

# Unemployment Insurance



Unemployment Insurance is a federal-state program, established as part of the Social Security Act of 1935. The principal objectives are twofold:

- To cushion the financial blow to workers who lose their jobs through no fault of their own
  - To help stabilize the economy during recessions.
- Employers pay taxes into the UI system and states use those funds to provide income support to workers and families who lose their jobs. Virtually all wage earners are covered.
  - Employers are taxed based on their experience rating, based on past claims.
  - The U.S. Department of Labor establishes broad program guidelines; the states set their own eligibility rules and benefit amounts. Georgia ranks near the bottom of states in terms of amount and duration of benefits.
  - States pay for the actual benefits; the federal government reimburses the states for the costs to administer the program.

## Disqualification

Georgia law allows disqualification of claims under the following circumstances:

- Employee quit voluntarily without good cause
- Employee was discharged for failure to obey orders, rules, or instructions or for failure to discharge the duties for which the employee was hired
- Intentional conduct by the employee causing property loss or damages over \$2,000
- Employee is discharged for theft over \$100
- Intentional conduct which results in physical assault on employer, fellow employees, customers, or bystanders
- Violation of employer's drug policy.

The burden of proof is on the employer.

## Weekly UI Benefits

Maximum weekly benefit in Georgia is \$330. Workers are eligible for benefits for 14 to 20 weeks, depending on the state-wide unemployment rate at the time of the application.

## Eligibility

Unemployment Benefits are available to people who:

- Have lost job through no fault of their own, AND
- Are ready, willing, and able to take a "suitable" new job, AND
- Have earned a certain amount insured earnings over a base period (generally the four previously completed calendar quarters), AND
- Are U.S. citizens.

Unemployment Benefits are NOT available to:

- Employees who quit voluntarily or are fired for good cause
- Contract workers, temporary workers, self-employed
- Part-time workers (most states)
- Teachers and educational administrators during the summer break if they have a reasonable assurance of reemployment
- Persons seeking their first job.

## Filing a Claim

Applicants may file claims as follows:

- Apply online or at Georgia Department of Labor (GDOL) office.
- Provide GDOL with a copy of Separation Notice from employer.

Then:

- GDOL will make a determination based on reason for separation, verified by employer in writing or by phone.
- GDOL will determine if claimant is monetarily eligible (i.e., has earned sufficient income during a twelve-month base period).
- If a resignation or discharge is involved, Claims Examiner will conduct an informal predetermination interview, gathering facts from employer and employee.
- The Determination process may take up to four weeks; benefits are paid retroactively from the time the initial claim was made.
- Claimants whose claims are denied have a right to appeal.