name (if applicable):		

4. Public Comments and Hearing Information

a. A public hearing on the proposed rules has been scheduled. ☐ **No.** ☐ **Yes. Please complete the boxes below.**

Date:	Time:	City:	Location:

b. What is the manner in which interested persons may present their views on the rulemaking action?

☐ By submitting written comments to the Agency at the physical and/or email address listed in Section 1 above.

☐ At the following URL: _____

A public hearing will be held if requested by 25 persons, a government subdivision, or by an association having not less than 25 members. Requests for a public hearing may be submitted:

☐ To the Agency at the physical and/or email address listed in Section 1 above.

☐ At the following URL: _____

c. Any person may urge the Agency not to adopt the rules and request the Agency to state its reasons for overruling the consideration urged against adoption. Requests for an agency response must be made prior to, or within thirty (30) days after adoption, of the rule, addressed to the Agency and Agency Liaison listed in Section 1 above.

5. Federal Law Requirements

a. These rules are created/amended/repealed to comply with federal law or regulatory requirements. ☐ **No.** ☐ **Yes. Please complete the boxes below.**

Applicable Federal Law or Regulation Citation:	
	Indicate one (1): ☐ The proposed rules meet, but do not exceed, minimum federal requirements. ☐ The proposed rules exceed minimum federal requirements.
	Any person wishing to object to the accuracy of any information provided by the Agency under this item should submit their objections prior to final adoption to: ☐ To the Agency at the physical and/or email address listed in Section 1 above. ☐ At the following URL: _____

6. State Statutory Requirements

a. Indicate one (1):

☐ The proposed rule change *MEETS* minimum substantive statutory requirements.

☐ The proposed rule change *EXCEEDS* minimum substantive statutory requirements. Please attach a statement explaining the reason that the rules exceed the requirements.

b. ☐ The Agency has completed a takings assessment as required by W.S. 9-5-304. A copy of the assessment used to evaluate the proposed rules may be obtained:

☐ By contacting the Agency at the physical and/or email address listed in Section 1 above.

☐ At the following URL: _____

7. Additional APA Provisions

a. Complete all that apply in regards to uniform rules:

☐ These rules are not impacted by the uniform rules identified in the Administrative Procedure Act, W.S. 16-3-103(j).

☐ The following chapters do not differ from the uniform rules identified in the Administrative Procedure Act, W.S. 16-3-103(j):

(Provide chapter numbers)

☐ These chapters differ from the uniform rules identified in the Administrative Procedure Act, W.S. 16-3-103(j) (see Statement of Principal Reasons).

(Provide chapter numbers)

b. Checklist

☐ The Statement of Principal Reasons is attached to this Notice and, in compliance with *Tri-State Generation and Transmission Association, Inc. v. Environmental Quality Council*, 590 P.2d 1324 (Wyo. 1979), includes a brief statement of the substance or terms of the rule and the basis and purpose of the rule.

☐ If applicable: In consultation with the Attorney General's Office, the Agency's Attorney General representative concurs that strike and underscore is not required as the proposed amendments are pervasive (Chapter 3, *Types of Rules Filings*, Section 1, Proposed Rules, of the Rules on Rules).

8. Authorization

a. I certify that the foregoing information is correct.

Printed Name of Authorized Individual

Title of Authorized Individual

Date of Authorization



Mark Gordon
Governor

State of Wyoming

Department of Workforce Services

Office of the Director
5221 Yellowstone Road
Cheyenne, Wyoming 82002
307-777-8650 • Fax: 307-777-5857
dws.wyo.gov



Elizabeth Gagen, J.D.
Director
Jason Wolfe
Deputy Director

Statement of Reasons

Unemployment Insurance: Chapters 6, 9, 20, and 24

On June 16, 2026, the Unemployment Insurance (UI) Commission reviewed and voted unanimously to proceed with updates to the UI program rules, chapters 6, 9, 20, and 24 at their public meeting. Therefore, in collaboration with the Department of Workforce Services Unemployment Insurance Division, the Commission proposes rule changes to modernize administrative procedures, clarify claimant requirements, and align agency operations with current technological and postal realities. These updates ensure the Division remains responsive to external logistical changes while maintaining a fair and efficient administrative process.

