



American Legion Post 100 Fact Sheet

05-2018



INDIVIDUAL UNEMPLOYABILITY

IU is a part of VA's disability compensation program that allows VA to pay certain Veterans compensation at the 100% rate, even though VA has not rated their service-connected disabilities at the 100% level.

WHAT IS THE ELIGIBILITY CRITERIA FOR INDIVIDUAL UNEMPLOYABILITY?

- You must be a Veteran
- You must have at least one service connected disability rated at least at 60%,

OR
- Two or more service connected disabilities at least one disability ratable at 40% or more with a combined rating of 70% or more.
- You must be unable to maintain substantially gainful employment as a result of service-connected disabilities (marginal employment, such as odd jobs, is not considered substantial gainful employment for VA purposes).

Evidence Requirements:

- Evidence of at least one service connected disability **AND**
- That the service-connected disability or disabilities are sufficient, without regard to other factors, to prevent performing the mental and/or physical tasks required to get or keep substantially gainful employment **AND**
- That one disability is ratable at 60% or more, **OR**
- If more than one disability exists, one disability is ratable at 40% or more with a combined rating of 70% or more.

Under exceptional circumstances this benefit may be granted with a lower disability rating than noted above provided the evidence shows the service-connected disability or disabilities present such an exceptional or unusual disability picture, due to such factors as marked interference with employment or frequent periods of hospitalization, that applying the normal disability requirements is impractical.