

Life of an Unemployment Claim

The entire unemployment program process can be seen as a chain of events. One step leads to another, and Equifax professionals are tasked with providing client consultation at each step in the process.

1. Separation
2. Claim Filed
3. Response Sent
4. State Call
5. Determination
6. Appeal Filed
7. Hearing
8. Hearing Decision
9. Appeal to Board of review
10. Final Decision

Claimant Requirements

It is important to know that there are five requirements that a claimant must meet to be eligible for unemployment. If a claimant meets all five of these requirements, they will be deemed eligible for benefits.

1. Able to Work
2. Available for Work
3. Actively Seeking Work
4. Monetarily Eligible
5. Unemployed Through No Fault of Their Own

Determining the Base Period

When a person files for unemployment, any employer that the claimant worked for over the past 18 months will be potentially chargeable for that person's unemployment benefits.

Key Terms & Definitions

Benefit Year - The benefit year begins on the date the claimant filed for benefits and ends 52 weeks later.

Lag Quarter - One quarter behind the filing quarter. The state does not look at wages earned in the lag quarter.

Base Period - The state will establish a base period to determine which employers will be chargeable. Any employer who the claimant worked for during the base period may be potentially chargeable for benefits.

UI Integrity

The federal government passed the Trade Adjustment Assistance Extension Act in 2011 which required all states to pass legislation that penalizes employers that are not compliant with UI requests. To maintain compliance, your responses should:

- Be Timely
- Be Adequate
- Avoid a Pattern of Failure

Effective Documentation:

Voluntary Quit cases: The **burden of proof** rests on the **claimant** to show a compelling reason for quitting.

- Get the resignation in writing with the claimant's signature
- Document the intended last date of work, their intent and if the claimant worked out the notice period
- If possible, get details regarding why the claimant is resigning

Discharge Cases: The **burden of proof** rests on the **employer** to show the claimant willfully violated a reasonable and known policy.

- Document the final incident in detail
- Provide the exact policy the claimant violated along with the signed acknowledgment
- Include the consequences (as outlined by your policy) and the action plan to move forward
- Get any corrective action documents signed by the claimant if possible or by a witnesses if the claimant refuses to sign

More Training is Available!

Check out resources available for other products [here](#).