

If the decision is reversed, your benefits will stop and you will have an overpayment of benefits. You would then need to file an appeal.

**Make sure you do not miss the appeal deadline stated on the notice!**

## After I Apply, What Other Steps Do I Need To Take To Be Eligible For Unemployment Benefits?

### 1. File weekly claims by telephone or online.

- You will receive a New Claim Instruction Sheet and a notice containing a Personal Identification Number (PIN) shortly after you file your application.

- **You should read these papers closely.** They explain how to file your weekly claims.
- The papers will be sent by a Processing Center assigned to you. If you have questions, call the phone number provided on this notice.

- **You only receive benefits for the weeks that you file.**
- You can usually receive **26** weeks of unemployment benefits in a “benefit year.” Occasionally there are extended benefits available. For more information see <https://unemployment.ohio.gov>
- Benefits are paid by direct deposit or debit card. You can choose which option you prefer. Paper checks are no longer issued.
- You will be asked if you were **able, available, and actively seeking work** during the week. You will only receive benefits for the weeks that you are able, available, and actively seeking work. If you answer “No,” to these questions, you will receive a questionnaire that will ask for more information.

### 2. Report all earnings or work activity on your weekly claims.

- You will be asked if you are working and how much money you earned during the week in which you filed your claims.
- If you earn less than your unemployment amount, you may be eligible for **partial unemployment benefits**.
- If you work at all during the week, you *must* report the amount you earned. Report the **gross** amount earned [the amount before taxes are deducted.]

**\* If you fail to report this information correctly, you can be charged with fraud.**

**\*\* If you lose this new job, you *must* report this new separation so the agency can evaluate whether this new discharge or quit will stop your benefits.**

### 3. You can receive Social Security benefits and unemployment.

Social Security retirement benefits are no longer deducted from unemployment benefits.

#### **Remember: Change Your Address If You Move!**

- Report your change of address to the Office of Unemployment Compensation to receive all notices promptly.
- Complete IRS form 8822 (change of address) and mail it to the IRS to receive any tax refunds or letters from the IRS.
- Change your address with the post office so that important mail is forwarded to you.

**You can contact The Legal Aid Society of Cleveland to see if we can assist you with your appeals or with your hearing. Contact our Intake Department at 888.817.3777 as soon as you receive an unfavorable decision or learn of an employer appeal. We may not be able to help you if you delay in contacting our office.**



The  
**Legal Aid Society**  
of Cleveland  
*Since 1905*

*This brochure was prepared by Legal Aid which serves low-income residents of Ashtabula, Cuyahoga, Geauga, Lake and Lorain Counties in Northeast Ohio.*

#### **New Client Intake**

Toll Free: 888.817.3777

Phone: 216.687.1900

Learn more about Legal Aid and upcoming brief advice clinics:

**[www.lasclev.org](http://www.lasclev.org)**

#### **Legal Aid Offices:**

##### **Cleveland & Administrative Offices**

1223 West Sixth Street, Cleveland, OH 44113

##### **Elyria Office**

1530 West River Road, Suite 301, Elyria, Ohio 44035

##### **Jefferson Office**

121 East Walnut Street, Jefferson, OH 44047

##### **Painesville Office**

8 North State Street, Suite 300, Painesville, OH 44077

*If you have a communications limitation, contact Legal Aid through the Ohio Relay Service at 800.750.0750.*

*Legal Aid offers interpretation and translation services so those with limited English proficiency can communicate with Legal Aid staff in their dominant and/or preferred language.*

*The information in this brochure cannot take the place of advice from a lawyer. Each case is different and needs individual legal advice. You should contact a lawyer if you need representation or if you have questions.*



12/11

# What You Need To Know About Unemployment Benefits



The  
**Legal Aid Society**  
of Cleveland  
*Since 1905*

**[www.lasclev.org](http://www.lasclev.org)**

## Can I Receive Unemployment Compensation Benefits?

You can receive unemployment benefits if you lose your job for one of these reasons:

1. **LACK OF WORK**— you can receive benefits if you are **laid off** by your employer or if your employer reduces your hours.
2. **DISCHARGED WITHOUT JUST CAUSE** – you can receive benefits if you can show that you were not at fault for being **fired** or did not commit misconduct.
3. **QUIT FOR JUST CAUSE** – it is very difficult to get benefits if you quit. You must be able to prove that there is a very good reason you quit, **and** you also must show that you tried your best to work out the problem with your employer before you quit.

