

Unemployment FAQs

Why did I lose this attendance discharge case?

Unemployment allows an individual who is discharged due to attendance issues the opportunity to show "good cause" for their absences or tardiness. If the individual's final absence is beyond their control such as illness, a sick child, or an automobile problem then you may lose - even if you followed the procedures in your company's attendance policy. **Since the precise definition of "good cause" varies from state to state, please contact TALX if you have a specific example or question.**

When your company's attendance policy has been violated, TALX recommends that you issue a verbal or written warning which advises the employee that the warning is a result of a **violation of company policy**. Also be sure to cite the policy violated. If the progressive disciplinary process leads to discharging an employee, make it clear that the employee is being discharged for **multiple violations of company policy**. This strengthens the potential of the State to consider the whole work history instead of the final incident - which may have been outside of the claimant's control.

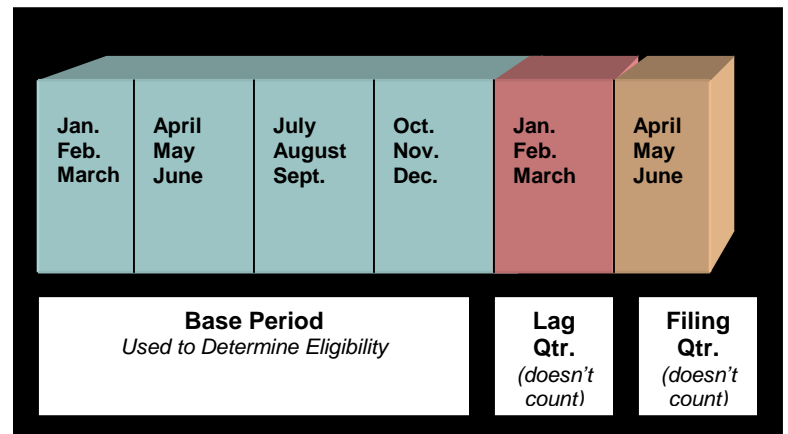


What does the state look for in adjudicating a voluntary quit case?

The "burden of proof" rests with the former employee. The former employee must prove that he voluntarily quit with good cause such as a substantial change in pay, working conditions, etc. Good cause is generally established when work-related conditions have substantially deteriorated or a situation exists that would force a reasonable person to leave his/her employment. The employer should be able to present facts showing they have attempted to resolve the situation with the employee, i.e., provided alternatives that were available to the employee prior to the resignation. The state will ask for information from the employer such as what the work-related problem was and did the employee pursue options such as a transfer or shift change.

Why am I being charged when the employee left last year?

The base period is the span of the time that the unemployment compensation system considers in order to determine whether the employee is eligible for benefits, and, if eligible, the amount of benefits she should receive. Charges are based on the work the employee performed within the base period. The base period is generally the first four of the last five completed calendar quarters before the employee applies for benefits. Therefore the base period does not include the quarter in which employee applies (filing quarter) or any part of the calendar quarter (lag quarter) before that. In the example below, eligibility and charges for an employee filing in April will be determined based on the work the employee performed in January to December of the preceding year. Many states allow for an alternate or extended base period for persons who have insufficient wages in the customary base period to qualify for a valid claim.



Why am I receiving duplicate requests for information from TALX?

After a claim is filed, TALX will receive a request for information from the state. TALX may contact you to obtain the necessary information and will relay this to the state. Upon receipt, the State may contact TALX again to request specific additional information or a rebuttal to a claimant statement. In this case TALX will send an additional request to you for information. It may appear that you are receiving duplicate requests; however the question on the requests will differ.