Primary Considerations in Managing Your Unemployment Program

Let’s take a look at the fundamental concepts that drive an Unemployment Cost Management Program:

Eligibility

The underlying philosophy of unemployment compensation is eligibility. The system is insurance, not welfare. As such, only those individuals who have become unemployed through no fault of their own should be allowed benefits by the state.

Three Types of Job Separations Recognized in Unemployment Adjudication

• Lack of Work/Partial Lack of Work: Claimant is generally eligible, if seeking new employment.

• Voluntary Quit: Claimant is generally eligible if the “quit” was motivated by work-connected factors and/or was due to substantial changes in the hiring agreement, or continuing to work created an unreasonable hardship.

• Discharge: Claimant is generally eligible unless the employer can prove that the person was discharged for work-connected, willful, and harmful conduct.

Hearing Tips

• Avoid hearsay – Terminations should be based on firsthand knowledge and competent evidence.

• Keep answers simple – Do not offer information to questions that have not been asked.

• Support your answers with facts, not conclusions – for example, “The claimant was aware of the company policy through the company handbook, which he received at the time of hire. We have an acknowledgment of receipt signed by the employee.”

Document, Document, Document

The more relevant and detailed information that the employer can provide to the state during any level of adjudication, the better the chance of meeting the burden to demonstrate that the claimant was unemployed through his/her own fault, thus requiring a denial, or non-charge of unemployment benefits.

Five Key Elements of Documentation:

1. Date of the infraction
2. Details of the infraction
3. Explanation of corrective action needed
4. Statement of next disciplinary steps
5. Signature of the employee

This article was provided by Equifax Workforce Solutions, UST’s trusted claims administrator.