

# **An Overview of Unemployment Claims and Appeals**

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**Book: [www.twc.state.tx.us/news/efte/tocmain2.html](http://www.twc.state.tx.us/news/efte/tocmain2.html)**

**Web app: [texasworkforce.org/tbcapp](http://texasworkforce.org/tbcapp)**

**1-800-832-9394; 1-512-463-2967**

## **Unemployment Insurance Basics**

- System based on fault, not need
- UI benefits are for those who are unemployed through no fault of their own
- System is financed entirely by employers
- Any school employee is covered

## Hurdles for Claimants

- Monetary qualification
- Out of work through no fault of their own
- Continuing eligibility requirements
- Any of these can prevent payment of UI benefits

## Wage Suppression

- If a claimant has base period wages from a school district, is between academic terms, and has reasonable assurance of continuing employment in the following term, benefits may not be based upon the school wages
- The claimant might qualify for lower benefits based upon non-school wages

## **Substitute Teachers**

- Failing to follow established policy on staying in contact with the district can merit an investigation
- Completing an assignment with no further work immediately available = layoff, but refusing an offer of suitable new work without good cause merits disqualification (prior to claim: voluntary leaving; post-claim: work refusal)

## **Follow Your Own Policy**

- Giving prescribed number of warnings helps show that a person knew or should have known their job was on the line
- Following that and other policies helps show consistency of treatment, which is essential for defending against unemployment and discrimination claims

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