

TALX



&

TALX

*The Source to Streamline and  
Manage Unemployment Costs*

**Partners in Unemployment Cost Control**

## Unemployment Compensation

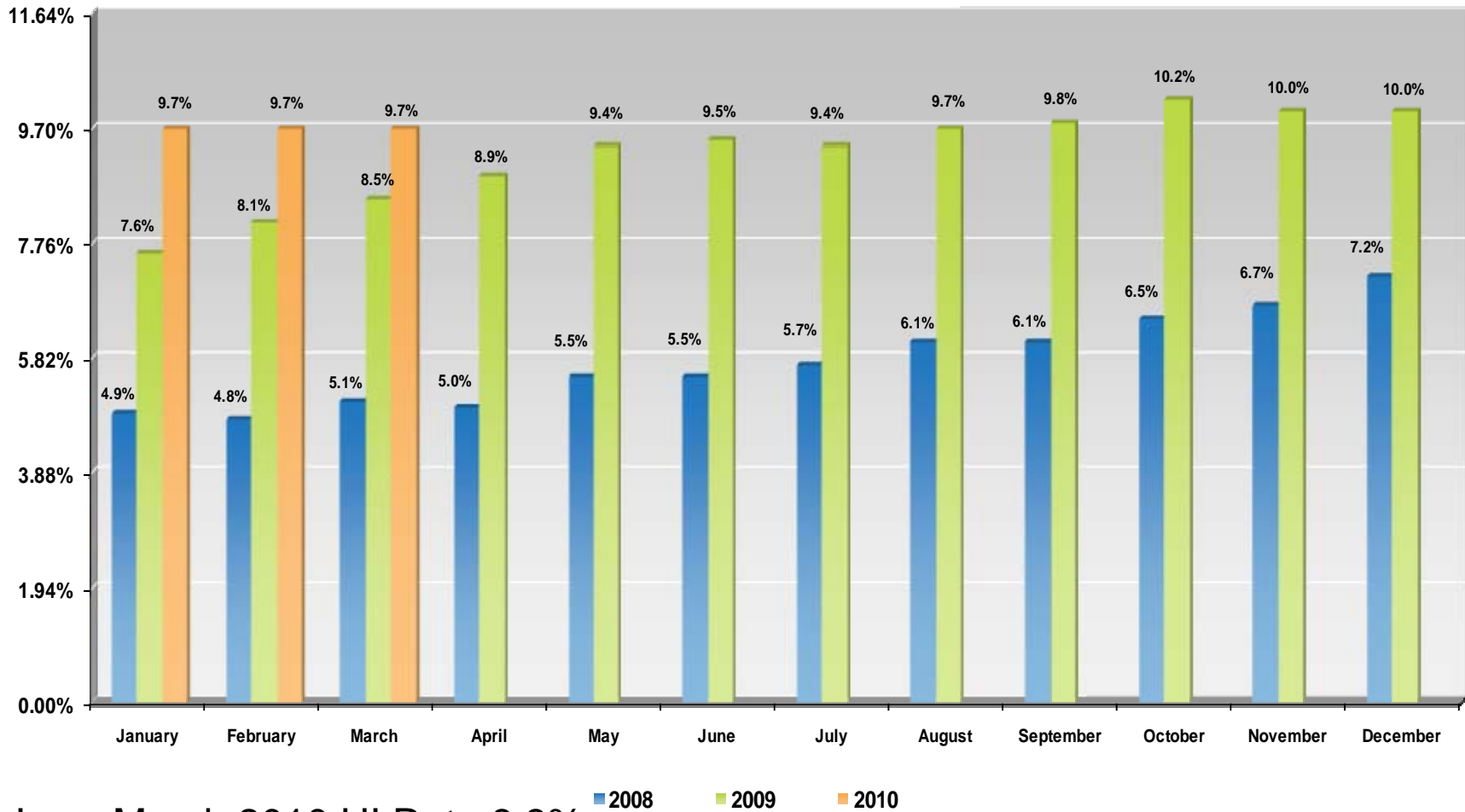
- Founded based upon the principal of providing a supplemental income to individuals out of work “through no fault of their own.”
- Through continued liberal interpretation, these principals have eroded to paying benefits to individuals unemployed as a result of their own volition.
- 100% funded for by employers.

