

**HOW EMPLOYMENT IN SEASONAL INDUSTRIES
AFFECTS UNEMPLOYMENT INSURANCE BENEFITS**

What is a Seasonal Industry? A seasonal industry is one that has been determined seasonal specifically by law; or, one that customarily operates less than 26 weeks in a calendar year and has been officially determined seasonal by the Unemployment Insurance Commission.

What Industries are Seasonal? The following Maine industries have been determined by the Commission to be seasonal for the periods listed:

Harvesting Of:

- Apples08/01-10/31
- Blueberries07/20-09/20
- Potatoes08/01-11/15

Packing and Processing Of:

- Applesauce 10/10-11/15
- Beans, Shelled08/15-10/20
- Beans, String07/20-09/15
- Beets09/01-10/30
- Blueberries07/20-09/20
- Carrots..... 10/01-11/30
- Corn.....08/15-10/20
- Dandelions.....05/15-10/15
- Golden Relish08/15-10/20
- Green Tomato Relish.....08/01-09/15
- Peas07/01-08/10
- Peas (Aroostook County.).....07/10-08/30
- Pumpkin09/20-10/30
- Squash09/20-10/30
- Succotash.....08/15-10/20
- Turnips10/01-11/30
- Fiddleheads05/15-10/15
- Washing, Bleaching, Drying
and Curing of Sea Moss.....05/15-10/15

Summer Recreation.....06/15-09/15

Camping Areas.....05/01-10/23

Wreath Making, Decorating, Boxing,
and Tipping..... 10/01-12/24

- Washing, Bleaching, Drying and Curing
Of Sea Moss 05/15-10/15
- Whitewater Rafting 3rd Thursday in April Through
1st Tuesday After 25 Weeks
- Ice Fishing Tip-Ups Manufacturing... 07/01-12/15
- Ski Industry, Snowmobile Trail
Construction and Maintenance 11/15-04/30
- Summer Cruise Boats, Summer Visitor
Guide Program, Party Boats (Fishing
and Sightseeing) 05/15 – 11/01
- Baseball 1st Week of April through 3rd
Week of September
- Amusement Parks 05/10-11/03
- Courtesy Boat Inspection..... 05/15-10/31
- Amusements such as: Carnivals, Amusement
Rides, Agricultural and Horticultural Societies Fairs,
Summer Theaters, Automobile Racing (including
Drag-Strip and Stock Car Racing), Summer
Festivals, Yacht Clubs, Marinas, Sea Kayaking, and
Oceanariums
..... 04/15 – 09/15
- Variety stores, trading posts, hotels, motels, inns,
sporting camps, youth camps or other lodging
facilities, restaurants and other eating
establishments, and frozen milk products industries
are seasonal industries for the period of operation
each year if they operate less than 26 weeks during
a calendar year.

What About Seasonal Periods Which Overlap or are Consecutive? Seasonal periods which overlap or have 14 or less days between them are considered as a single seasonal period, for an employer conducting operations in seasonal industries. EXAMPLE: A seasonal employer cans peas (seasonal period July 1 to August 10), string beans (seasonal period July 20 to September 15), and corn (seasonal period August 15 to October 20). The three seasonal periods are considered as one beginning July 1 and ending October 20.

What is Seasonal Work? Seasonal work is employment in seasonal industries within a determined seasonal period. EXAMPLE: Employment in a camping area during the seasonal period of May 1 to October 23 is seasonal work. Employment in a camping area before May 1 or after October 23 is considered nonseasonal work.

What is Seasonal Unemployment? This is unemployment that occurs during a defined seasonal period in which the individual has previously worked. The base period is:

- 1) **Regular Base Period** – The first 4 of the last 5 completed calendar quarters before the Sunday of the week in which you file a new claim; or
- 2) **Alternate Base Period** – If you do not have enough wages in the “regular base period” to qualify for unemployment benefits, you may use the “alternate base period” which is the last 4 calendar quarters before the Sunday of the week in which you file a new claim.

Who is Affected? The seasonal provisions apply only to those individuals who have earned their qualifying wages in whole or in part in seasonal work. Everyone who files a claim for unemployment insurance benefits and who has earned wages in seasonal work during the base period will have benefits determined under the seasonal provisions.

How is the Weekly Benefit Amount Determined? The weekly benefit amount for an individual having seasonal wage credits is the same as it would be if all the wage credits were for nonseasonal work. That is, all of an individual’s wage credits, both seasonal and nonseasonal, are used in determining the weekly benefit amount.

When May an Individual Draw Benefits If He/She Has Only Seasonal Wage Credits? An individual who has base period credits only in seasonal work is, if otherwise eligible, entitled to all available benefits for unemployment occurring in the seasonal period or periods corresponding to the seasonal period or periods in which the wage credits were earned. An individual would not be entitled to benefits outside the seasonal periods. EXAMPLE: A person becomes unemployed during a seasonal period in which seasonal wages were earned. The person has all seasonal wages in the base period. If eligible for unemployment, all the seasonal wages were used to compute unemployment benefits.

When May an Individual Draw Benefits If He/She Has Both Seasonal and Nonseasonal Wage Credits? An individual who has base period wage credits in the base period in both seasonal and nonseasonal work is, if otherwise eligible, entitled to the maximum available benefits if unemployed in the seasonal period or periods in which the wage credits were earned; but if unemployed outside this seasonal period or periods, an individual is entitled only to the total amount of available benefit to which he/she would have been entitled if no seasonal wage credits were available. EXAMPLE: A person becomes unemployed during a seasonal period. The person has both seasonal and nonseasonal wage credits. If eligible for unemployment, both the seasonal and nonseasonal wages are used to compute benefits. If the same person becomes unemployed outside a seasonal period, the person cannot get credit for seasonal wages in computing unemployment benefits.

If you are a business and have further questions or need more information on seasonality please contact the Bureau of Unemployment Tax Division at (207) 621-5120 or email division.uctax@maine.gov.

If you are a claimant and need to file a claim or have questions about seasonality please call 1-800-593-7660.

TTY Users Call Maine Relay 711