Chapter 6: Computing Time Limits and determining when documents are filed or payments made

To ensure fairness in the filing of payments, appeals, and reports, the Division is updating its "rebuttable presumption" timeframes for documents received with missing or illegible postmarks. The United States Postal Service (USPS) has modernized its operations by shifting from local postmarking to centralized regional sorting centers. This shift often results in a "postmark gap," where mail dropped in a local box is not officially stamped until it reaches a distant hub. To account for this delay, the Division is extending the presumption window for in-state mail from three (3) to five (5) working days, and for out-of-state mail from five (5) to seven (7) working days. This adjustment ensures constituents receive proper credit for the day they actually mailed their documents and are not penalized for logistical delays outside their control.

Chapter 9: Contributions by Employers

The Division is updating fiscal procedures to better manage employer accounts and third-party data. These changes require Division staff to suspend active account payments when an employer is subject to bankruptcy laws, ensuring compliance with legal requirements. Furthermore, for payments received via third-party bulk upload, processing will be suspended until staff complete a manual report review. Once the review is finalized, the payment is applied directly to the associated report, enhancing administrative accuracy and ensuring that funds are correctly allocated to the appropriate accounts.

Chapter 20: Claims for Benefits

To reflect the current technological landscape, the Division is removing all references to the obsolete telephone voice response system, which is no longer in use. Additionally, new language in Section 8 clarifies the legal weight of digital credentials. Under these updates, a claimant's unique login and password are officially recognized as the equivalent of a manual signature. This

change highlights that claimants are legally responsible for any activity performed under their credentials, even if they knowingly allow another individual to use their login information.

Chapter 24: Registration for Work, Able, Available and Actively Seeking Work

In an effort to reduce the Improper Payment Rate and to improve clarity and consistent enforcement, the Division is defining “work search.” These updates are in alignment with the technical assistance provided by the U.S. Department of Labor’s Benefit Accuracy Measurement (BAM) program and includes submitting a resume or application with two or more different employers each week or for two or more different job openings within the same employer each week. Further, it explains that a claimant may be excused if the claimant establishes “good cause” due to uncontrollable circumstances or specific industry hiring practices.

CHAPTER 6

COMPUTING TIME LIMITS AND DETERMINING WHEN DOCUMENTS ARE FILED OR PAYMENTS MADE

Section 1. Applicability. When the Wyoming Employment Security Law provides a deadline for filing appeals, paying contributions, making reports, or for any other purpose, the following rules apply:

(a) In Person. When a person makes a payment or files an appeal, report, or other document in person with a representative of the Division that payment or filing is deemed to occur the day the person physically delivers the document or payment into the hands of the Division representative authorized to receive it.

(b) By Mail. When a person makes a payment or files an appeal, report or other document with the Division by mail, that payment is deemed to be made or document is deemed to have been filed as of the postmark date on the envelope by which the payment or document is mailed. If the envelope containing the document or payment is no longer available or if the postmark is not legible, the document shall be presumed filed or payment made according to the following:

(i) If it was mailed in Wyoming, there shall be a rebuttable presumption that it was mailed ~~three~~five (5) working days prior to the date it was stamped received by the Division.

(ii) If it was mailed outside of Wyoming, there shall be a rebuttable presumption that it was mailed ~~five~~seven (7) working days prior to the date it was stamped received by the Division.

(c) By Fax. When a person files a protest, appeal, report or other document with the Division by fax, a rebuttable presumption shall exist that the document was filed as of the date it is stamped received by the Division. The fax must contain sufficient information to identify the party providing the information and the purpose for which it is intended. The party sending the fax assumes the risk of transmission errors or illegibility.

(d) By Internet Transmission. When a person files a claim, protest, appeal, report or other document using the internet website approved by the Division, documentation is deemed to have been filed on the date the Division's website application records the completed transmission.