**UNEMPLOYMENT TAXES ARE CONTROLLABLE**

## Program Features & Benefits

- Unemployment Claim Processing
- Unemployment Hearing Representation
- Educational Seminars/Training
- Audit of Benefit Charges
- Verification & Calculation of State Tax Rates
- Unemployment Reports

# National Unemployment Trend



Iowa March 2010 UI Rate 6.8%



# Unemployment Compensation – Weekly Benefit Review

## Traditional Unemployment Benefits

26

Maximum Weeks in most states

13 - 20

= 46 weeks

State Extended Benefits

## Emergency Unemployment Compensation Program (EUC 08)

26

13

13 - 20

= 59 weeks

## EUC 08 Program (Amended) – The Extension Act

26

13

7

13

Tier I

Tier II

TUR > 6% 3 consecutive months

13 - 20

= 79 weeks

## The Worker Homeownership and Business Assistance Act

26

13

7

14

13

6

13 - 20

= 99 weeks

Tier II  
(Modified)

Tier III  
TUR > 6%

Tier IV  
TUR > 8.5%

## **UCeXpress<sup>®</sup> Service Team**

### **Contact Us (800) 848-0287**

- **Donee Singer,**

Claims & Hearing Consultant

[Donne.Singer@talx.com](mailto:Donne.Singer@talx.com)

Phone: 800-846-9215 x2741

Fax: 888-237-0241

- **Deb Agudelo,** Supervisor

[DAgudelo@talx.com](mailto:DAgudelo@talx.com)

Phone: 800-846-9215 x4383

Website: [www.ucexpress.com](http://www.ucexpress.com);

[www.talx.com](http://www.talx.com)

- **Jeanette Jackson,**

Client Relationship Manager

[Jeanette.jackson@talx.com](mailto:Jeanette.jackson@talx.com)

Phone (513) 766-8929

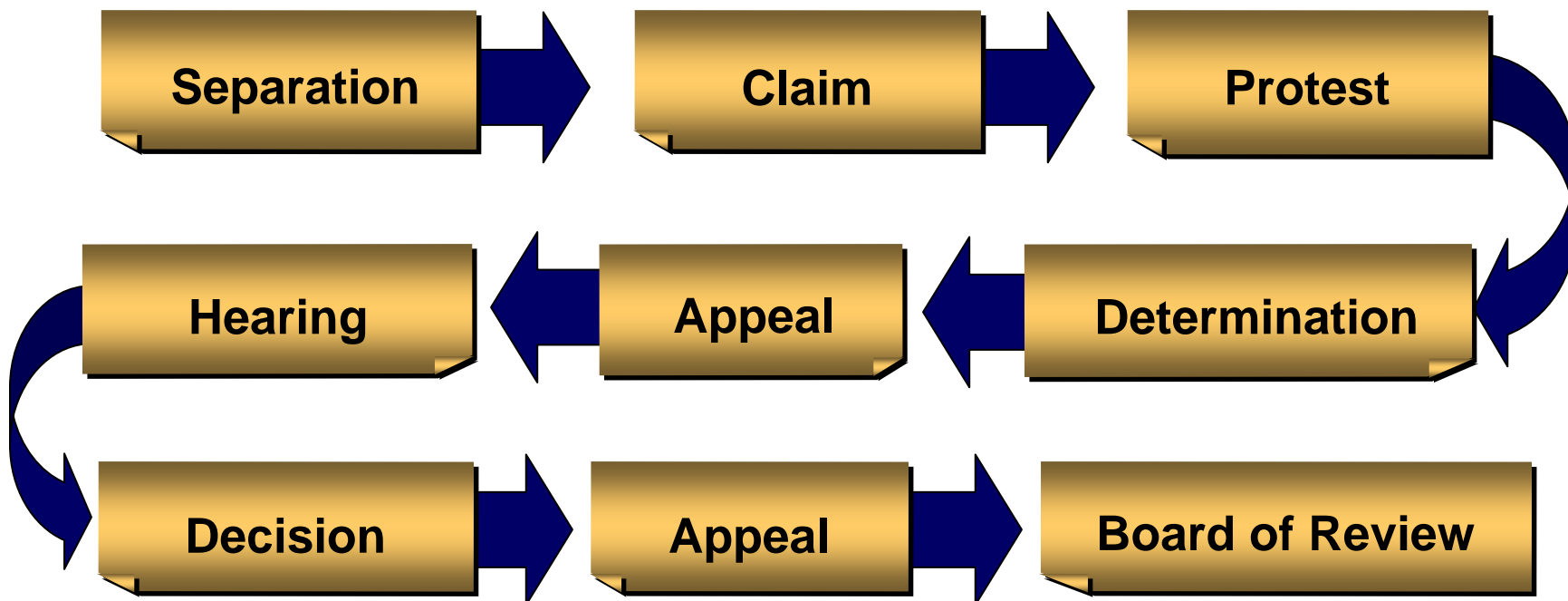
- **Marge Schumick,**

Manager, Client Relationships

[mschumick@talx.com](mailto:mschumick@talx.com)

