

**EXPLANATION AND INSTRUCTION SHEET  
STATEMENT OF CHARGES TO RESERVE ACCOUNT (DE 428T)**

**FORM DE 428T IS NOT A BILL AND A BILL WILL NOT BE SENT AT A LATER DATE  
PLEASE READ BEFORE CALLING (Most of your questions will be answered in this form.)**

<p><b>PURPOSE OF FORM</b></p>	<p>The DE 428T is an itemized list of benefit charges to your reserve account. The form covers a one-year period that begins July 1 and ends June 30. Any benefits paid to claimants after June 30 will appear on next year's Statement of Charges. Charges are based on unemployment insurance benefits paid to claimants for whom you were a base period employer. These charges are one of the factors used to determine your unemployment insurance contribution rate for the coming year. Due to the heavy volume, the Statement of Charges may be mailed prior to the statement date shown.</p>
<p><b>FILING A PROTEST</b></p>	<p><b>No further action is needed if you agree with the charges.</b> If you disagree with the charges you may file a protest. Your protest must be in <b>writing</b> and postmarked within <b>60 days from the mail date on the Statement of Charges</b>. You may request a 60-day extension to file a protest. The extension request must be in writing and must show good cause for requesting additional time. To expedite the processing of your protest, please use the suggested format on the last page of these instructions.</p> <p><b>MAIL YOUR PROTEST OR REQUEST FOR AN EXTENSION TO:</b></p> <p>Employment Development Department Contribution Rate Group, MIC 4 PO Box 826880 Sacramento CA 94280-0001</p>
<p><b>PROTEST RIGHTS</b></p>	<p>You should protest charges to your reserve account if:</p> <ul style="list-style-type: none"> <li>• You disagree with any of the charges.</li> <li>• You responded to a claim notice (Notice of Claim Filed, DE 1101CZ, or Notice of Wages Used for Unemployment Insurance Claim, DE 1545) more than three months ago, and have not received a response from the Department.</li> </ul> <p>Your protest will be denied if you failed to respond timely to the first claim notice (DE 1101CZ or DE 1545), or if the basis of your protest is that the claimant should not have been allowed to draw benefits.</p> <p>If benefit charges for a pending appeal appear on your statement, you do not need to file a protest. If you receive a favorable decision, the charges will be removed from your reserve account.</p>
<p><b>ANSWERS TO YOUR QUESTIONS</b></p>	<p>Q. How long is a claimant eligible for UI benefits? A. Once a claimant is determined eligible for benefits, they have one year from the date of the claim in which to draw their maximum benefit award.</p> <p>Q. What is a base period and how is the base period for a UI claim determined? A. The base period of a claim is the one year period of the claimant's prior earnings that is used to determine the weekly benefit amount, maximum benefit amount, and chargeable employer(s). It is determined by the claim date and may include wages paid 4 to 18 months <b>prior</b> to the claim date.</p> <p>Q. How can I be charged this much when the person worked only a short period of time? A. Your share of the charges is based on wages you reported compared to the total wages reported by all base period employers. The charges are prorated among all base period employers. The total amount of benefits charged to an employer's reserve account, as a result of any one claim, could equal 26 times the weekly benefit award or one half of the base period wages you paid, plus \$1, whichever is less.</p> <p>Q. Why is my account being charged for people who left my business so long ago? A. Benefits paid are based on a prior period of employment. An unemployment insurance claim is based on wages reported by an employer on their DE 6 (Quarterly Wage and Withholding Reports) within a period, which could range from 4 to 18 months <b>prior</b> to the claim date.</p>

<b>ANSWERS TO YOUR QUESTIONS (cont.)</b>	<p>Q. Why is my account being charged when the claimant was a temporary or part-time employee?</p> <p>A. An employer's reserve account is charged based on wages which were reported as required by the California Unemployment Insurance Code (CUIC). There is no distinction made in the CUIC between wages paid to full-time, part-time, or temporary employees.</p>
<b>WHAT TO EXPECT</b>	<p>Due to the volume of protests received, it may be <b>from one to nine</b> months before you receive a response. If the protest is allowed, the charges will be removed and you will receive an amended Notice of Contribution Rates and Statement of UI Reserve Account, DE 2088. If the protest is denied, you will receive an explanation and information on your appeal rights.</p>
<b>ENTRIES ON FORMS</b>	<p>a. <b>PREDECESSOR ACCOUNT NUMBER:</b> If a number appears under PREDECESSOR ACCOUNT NUMBER, it is the account number of a business acquired by you. The claimants listed are former employees of that business and the benefits paid to the claimants are based on wages paid by the former owner. Because the reserve account balance of that business was transferred to your reserve account, the predecessor's share of benefits paid has been charged to your reserve account. (NOTE: Charges for each predecessor account will be listed on a separate page(s) under your account number.)</p> <p><b>CLAIMANT'S NAME/SOCIAL SECURITY NUMBER:</b> UI charges and claimant wages are controlled by Social Security numbers and not by names. The Social Security Numbers on your Statement of Charges were reported by you on your Quarterly Wage and Withholding Reports (DE 6). The claimants' names may have been changed, misspelled or shortened to fit computer limitations.</p> <p>b. <b>CLAIM DATE:</b> The date shown is the date the claim for UI benefits was established.</p> <p>c. <b>CLAIM TYPE:</b> For Department use only.</p> <p>d. <b>EMPLOYER CHARGE:</b> The amount charged against your reserve account represents your prorated share of benefits paid through last June 30. If the amount indicated is followed by a <b>MINUS (-) sign</b>, it means that your reserve account was previously charged and this entry reflects a credit to your reserve account.</p> <p>e. <b>CHG CODE:</b> These codes designate the type of claim.  Blank — A UI claim.  (1) — Your reserve account was charged because:  Benefits were paid prior to the separation date shown on your favorable ruling.  <b>OR</b>  You reported wages for the claimant after the separation date on your favorable ruling.  A favorable ruling will relieve charges only when the <u>benefits</u> are paid <u>after</u> the claimant separated from your employment <b>and</b> the benefits were based on <u>wages</u> paid <u>prior</u> to the claimant's separation from your employment.  (3)(6) — UI benefits paid during a Federal extension period.  (4)(5) — UI benefits paid during a California extension period.  (7)(G) — UI benefits paid to a claimant who filed and was found eligible for a training extension claim per Section 1269 of the California Unemployment Insurance Code.  (N) — UI benefits paid to a claimant who file a UI claim in another state, and the last employer is not a California employer.</p> <p>f. <b>PGM CODE:</b> For Department use only.</p>
<b>WHERE TO CALL</b>	<p><b>For assistance or questions regarding the DE 428T, please call (916) 653-7795. EDD is an equal opportunity employer/program. Auxiliary services and assistance available to persons with disabilities.</b></p>