(e) Hearing. Upon timely request or appeal, the person filing or paying in an apparently untimely manner shall be given a hearing on the question of the timeliness of his filing or paying.

(f) By Phone. When a person files a claim by phone with a representative of this Division, that claim is deemed to have been filed on the date the phone call occurred.

Section 2. Deadline on Saturday, Sunday, or Legal Holiday. When a deadline for making a payment ~~or~~for filing an appeal, report, or other document with the Division falls on Saturday, Sunday, or legal holiday, the deadline is extended to the next working day. However, such days shall otherwise be counted in computing time limits.

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(a) In Person. When a person makes a payment or files an appeal, report, or other document in person with a representative of the Division that payment or filing is deemed to occur the day the person physically delivers the document or payment into the hands of the Division representative authorized to receive it.

(b) By Mail. When a person makes a payment or files an appeal, report or other document with the Division by mail, that payment is deemed to be made or document is deemed to have been filed as of the postmark date on the envelope by which the payment or document is mailed. If the envelope containing the document or payment is no longer available or if the postmark is not legible, the document shall be presumed filed or payment made according to the following:

(i) If it was mailed in Wyoming, there shall be a rebuttable presumption that it was mailed five (5) working days prior to the date it was stamped received by the Division.

(ii) If it was mailed outside of Wyoming, there shall be a rebuttable presumption that it was mailed seven (7) working days prior to the date it was stamped received by the Division.

(c) By Fax. When a person files a protest, appeal, report or other document with the Division by fax, a rebuttable presumption shall exist that the document was filed as of the date it is stamped received by the Division. The fax must contain sufficient information to identify the party providing the information and the purpose for which it is intended. The party sending the fax assumes the risk of transmission errors or illegibility.

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CHAPTER 9

CONTRIBUTIONS BY EMPLOYERS

Section 1. Contributions Payment on Termination. Payment of contributions shall be made as hereinafter prescribed, but the Division, by special order, may require the contributions due from any employer who leases, sells, or otherwise terminates his business to be paid ten days after such termination; provided, however, that in such event, interest shall be due and payable upon such contributions only from the last of the month following the close of the calendar quarter in which the business was terminated.

Section 2. Contributions Payable Quarterly.

(a) Contributions shall be payable for each quarter with respect to wages payable for employment in all pay periods ending within such calendar quarter period.

(b) An employer may maintain its accounts so that wages are reported in the calendar quarter in which they were paid, rather than when they were earned. If such reporting adversely affects a claimant's benefit rights, the employer may be required to furnish a revised report giving quarterly wages on a payable basis, as provided by Section 2(a) of this rule.

Section 3. When Contributions and Reports Due. Contributions and completed report forms are due on, and shall be paid on or before the last day of the month following the close of the applicable quarter. The Division may require any employer to pay taxes on a monthly basis for good cause. Such payments shall be due on the 15th day of the following month.

Section 4. Initial Contributions Payment Due Date. The first contributions payment of any employing unit which becomes an employer at any time during a calendar year is due on, and shall be paid on or before, the last day of the month next following the close of the quarter in which such employing unit satisfies the conditions for becoming an employer, and shall include contributions which have accrued for the entire period beginning January 1, up to and including the calendar quarter in which the employing unit satisfies the conditions for becoming an employer; except that:

The first contribution payment of any employing unit which elects, with the written approval of such election by the Division, to become an employer, shall become due on, and shall be paid on or before the last day of the month next following the close of the calendar quarter in which the conditions of becoming an employer by election are satisfied, and shall include contributions with respect to all wages payable for employment occurring on or after the date stated in such approval (as of which such employing unit becomes an employer), up to and including the calendar quarter in which the conditions of becoming an employer by election are satisfied.

Section 5. Bonuses. Bonuses shall, for contribution and benefit paying purposes, be deemed wages on the date on which they are paid.

Section 6. Extension of Time. Upon written request of any employer filed with the Division, the Division, for good cause shown, may grant, in writing, an extension of time for the

payment of contributions. If an employer who has been granted an extension fails to pay their contribution on or before the termination of the period of such extension, interest shall be payable from the original due date as if no extension had been granted.