Phone: (614) 658-3030

# Unemployment Claim Process

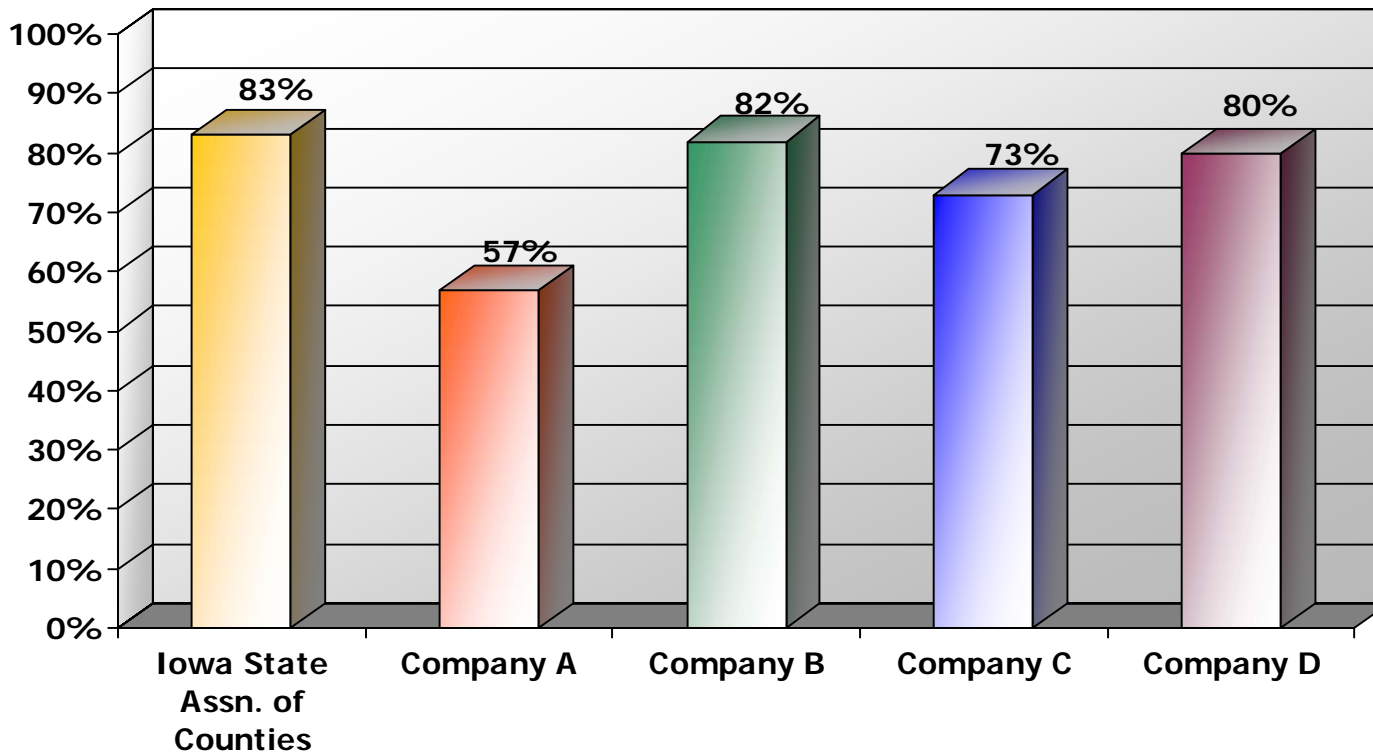


**The UCM claims management process could take up to three years to conclude when multiple appeals are involved**



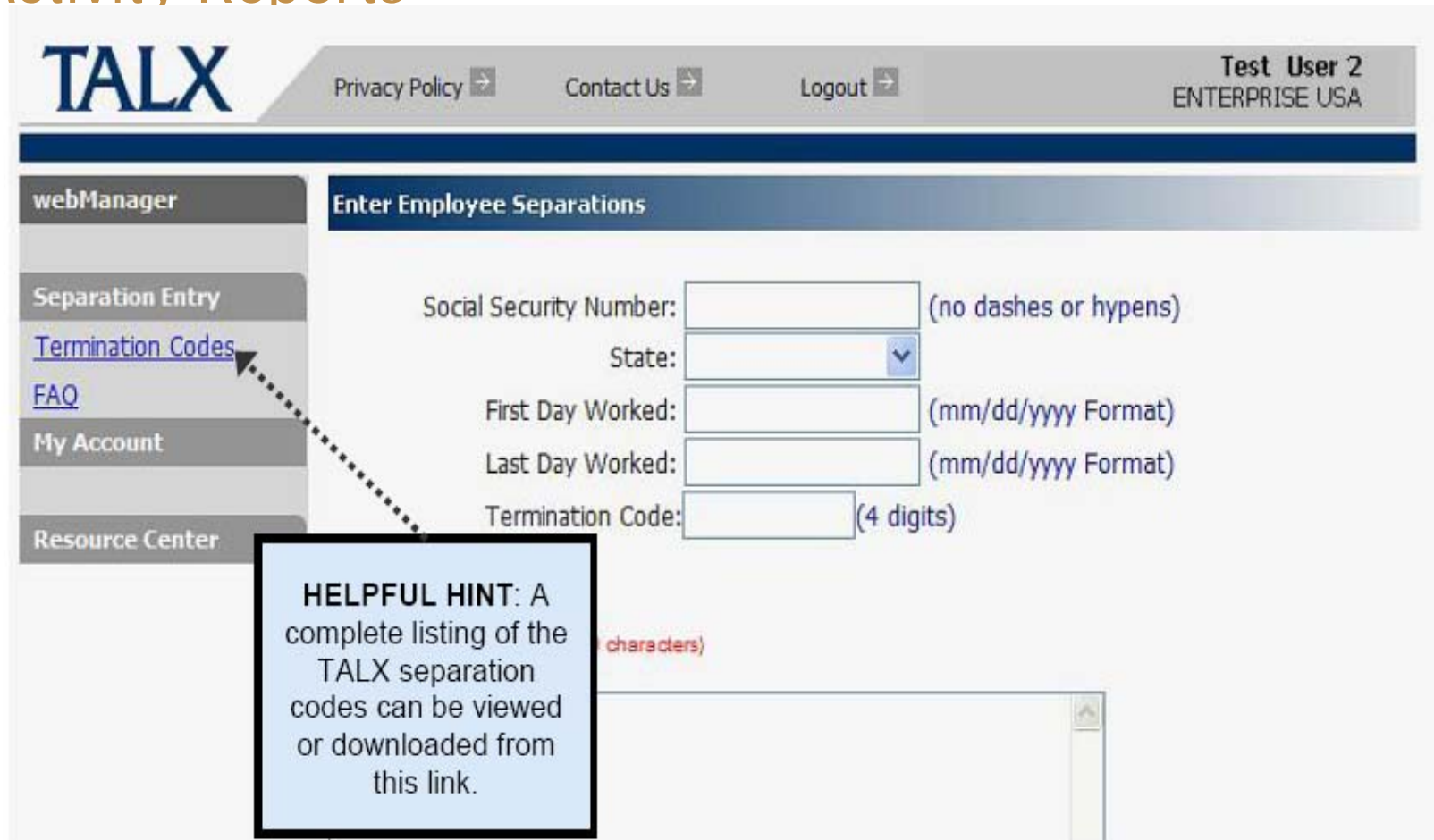
Win Percentage at Claims Level  
Calendar Year 2009

Government: State; Local





# ucm.talx.com - Web Separations, Claims Inquiry, Activity Reports



The screenshot shows the TALX webManager interface. At the top left is the TALX logo. To its right are links for Privacy Policy, Contact Us, and Logout. On the far right, the user is identified as 'Test User 2 ENTERPRISE USA'. A left-hand navigation menu includes 'webManager', 'Separation Entry', 'Termination Codes', 'FAQ', 'My Account', and 'Resource Center'. The main content area is titled 'Enter Employee Separations' and contains the following form fields:

- Social Security Number:  (no dashes or hypens)
- State:
- First Day Worked:  (mm/dd/yyyy Format)
- Last Day Worked:  (mm/dd/yyyy Format)
- Termination Code:  (4 digits)

A dotted arrow points from the 'Termination Codes' link in the navigation menu to a blue callout box. The callout box contains the following text:

**HELPFUL HINT:** A complete listing of the TALX separation codes can be viewed or downloaded from this link.

characters)

