

Claims Intake & Eligibility, Claims Filing

When is a determination issued? The Department is required to make a number of determinations that may affect an individual's entitlement to benefits and/or the amount of benefits that are payable.

When the unemployed worker calls the Claim Center to file an initial claim for benefits, we looked at the wages paid in the base period, which generally is the first four, of the last five completed calendar quarters, prior to the date the claim was filed to see if there are enough wages to qualify.

In some cases, we might look at alternative time periods to determine if the individual had been paid enough wages to qualify for a benefit.

We mail a "monetary determination" to every claimant that explains the wages we have used to determine whether or not the individual has been paid enough to qualify for a benefit, and if the individual qualifies, how much the weekly benefit amount will be.

An individual can only receive benefits if they are unemployed through no fault of their own, regardless of whether the individual has been paid enough wages.

Quit: If the individual quit a job for reasons not related to something the employer did, he or she will be disqualified from receiving benefits until he or she goes back to work, earns six times his or her weekly benefit amount, and then becomes unemployed again, through no fault of their own.

Fired: If the individual has been fired for misconduct, he or she may be disqualified from receiving benefits for not more than 15 weeks, nor less than six weeks. If the individual was

fired for “gross misconduct,” he or she will be disqualified from receiving benefits until he or she goes back to work, earns six times his or her weekly benefit amount, and then becomes unemployed again, through no fault of their own. In addition, wages earned from the “gross misconduct” employer cannot be used in the calculation of the individual's weekly benefit amount.

Separation Pay: Certain payments made following a separation may result in a reduction in the amount of benefits paid for one or more weeks. In order to maintain eligibility, the individual must be “able to work and be available for work,” conduct a work search if instructed, and accept an offer of suitable work, if one is made.

Fact-Finding Process: If there is a question about an individual's eligibility, then a process called fact-finding must take place before benefits can be paid. During the fact-finding process, an adjudicator investigates the issues and makes a formal determination on eligibility. Issues may be established based on information provided at the time a claim is filed. They may also be established based on information provided by an employer.

**** Protect your rights** –When you have been given a notice of a fact-finding hearing, or have received a request for additional information, **always participate in the process.** Claimants who falsify or misrepresent information will be liable to repay overpaid benefits. Employers who do not participate in the fact-finding process will remain liable for any improper payment of benefits on or after July 1, 2010.

Fact-finding hearings are conducted over the telephone. When you receive the notice in the mail, read it, and, if for some reason, you cannot be available on the day and time of the interview, you must follow the instructions provided on the notice.

Please keep in mind, there are limited reasons when rescheduling can be approved.