Section 7. Reports When No Contributions Have Accrued. Every employer subject to the Wyoming Employment Security Law is required to submit the regular quarterly contribution reports even though no contributions have accrued with respect to a particular quarter. Employers shall file reports for such period and shall continue to file such reports until the Division has approved an application to discontinue filing reports.

Section 8. Incremental Bonding Payments. Pursuant to W.S. 27-3-516, incremental bond payments may be required of any employing unit engaged in employment under a project meeting the criteria of coverage specified in that statute.

(a) Notwithstanding the foregoing criteria, the Division may elect not to require incremental bond payments from non-delinquent and properly qualified Wyoming-based employers who are eligible for a computed rate under W.S. 27-3-503(c), who have less than eight employees, or whose work force will not increase by more than ten percent (10%) as a result of participating in the project.

(b) Any incremental bond or tax payments due the Division under W.S. 27-3- 516 shall be paid by the general or prime contractor. Any refund of payments so collected shall be paid to the general or prime contractor. However, all employing units participating in a project specified under W.S. 27-3-516 shall file all reports otherwise required of them.

(c) Payments on the amount due from the general or prime contractor shall be remitted to the Division within one year from the project start date. Payments shall be made in no more than four quarterly installments of equal amounts.

Section 9. Delinquent Employer's Bond. When the Division requires a habitually delinquent employer to post a bond pursuant to W.S. 27-3-510(d), the amount of the bond shall be equal to the greatest amount of taxes owed by that employer in any one of the last three years. This bond is the property of the Division, and cannot be used for any purpose except the payment of debts due to the Division.

Section 10. Applying Payments.

(a) When an employer makes a payment, in conjunction with the quarterly joint Unemployment and Workers' Compensation reporting form, it shall be distributed as follows:

(i) If the full amount of taxes is remitted, the Unemployment Compensation Program and Workers' Compensation Program shall each be allocated the appropriate amount;

(ii) If less than the full amount of taxes is remitted, the payment shall be allocated as indicated on the report summary form;

(iii) If less than the full amount of taxes is remitted and distribution is not indicated on the report summary form, the payment shall be allocated between the Unemployment

Compensation Program and Workers' Compensation Program, pro rata, based on the amount owed.

(b) The Division shall apply payments to taxes, starting with the most recent taxes due, then to fees and costs, then to interest owed by the employer unless:

(i) The employer orders in writing at the time of the payment that the payment be applied to a particular portion of the debt, or

(ii) The Division staff has agreed in writing to apply the payment to a particular portion of the employer's debt, or

(iii) ~~The bankruptcy laws and/or reorganization plans require the payment to be applied to a particular portion of the debt.~~ For employers under bankruptcy protection, active account payments to be applied are suspended by Division staff, or

(iv) For payments received via third-party bulk upload, processing is suspended until Division staff complete the report review. Once the report is reviewed and processed, the payment will be applied directly to the associated report.

Section 11. Fees. When the Division files a lien on the assets of a delinquent employer, the attendant filing fee shall be charged to the employer when the lien is filed.

When the Division must subpoena employer records to obtain information to determine liability or contributions due the Division, the cost of the subpoena will be charged to the employer. When an employer's check, draft or other form of payment is returned by the bank, a \$10 surcharge shall be charged to the employer. When the Division submits the employer's debt to a collection agency, any fees associated with the collection agency shall be charged back to the employer. Upon collection, these charges and/or fees shall be deposited in the Division's administrative account.

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(b) Any incremental bond or tax payments due the Division under W.S. 27-3- 516 shall be paid by the general or prime contractor. Any refund of payments so collected shall be paid to the general or prime contractor. However, all employing units participating in a project specified under W.S. 27-3-516 shall file all reports otherwise required of them.

(c) Payments on the amount due from the general or prime contractor shall be remitted to the Division within one year from the project start date. Payments shall be made in no more than four quarterly installments of equal amounts.

