

WAC 192-110-010 Applications for benefits by interstate claimants. (1) **What is an "interstate claimant"?** An "interstate claimant" is a person who files a claim for one state's unemployment benefits from another state. The state that pays your claim is called the "paying state." For example:

(a) You are an interstate claimant if you live outside of Washington and file a claim against Washington. Washington will be the paying state on your claim.

(b) You are an interstate claimant if you live in Washington and file a claim against another state. The other state will be the paying state on your claim.

(2) **Where can I apply for benefits?** You can apply for benefits from any state, the District of Columbia, Puerto Rico, the U.S. Virgin Islands, or Canada. However, if you served in the military during the past eighteen months, you must physically be in the state of Washington to apply for benefits against Washington.

(3) **How do I apply for benefits?** Use the department's online services or call the unemployment claims center in Washington. If you worked in any state other than Washington within the last eighteen months, the department will provide you with information to help you decide which state will pay your claim.

(a) If Washington will pay your claim, you may apply using the department's online services or an agent will take your application for benefits over the telephone;

(b) If another state will pay your claim, the department will provide you with contact information for that state regarding how to file your claim with that state.

(4) **Who decides if I am eligible for benefits?** Every state has its own laws which control eligibility for benefits. If you file a claim for Washington benefits, your eligibility for benefits will be decided by Washington state law even if you file from another state. If you file for benefits against another state, your eligibility for benefits will be decided under that state's laws.

(5) **When can I apply for benefits?** You can apply for benefits at any time, even if you are working. However, if you already have a valid claim in one state, you must continue with that claim as long as benefits are available before you can establish a new claim against another state. A "valid" claim is one that has not been denied, terminated, or the benefits exhausted (paid out).

(6) **How do I file an appeal?** If you wish to file an appeal about your claim, you must file it directly with the state that is paying your claim:

(a) If Washington is paying your claim, use one of the filing methods listed in WAC 192-04-060. If filed using the postal service or shipping service, your appeal will be considered filed on the post-marked or shipping date.

(b) If another state is paying your claim, file your appeal directly with that state.

All appeal hearings will be conducted by the state that is paying your claim. The paying state will notify you of the date, time, and telephone number or location of the hearing.

[Statutory Authority: RCW 50.12.010 and 50.12.040. WSR 16-21-013, § 192-110-010, filed 10/7/16, effective 11/14/16; WSR 09-15-014, § 192-110-010, filed 7/2/09, effective 8/2/09; WSR 07-22-055, § 192-110-010, filed 11/1/07, effective 12/2/07. Statutory Authority:

RCW 50.20.010 and 50.12.040. WSR 99-15-069, § 192-110-010, filed 7/19/99, effective 8/19/99.]