**Section 2920.15 Reduction In Benefits Due To Receipt Of Wages For Less Than Full-Time Work**

a) Whenever an individual receives or is entitled to receive an amount of wages for less than full-time work as defined by Section 2920.5(a)(4) with respect to a week which is less than the individual's weekly benefit amount and does not receive any other disqualifying payment referred to by Section 2920.10, the individual shall be eligible to receive with respect to such week, benefits equal to the individual's weekly benefit amount reduced by that part of the wages for less than full-time work, if any, which are in excess of 50% of the individual's weekly benefit amount. Whenever benefits reduced under this section do not constitute a multiple of $1.00, the reduced benefit amount shall be raised to the next higher multiple of $1.00.

1) Example 1:

|  |  |  |
| --- | --- | --- |
| A) | If the individual's weekly benefit amount is  | $130.00 |
|  |  |  |
| B) | 50% of that amount is  | $ 65.00 |
|  |  |  |
| C) | If the individual's wages for less than full-time work under Section 2920.5(a)(4) are  | $ 86.00 |
|  |  |  |
| D) | The amount by which the wages given in line 3 exceed 50% of the individual's weekly benefit amount given in line 2 is  | $ 21.00 |
|  |  |  |
| E) | The difference between the individual's weekly benefit amount given in line 1  | $130.00 |
|  | and the amount given in line 4  | $ 21.00 |
|  | is  | $109.00 |
|  | The amount of $109.00 represents the reduced benefits the individual is eligible to receive for that week under this subsection.  |  |

2) Example 2:

|  |  |  |
| --- | --- | --- |
| A) | If the individual's weekly benefit amount is  | $130.00 |
|  |  |  |
| B) | 50% of that amount is  | $ 65.00 |
|  |  |  |
| C) | If the individual's wages for less than full-time work under Section 2920.5(a)(4) are  | $ 65.00 |
|  |  |  |
| D) | Because the individual's wages given in line 3 do not exceed 50% of the individual's weekly benefit amount given in line 2, the difference between the amount given in line 3 and the amount given in line 2 is  | $ 0 |
|  |  |  |
| E) | The difference between the individual's weekly benefit amount given in line 1  | $130.00 |
|  | and the amount given in line 4  | $ .00 |
|  | is  | $130.00 |
|  | The amount of $130.00 represents the benefits which the individual is eligible to receive for that week under this subsection. |  |

b) Provided that an individual is not ineligible for benefits under Section 2920.5, whenever an individual receives wages for less than full-time work as defined by Section 2920.5(4) and, in addition to these wages, also receives any of the disqualifying payments referred to by Section 2920.10, the reduced weekly benefit amount calculated according to the formula given by subsection (a) with respect to that week shall be further reduced by the sum of such additional disqualifying payment, provided, however, that if the sum of these additional disqualifying payments plus that part of the wages for less than full-time work referred to by Section 2920.5(a)(4) which is in excess of 50% of the individual's weekly benefit amount is greater than or equal to the individual's weekly benefit amount, the individual shall be ineligible for any benefits.

1) Example 1:

|  |  |  |
| --- | --- | --- |
| A) | If the individual's weekly benefit amount is  | $130.00 |
|  |  |  |
| B) | 50% of that amount is  | $ 65.00 |
|  |  |  |
| C) | If the individual's wages for less than full-time work under Section 2920.5(a)(4) are  | $ 75.50 |
|  |  |  |
| D) | The amount by which the wages given in line exceed 50% of the individual's weekly benefit amount given in line is  | $ 10.50 |
|  |  |  |
| E) | The difference between the individual's weekly benefit amount given in line 1  | $130.00 |
|  | and the amount given in line 4  | $ 10.50 |
|  | is  | $119.50 |
|  |  |  |
| F) | Since the amount given in line 5 is not a multiple of $1, it is raised to the next higher multiple of $1  | $120.00 |
|  |  |  |
| G) | Amount of any vacation pay treated as wages which the individual receives with respect to that week is  | $ 40.00 |
|  |  |  |
| H) | The difference between the amount of reduced benefits the individual would be eligible to receive with respect to that week given in line 6  | $120.00 |
|  | and the amount of vacation pay treated as wages with respect to that week given in 7  | -$ 40.00 |
|  | is  | $ 80.00 |
|  | The amount of $80.00 represents the reduced benefits the individual is eligible to receive under this subsection.  |  |

2) Example 2:

|  |  |  |
| --- | --- | --- |
| A) | If the individual's weekly benefit amount is  | $150.00 |
|  |  |  |
| B) | 50% of that amount is  | $ 75.00 |
|  |  |  |
| C) | If the individual's wages for less than full-time work under Section 2920.5(a)(4) are  | $ 82.00 |
|  |  |  |
| D) | The amount by which the wages given in line 3 exceed 50% of the individual's weekly benefit amount given in line 4 is  | $ 7.00 |
|  |  |  |
| E) | The difference between the individual's weekly benefit amount given in line 1  | $150.00 |
|  | and the amount given in line 4  | $ 7.00 |
|  | is  | $143.00 |
| F) | Amount of any vacation pay treated as wages which the individual receives with respect to that week is  | $ 40.00 |
|  |  |  |
| G) | Amount of disqualifying retirement pay which the individual receives during that week is  | $ 60.00 |
|  |  |  |
| H) | The difference between the amount of reduced benefits the individual would be eligible to receive with respect to that week given in line 5  | $143.00 |
|  | and the sum of vacation  | - 40.00 |
|  | and the retirement pay with respect to that week given in lines 6 and 7  | - 60.00 |
|  | is  | $ 43.00 |
|  | The amount of $43.00 represents the reduced benefits which the individual is entitled to receive under this subsection.  |  |

3) Example 3: Assume the facts as in Example 2 with the exception that the individual's wages for less than full-time work under Section 2920.5(a)(4) are $120.00 instead of $82.00. Since the sum of his wages for less than full-time work plus the individual's vacation pay equals $160.00 which is greater than the individual's weekly benefit amount of $150.00, the individual is ineligible to receive any reduced benefits under this Section because of the ineligibility provisions of Section 2920.5(a).

4) Example 4: Assume the same facts as in Example 2 with the exception that the individual's retirement pay is $105.00. The individual's wages for less than full-time work is $82.00, the individual's vacation pay is $40.00, and the individual's weekly benefit amount is $150.00. Although the sum of the individual's wages for less than full-time work and the vacation pay ($82.00 + $40.00 = $122.00) is less than the individual's weekly benefit amount ($150.00) and hence does not make the individual ineligible for benefits as in Example 3 and although the sum of the vacation pay and the retirement pay ($40.00 + $105.00 = $145.00) is also less than the individual's weekly benefit amount, the individual is nonetheless ineligible for benefits under subsection (b) because the sum of the vacation pay and retirement pay ($40.00 + $105.00= $145.00) plus that part of the wages for less than full-time work which is in excess of 50% of the individual's weekly benefit amount ($82.00 - $75.00 = $7.00) is greater than the individual's weekly benefit amount ($145.00 + $7.00 = $152.00).