Section 9. Delinquent Employer's Bond. When the Division requires a habitually delinquent employer to post a bond pursuant to W.S. 27-3-510(d), the amount of the bond shall be equal to the greatest amount of taxes owed by that employer in any one of the last three years. This bond is the property of the Division, and cannot be used for any purpose except the payment of debts due to the Division.

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(i) If the full amount of taxes is remitted, the Unemployment Compensation Program and Workers' Compensation Program shall each be allocated the appropriate amount;

(ii) If less than the full amount of taxes is remitted, the payment shall be allocated as indicated on the report summary form;

(iii) If less than the full amount of taxes is remitted and distribution is not indicated on the report summary form, the payment shall be allocated between the Unemployment

Compensation Program and Workers' Compensation Program, pro rata, based on the amount owed.

(b) The Division shall apply payments to taxes, starting with the most recent taxes due, then to fees and costs, then to interest owed by the employer unless:

(i) The employer orders in writing at the time of the payment that the payment be applied to a particular portion of the debt, or

(ii) The Division staff has agreed in writing to apply the payment to a particular portion of the employer's debt, or

(iii) For employers under bankruptcy protection, active account payments to be applied are suspended by Division staff, or

(iv) For payments received via third-party bulk upload, processing is suspended until Division staff complete the report review. Once the report is reviewed and processed, the payment will be applied directly to the associated report.

Section 11. Fees. When the Division files a lien on the assets of a delinquent employer, the attendant filing fee shall be charged to the employer when the lien is filed.

When the Division must subpoena employer records to obtain information to determine liability or contributions due the Division, the cost of the subpoena will be charged to the employer. When an employer's check, draft or other form of payment is returned by the bank, a \$10 surcharge shall be charged to the employer. When the Division submits the employer's debt to a collection agency, any fees associated with the collection agency shall be charged back to the employer. Upon collection, these charges and/or fees shall be deposited in the Division's administrative account.

CHAPTER 20

CLAIMS FOR BENEFITS

Section 1. Filing a New or Additional Claim for Benefits. Any individual claiming benefits for unemployment under the Wyoming Employment Security Law shall proceed as follows:

(a) An individual may file an initial claim for unemployment benefits by telephone to the dDivision's claim center or by Internet using the dDivision's approved web site claim application. An individual may also file an initial claim at an employment center, in person, either by using the center's telephone to contact the dDivision's claim center or by Internet using the dDivision's approved web site claim application. The effective date of an initial claim shall be the Sunday of the calendar week in which the individual first completed an Internet claim, or completed a telephone claim through the claim center for the purpose of initiating an initial unemployment insurance claim, unless the claimant requests that the claim be effective the following Sunday or unless the claimant has excessive earnings during that week and is separated from employment. The effective date of the claim may be changed by the dDivision for good cause.

(b) In order to meet the requirement of W.S. 27-3-401(a), a claimant shall provide all information required to establish or process a claim, including the claimant's social security number and information to establish the claimant's identity. If the claimant fails, without good cause, to provide information required under this section, the claimant shall not be eligible for benefits until the week in which the requested information is provided.

Section 2. Filing Continued Claims for Benefits

(a) In order to maintain continuing eligibility for benefits with respect to any weeks of unemployment during any continuous period of unemployment, a claimant shall continue to file claims in the manner and on the dates as directed by the dDivision. No continued claim shall be complete until the claimant files the claim ~~by telephone to the division's voice response system or~~ by Internet using the dDivision's approved web site for continued claim. A claimant who does not have access to file by ~~telephone or~~ the dDivision's approved web site, may receive dDivision approval to receive paper continued claim forms to file by either fax or mail. A continued claim must be filed no later than Saturday, two weeks following the ending date covered by the claim. Failure to file continued claims within the time prescribed may be excused if good cause for the delay is established to the satisfaction of the dDivision. On a continued claim the claimant shall set forth the following:

- (i) That he continues his claim for benefits.
- (ii) That during the period for which benefits are claimed he performed no work and earned no wages, except as reported thereon.
- (iii) That he was able to work, available for work, and actively seeking work, except as reported thereon.

