

RHODE ISLAND DEPARTMENT OF LABOR AND TRAINING

RULE 20

AFFIDAVIT IN LIEU OF WAGE & TERMINATION/EMPLOYMENT REPORT

- A. After an individual has filed a claim for benefits and the employer(s) has failed within a reasonable time as determined by the Director to return the required wage and termination/employment report(s), the individual may file an affidavit with the Department of Labor and Training setting forth the following information:
- (1) The name and address of any employer for whom the individual performed services for wages during his/her base period.
 - (2) The total wages earned by the individual during the base period from each such employer.
 - (3) The beginning and ending dates of the individual's employment from each such employer.
 - (4) The reason for the individual's separation from employment from each such employer.
 - (5) Such other information as may be required by these Rules or the Employment Security Act or the Temporary Disability Insurance Act.
- B. Such affidavit shall be supported when possible by payroll receipts, check stubs, internal revenue forms, or such other documents, forms, or papers, which substantiate in whole or in part the information set forth in said affidavit.
- C. When such affidavit and evidentiary documents have been submitted, the Director shall determine whether or not the employer named therein is subject to the Act. If it is found that such employer is subject to the Act, the wage information as contained in said affidavit shall be accepted and the claim shall thereupon be processed in the same manner as all other claims: provided, however, if it shall subsequently be determined that the individual was not entitled to any benefits or to a lesser sum of benefits than received, the individual shall be required to repay such excess in accordance with the Act and Rules in effect.

[Reference to Employment Security Act: Section 28-44-38(c)]

[Reference to Temporary Disability Insurance Act: Sections 28-41-5 and 28-41-11]