# BENEFIT YEAR

Claim Filed: 5/18/10

5/19/11

52 Weeks

Duration 26 Weeks

x WBA \$ 459

Maximum  
Claim

Liability \$11,934

# BASE PERIOD

Claim Filed: 5/18/10

QTR.	QTR.	QTR.	QTR.		
1st Qtr. 2009	2nd Qtr. 2009	3rd Qtr. 2009	4th Qtr. 2009	Lag Quarter 1st Qtr. 2010	Incomplete Quarter 2nd Qtr. 2010

# Types of Separations

## Voluntary quit

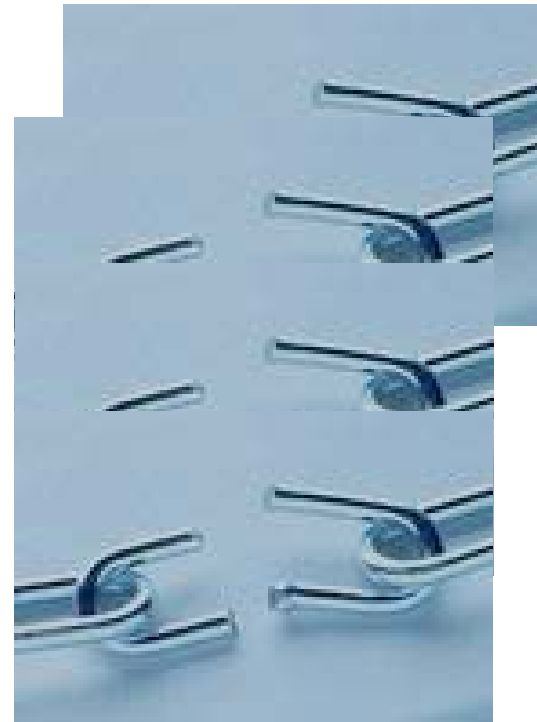
- "I quit!"
- No Call/No Show for three days

## Discharge

- "You're fired!"
- Misconduct
- Poor Job Performance

## Lack of work

- Completed Assignments





## Can Benefits be Paid After a Voluntary Quit?

The **burden of proof** is the responsibility of the employee to show:

1. Serious, compelling reason
2. No alternative to quitting
3. Everything possible was done to protect employment before quitting



# Good Cause For Quitting

## Substantial changes in conditions of hire

- Reduction in wages
- Demotion/loss of responsibility
- Different work location causing hardship
- Change in work schedule if detrimental to employee's interest

## Harassment

- Sex
- Race
- National origin





# Good Cause For Quitting

## Illness Or Injury

- Doctor recommended quit

## Other Employment That Fell Through

- At least 2 weeks of service

## No Job After Leave Of Absence





# Voluntary Quit - Protests

Clear Explanation

Documentation

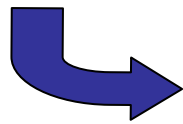
Letter of Resignation  
Employee Statement  
Commitment Sheet  
Other evidence of quit

Mechanism **in place** for resolving serious grievances



## Can Benefits be Paid after a Discharge?

- The **burden of proof** is the responsibility of the employer to prove with **clear and convincing** evidence that the employee was discharged for **misconduct**.



***Deliberate, willful disregard of the employer's interest***

1. Detail the rule, which was violated
2. Prove the claimant knew the rule
3. Show the claimant was warned
4. Establish that the rule violated:
  1. Protects business interests
  2. Is applied fairly and consistently



## Discharge – Not able to Protest



### Poor Work Performance

- Incapable, not willful

### Attendance

- Beyond the employee's control

### Isolated Incident

- No prior warnings

### Good Faith Error

- Company's best interest

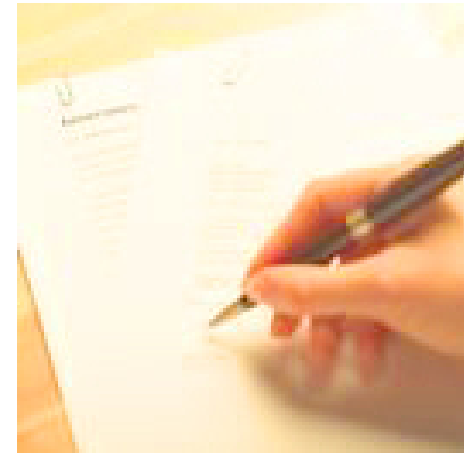


## Discharge – May be Protested

- Violation of known Company Policy
- Absence
  - Within employee's control
- Tardiness
  - Within employee's control
- Insubordination
- Misappropriation/Mishandling of client funds
- Under influence of drugs/alcohol at work
  - Usually requires test and comprehensive policy