~~(iv) — Such other information as is required by the telephone voice response system, the division's approved web site for continued claims, or a division approved form.~~

(b) Where a continuous period of unemployment is terminated or interrupted by re-employment or any other event which prevents continuing eligibility for benefits, a claimant, in order to receive benefits for any week of unemployment for which he was in all respects eligible before such termination or interruption, may file for benefits for such weeks. The claim must be filed with the dDivision by ~~telephone to the division's voice response system~~, Internet using the dDivision's approved web site for continued claims, in person at a local employment center, or on a dDivision approved form within fourteen (14) days after the end of the week for which benefits are claimed. Failure to file within the time prescribed may be excused if good cause for such delay is established to the satisfaction of the dDivision.

Section 3. Continuing of Claims When Claimant Moves to Another Locality. An individual moving to another locality after filing an initial claim for benefits may be permitted to continue his claim for unemployment by reporting to a local office in his new community, to an itinerant representative, by mail, or by telephone to the claim center or as directed by the dDivision.

Section 4. Withdrawal of Initial Claim. Initial claims may be withdrawn:

(a) By the claimant, only on written request, if that request is filed within seven (7) days after the mailing of the first notice that the claimant is monetarily eligible, except as provided under the Interstate Agreement for Monetary Eligibility.

(b) By the dDivision:

(i) If the claimant is not unemployed during the first week after the effective date of the initial claim; or

(ii) If, as of the effective date of the claim, the claimant has not met the requirements of W.S. 27-3-306(d), or W.S. 27-3-311(a) and (f) after disqualification under that section.

Section 5. Continued Eligibility of Benefits. In order to maintain continuing eligibility for benefits with respect to any weeks of unemployment during any continuous period of unemployment the claimant shall report in the manner and on the dates and times as directed by the dDivision for the Eligibility Review Program, Benefit Accuracy Measurement review, Profiling interviews, Re-employment interviews or other interviews requested by the dDivision. Failure to report at the scheduled time may be excused if good cause for such delay is established to the satisfaction of the dDivision.

Section 6. Requested Information. When a claimant fails to provide requested information that is necessary for making a determination he may not be eligible for benefits until the week in which the requested information is provided. The claimant may be considered

eligible for all affected weeks if he provides the information in the protest period pursuant to W.S. 27-3-402(e).

Section 7. Benefit Payment.

(a) All benefits shall be paid through the authorized method(s) selected by the dDivision.

(b) When confirmation of an electronic payment is received by the dDivision, benefits are considered to have been paid to the claimant.

(c) When the dDivision pays electronically, the claimant's personal information shall remain confidential according to applicable statutes and commission rules.

Section 8. Login and Password.

(a) A login and password is an electronic method of verification that is required to perform any transaction(s) with the Division by electronic means. A login and password have the same force and effect as a manual signature.

(b) If a claimant knowingly allows another person to use their login and password, the claimant is responsible for the information provided to the Division.

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CLAIMS FOR BENEFITS

Section 1. Filing a New or Additional Claim for Benefits. Any individual claiming benefits for unemployment under the Wyoming Employment Security Law shall proceed as follows:

(a) An individual may file an initial claim for unemployment benefits by telephone to the Division's claim center or by Internet using the Division's approved web site claim application. An individual may also file an initial claim at an employment center, in person, either by using the center's telephone to contact the Division's claim center or by Internet using the Division's approved web site claim application. The effective date of an initial claim shall be the Sunday of the calendar week in which the individual first completed an Internet claim, or completed a telephone claim through the claim center for the purpose of initiating an initial unemployment insurance claim, unless the claimant requests that the claim be effective the following Sunday or unless the claimant has excessive earnings during that week and is separated from employment. The effective date of the claim may be changed by the Division for good cause.

(b) In order to meet the requirement of W.S. 27-3-401(a), a claimant shall provide all information required to establish or process a claim, including the claimant's social security number and information to establish the claimant's identity. If the claimant fails, without good cause, to provide information required under this section, the claimant shall not be eligible for benefits until the week in which the requested information is provided.

