**Section 2720.115 Continuing Eligibility Requirements**

a) After the claimant has filed his or her initial claim, the claimant must certify as to his or her continuing eligibility. Even if the claimant has been denied benefits, he or she must continue to certify and maintain his or her work search record, and meet other eligibility requirements of the Act, for each week for which he or she expects payment upon reversal of that denial. The claimant shall certify as a telephone or internet filer pursuant to Section 2720.112 unless he or she qualifies as a mail filer pursuant to Section 2720.112(c). If the claimant is a mail filer, the Department will mail the claimant a form called Claim Certification (BIS-653) every two weeks or will send the claimant a Notice explaining why the Claim Certification was not sent, but only if this is the claimant's first certification following the filing of his or her initial claim or if the claimant had certified for the prior two week period. The claimant must complete the Claim Certification and file it at the local office, either by mail or in person, on the Date To Mail indicated on the form (see Section 2720.120). If the claimant is a mail filer and does not receive a Claim Certification within 20 days after filing his or her initial claim or after he or she received the claimant last Claim Certification, the claimant must notify the local office and obtain a Claim Certification.

b) If at any time the Department has reason to investigate the claimant's continuing eligibility, the Department will so inform the claimant in writing. The claimant must cooperate with the investigation by appearing at the time and place instructed by the Department on the Notice of Claims Adjudicator's Interview, with all information he or she has regarding any question that has been raised. Failure to cooperate will result in a Finding, Determination or Decision being issued without further information from the claimant.

c) A claimant certifying for benefits under this Section as a telephone, internet or mail filer shall maintain a work search record for each week he or she is claiming benefits.

1) The work search record shall include the names and addresses of the employing units contacted, as well as the names of specific persons contacted, if possible; the dates and methods of the contacts; the type of work sought, including wages and hours requested or desired; and the results of the contacts.

2) The claimant shall provide his or her work search record to the Department upon the Department's written request. The Department shall only request the claimant's work search record with regard to a week in which: an employing unit makes a sufficient protest regarding the claimant's work search for the week and requests the opportunity to review the claimant's work search record for that week; an employing unit requests to review the record for a week, on the condition that the request is made during that week; or the Department otherwise has information that would provide the basis for a review of the work search or the Department conducts a random work search audit of his or her claim. When the claimant provides a work search record, an employing unit, or the attorney or agent of the employing unit or the claimant, may review the record pursuant to subsection (e). When an employing unit requests to review the record for a week, the Department shall not request the claimant to provide his or her work search record if the primary purpose of the employing unit's request is to harass the claimant.

3) A claimant's failure to provide his or her work search record as requested may result in a determination or decision being issued that the claimant did not conduct an active work search.

d) Where an employing unit makes a timely and sufficient protest regarding work search pursuant to Section 2720.130, and benefits are allowed, a copy of the Adjudicator's Determination regarding the adequacy of the work search will be sent to the protesting employing unit (customarily within 20 days after receipt of the protest).

e) If the employing unit or claimant, or the attorney or agent of the employing unit or the claimant, wishes to review or obtain copies of other documents in the file for the purpose of pursuing the employing unit's or claimant's rights under the Act, he or she may do so in the local office, where it shall be made available upon reasonable notice. To review or obtain a copy of a hearing transcript, see Section 2720.320.

(Source: Amended at 43 Ill. Reg. 6385, effective May 14, 2019)