

## UI Agencies Need Complete Separation Information

- **It's the law!** All state unemployment laws provide for penalties or make it a crime (a misdemeanor) to misrepresent or omit facts relating to the UI benefit eligibility of a claimant. A handful of states directly or indirectly impose consequences for failure to provide complete, timely and accurate information. Past practice is not an indicator of future law applications by agencies; however, as they are now, more than ever, focused on reducing UI administrative costs and erroneous benefit payments.
- **Employers are the target!** To reduce overpayments and fraud, the U.S. Department of Labor and every state UI agency see employers as a contributing factor to benefit overpayments and reduced reserves in state trust funds. Already, some states charge employers for not responding to claim forms or waiting until the hearing level to provide complete separation information. More states might follow this practice, if employers continue to provide insufficient separation information.
- **It makes good sense!** Providing all of the facts at the claim level is the best time to obtain a disqualification and avoid an unemployment hearing. Attending UI hearings is expensive and time consuming, in terms of lost productivity for company employees who must participate. In addition, if you fail to give complete and timely information at the initial claim level, some states will not allow you to participate in a hearing, resulting in benefit charges that could have been prevented. A growing number of states will not credit your experience-rating account for benefits paid prior to your winning at a UI hearing.
- **It's cost effective!** A lack of details often results in a "wrong" claim determination and the improper payment of UI benefits. Even if the decision is "made right" through the hearing process, overpaid UI benefits are often not recovered. Overpayments deplete UI trust funds and increase tax rates for all employers. Detailed information means good claim decisions, which in turn can help keep trust funds solvent and deter tax increases.
- **It's your reputation!** States are becoming more attuned to which employers habitually fail to provide complete and timely separation. UI agencies are more likely to give you the benefit of the doubt on a particular case, if your past history reflects you have been compliant.
- **It affects your credibility!** Hearing officers are becoming increasingly suspicious when they see a pattern of details only being provided at the UI hearing. If you consistently present the full facts at hearings, but fail to provide details at the claim stage, you may lose favor with the presiding judge.
- **Employers can't "pick and choose!"** Remember all states require detailed and accurate information, to effectively administer claims and the UI program, overall. Attempts to selectively decide which claims you will provide information may go awry and could lead to increased statutory requirements for all employers.

## Map Showing Effect of Insufficiency/Inaccurate Response at Claim Level