Section 2. Filing Continued Claims for Benefits

(a) In order to maintain continuing eligibility for benefits with respect to any weeks of unemployment during any continuous period of unemployment, a claimant shall continue to file claims in the manner and on the dates as directed by the Division. No continued claim shall be complete until the claimant files the claim by Internet using the Division's approved web site for continued claim. A claimant who does not have access to file by the Division's approved web site, may receive Division approval to receive paper continued claim forms to file by either fax or mail. A continued claim must be filed no later than Saturday, two weeks following the ending date covered by the claim. Failure to file continued claims within the time prescribed may be excused if good cause for the delay is established to the satisfaction of the Division. On a continued claim the claimant shall set forth the following:

- (i) That he continues his claim for benefits.
- (ii) That during the period for which benefits are claimed he performed no work and earned no wages, except as reported thereon.
- (iii) That he was able to work, available for work, and actively seeking work, except as reported thereon.

(b) Where a continuous period of unemployment is terminated or interrupted by re-employment or any other event which prevents continuing eligibility for benefits, a claimant, in order to receive benefits for any week of unemployment for which he was in all respects eligible before such termination or interruption, may file for benefits for such weeks. The claim must be filed with the Division by Internet using the Division's approved web site for continued claims, in person at a local employment center, or on a Division approved form within fourteen (14) days after the end of the week for which benefits are claimed. Failure to file within the time prescribed may be excused if good cause for such delay is established to the satisfaction of the Division.

Section 3. Continuing of Claims When Claimant Moves to Another Locality. An individual moving to another locality after filing an initial claim for benefits may be permitted to continue his claim for unemployment by reporting to a local office in his new community, to an itinerant representative, by mail, or by telephone to the claim center or as directed by the Division.

Section 4. Withdrawal of Initial Claim. Initial claims may be withdrawn:

(a) By the claimant, only on written request, if that request is filed within seven (7) days after the mailing of the first notice that the claimant is monetarily eligible, except as provided under the Interstate Agreement for Monetary Eligibility.

(b) By the Division:

(i) If the claimant is not unemployed during the first week after the effective date of the initial claim; or

(ii) If, as of the effective date of the claim, the claimant has not met the requirements of W.S. 27-3-306(d), or W.S. 27-3-311(a) and (f) after disqualification under that section.

Section 5. Continued Eligibility of Benefits. In order to maintain continuing eligibility for benefits with respect to any weeks of unemployment during any continuous period of unemployment the claimant shall report in the manner and on the dates and times as directed by the Division for the Eligibility Review Program, Benefit Accuracy Measurement review, Profiling interviews, Re-employment interviews or other interviews requested by the Division. Failure to report at the scheduled time may be excused if good cause for such delay is established to the satisfaction of the Division.

Section 6. Requested Information. When a claimant fails to provide requested information that is necessary for making a determination he may not be eligible for benefits until the week in which the requested information is provided. The claimant may be considered eligible for all affected weeks if he provides the information in the protest period pursuant to W.S. 27-3-402(e).

Section 7. Benefit Payment.

(a) All benefits shall be paid through the authorized method(s) selected by the Division.

(b) When confirmation of an electronic payment is received by the Division, benefits are considered to have been paid to the claimant.

(c) When the Division pays electronically, the claimant's personal information shall remain confidential according to applicable statutes and commission rules.

Section 8. Login and Password.

(a) A login and password is an electronic method of verification that is required to perform any transaction(s) with the Division by electronic means. A login and password have the same force and effect as a manual signature.

(b) If a claimant knowingly allows another person to use their login and password, the claimant is responsible for the information provided to the Division.

CHAPTER 24

REGISTRATION FOR WORK, ABLE, AVAILABLE AND ACTIVELY SEEKING WORK

Section 1. In General. Any individual who files for Wyoming unemployment insurance benefits shall register for work with a state employment agency serving their local labor market. The claimant must register for work within 14 days from the day a claim is filed. Claimants who qualify under the conditions contained in Sections 2, 3, and 4 of this Chapter must register for work within seven (7) days of the expiration of that qualifying condition.