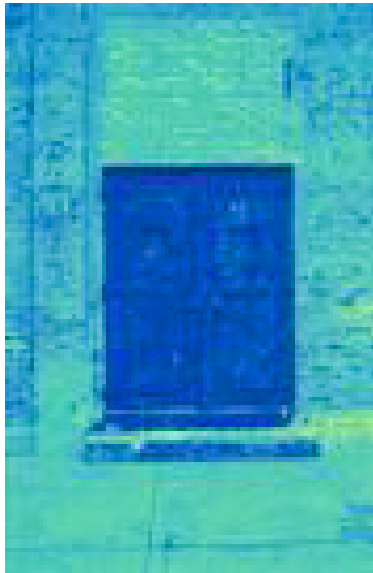
# Discharge Checklist

- ✓ Employee was aware of the expectations
- ✓ Employee was given counseling and warnings
- ✓ Employee knew the consequences of actions
- ✓ Employee was treated fairly





## Lack of Work



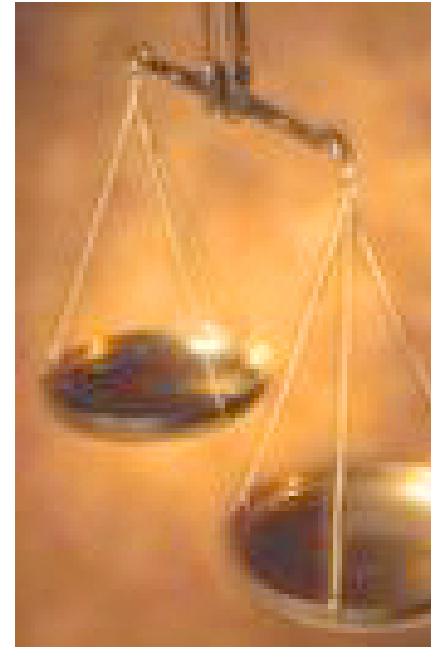
- Completed Assignments
  - No assignments available
- Reduced hours
  - Full-time to Part-time
- Can not Protest
  - Original Intention of Unemployment
- Failure to Maintain Contact
- Job Offers and Refusals



# Hearings Presentation Tips

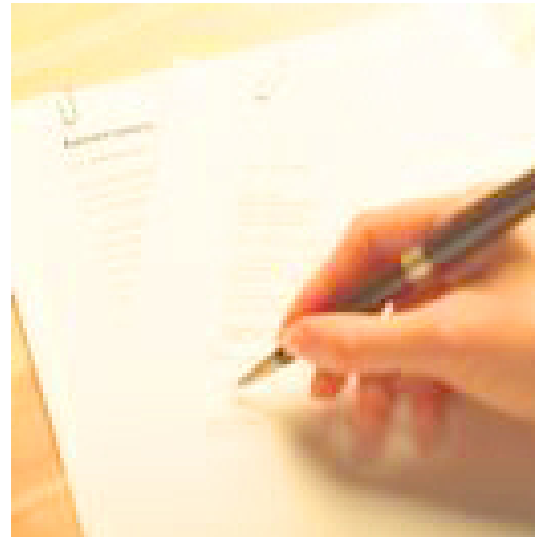
## Preparation

- Person(s) with **firsthand knowledge** must attend hearing
- Copy of **company policy** relating to infraction
- Obtain and **review file** from state hearings clerk prior to hearing



# Hearings Checklist

- ✓ Dates of employment
- ✓ Rate of pay
- ✓ Job description
- ✓ Days/hours worked
- ✓ Reason for separation
- ✓ Signed resignation (voluntary quits)
- ✓ Written warnings (discharges)
- ✓ Description of the final incident preceding separation (discharges)





# Hearings Presentation Tips

- Stay **focused** on the **main issue**
- Object to irrelevant testimony or questions
- Remain in **control**
- Take **notes** of claimant's testimony to help with your **rebuttal**
- Offer a **summation** where needed to clarify a complex case; otherwise, rest on the record



## Documents Mailed Directly to Your Company

Immediately call **TALX** to notify them that you have received Unemployment Documents directly.

This will allow for the most expeditious handling and processing of the pending case



TALX

# A Seamless Extension of Your Organization

TALX

**UC***eXpress*<sup>SM</sup>