(a) For individuals living in Wyoming, "register for work" is defined as creating an account using the internet website approved by the Division.

(b) For individuals living outside of Wyoming, "register for work" is defined as:

(i) ~~F~~Follow the registration requirements of the state the individual lives in;
and

(ii) ~~s~~Supply proof of the registration to the Wyoming Division of Unemployment Insurance; or

(iii) ~~s~~Supply proof of why the individual is exempt from registering to the Wyoming Division of Unemployment Insurance.

(c) For individuals whom the Wyoming Division of Unemployment Insurance determines to be a commuter, "register for work" is defined as:

(i) ~~r~~Register for work in the state in which the individual is seeking employment; or

(ii) ~~r~~Refer to Section 1(a) if the individual is registering for work in Wyoming; or

(iii) ~~r~~Refer to Section 1(b) if the individual is registering for work outside of Wyoming.

Section 2. Union Membership. During the first twelve weeks of unemployment following the effective date of a claimant's new or additional claim for benefits, an individual is considered to have met the requirements of W.S. 27-3-306(a)(i) if he is a member of a labor union with dues paid in full and is registered for work with his union local. After this twelve-week period, the individual must register for work as provided in Section 1, supra.

Section 3. Job Attached. As used in W.S. 27-3-306(a)(i), within twelve weeks means within twelve weeks of the effective date of the new or additional claim for benefits. If the claimant normally worked less than thirty-five hours per week while earning qualifying wage credits, the claimant shall be considered returning to full-time work if returning to the same number of hours normally worked for the employer during the base period. The ~~d~~Division shall notify the employer the claimant has stated he is job attached. The claimant is not job attached if

the employer notifies the ~~d~~Division, in writing, that the claimant will not be recalled within twelve (12) weeks or will no longer be recalled within twelve (12) weeks. Claimants who are deemed not to be job attached, under this section, have seven (7) days from the date of notice to register for and actively seek work.

Section 4. Approved Training. An individual enrolled in approved training under W.S. 27-3-307 is considered registered for work. Upon completion of the training, the individual must register for work as provided in Section 1, *supra*.

Section 5. Students. When a claimant is attending school or participating in other types of course work during his normal working hours and is not enrolled in Approved Training, he is not available for work unless:

(a) He has earned base period wages while attending school and is seeking work and attending school on a similar basis; or

(b) He attends no more than eight (8) class time hours per week and verifies in writing he will drop the class(es) or change the class hours if the class schedule conflicts with an offer of suitable work; or

(c) He participates in no more than eight (8) hours in other types of course work, including but not limited to Internet and self-study courses, during his normal working hours.

Section 6. Work Search.

(a) To be eligible for benefits for any week, a claimant filing for benefits will actively seek full-time employment and is required to conduct a "work search" which is defined as applying for a job opening by submitting a resume or application with two (2) or more different employers each week. Alternatively, in the event an employer has several job openings, the claimant may submit a resume or apply for two (2) or more different job openings with the same employer each week to fulfill the work search requirement. ~~To be eligible for benefits for any week, a claimant must contact two (2) or more employers per week. A claimant filing for benefits will actively seek full-time employment.~~

(b) The claimant may seek part-time employment if the majority of his base period wages were earned on the basis of part-time work, or he has a documented bona fide medical reason preventing him from working full-time.

(c) The Division may request documentation from the claimant to verify eligibility. If the claimant does not provide work search information appropriate documentation, which could include but is not limited to work search information, to the division upon request, the ~~d~~Division may shall presume he is not eligibledid not actively seek work.

(d) Failure to submit an application and/or resume may be excused if the claimant establishes good cause. Good cause exists when a claimant performs a valid work search activity as defined by the Division but is prevented from formal submission due to circumstances beyond their control or specific industry hiring practices.

Section 7. Apprenticeship Training. If a claimant applies for apprenticeship training, notice will be mailed to the most recent employer. The most recent employer is presumed to have approved the training, unless the employer notifies the eDivision, in writing, within twenty-eight (28) days of the mailing of the eDivision's notice that the employer does not approve the training.

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and

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