## How Do I Apply For Unemployment Benefits?

You can apply for unemployment benefits by calling the Office of Unemployment Compensation (“the agency”) at: 1.877.644.6562. Or, you can apply online at: <https://unemployment.ohio.gov>.

After you file an application for benefits you also file “weekly claims” for any weeks you are unemployed and able, available and actively seeking work.

## What Happens After I Apply for Unemployment Benefits?

- **You and your former employer will complete fact-finding forms about the reason why you are no longer working.**

The agency will use these responses to decide if your separation allows you to receive benefits or not.

If you do not understand the questions in these forms, call the Processing Center that issued the notice and ask for assistance.

- **The agency will first see whether you have enough wages to be ‘insured’ for unemployment..**

Your “average weekly wage” must be above a ‘qualifying amount’ which is set by the state each year. For example, in 2012, the qualifying average weekly wage was \$222 per week. For up to date information, go to [http://jfs.ohio.gov/unemp\\_comp\\_faq/faq\\_elig\\_definitions1.stm](http://jfs.ohio.gov/unemp_comp_faq/faq_elig_definitions1.stm).

- You must have worked at least 20 weeks during a base period of four completed calendar quarters prior to your application.
- The agency uses the first four of the last five completed calendar quarters. If you do not qualify, then the four most recently completed calendar quarters are used.
- A “quarter” is a 3-month period. Quarters begin January 1, April 1, July 1, and October 1.
- Your work must have been in ‘covered employment.’ If you are incorrectly listed as an independent contractor, you may be told that you do not have covered employment and may need to appeal.

## How Do I Know if I Will Receive Unemployment Benefits?

- The agency will issue a decision on your application called a Determination.
  - If your benefits are **allowed**, the notice will inform you of your weekly benefit amount and will find that you were discharged without just cause, quit for just cause or are separated due to lack of work. You will receive benefits for any valid weekly claims that you have filed.
  - If your benefits are **denied**, the decision will give the reason for the denial. For example, you may be denied if you do not have high enough wages in covered employment or if the agency finds that you were discharged for just cause, quit without just cause or refused an offer of suitable work.

- **If you disagree with the Determination, you must appeal before the appeal deadline!**

- Your former employer also has the right to appeal.
- *If you do not meet the “weeks and wages” requirement, you may also reapply for benefits at the beginning of the next quarter to see if you qualify.*
- Read the Determination carefully. Even if your claim is ‘allowed,’ you may be denied benefits for a certain period if the agency finds that you were not able, available, or actively seeking work. If so, you may need to appeal or provide additional information to the agency about your ability to work.

## How Do I File an Appeal?

- **You must file your appeal within 21 days from the date that the notice was mailed. Failure to meet this deadline will result in the loss of your right to appeal**
- Follow the instructions listed in the *Appeal Rights* section of the notice.
- You must file a written appeal by mail, fax, or by logging into your account at [unemployment.ohio.gov](http://unemployment.ohio.gov).
- You should keep a copy of your appeal and proof of mailing, proof of fax transmission, or proof of appeal confirmation filed at [unemployment.ohio.gov](http://unemployment.ohio.gov).

## What Happens After an Appeal Is Filed?

- If you or the employer files an appeal, the agency will send two notices right away:
  1. A notice to the appealing party showing the agency received the appeal.
  2. A notice that an appeal has been filed.

If you file the appeal, the employer is given time to respond.

If your employer files an appeal, you will be given time to respond.

- The agency will review the responses and issue a decision called a **Redetermination**.

Read the Redetermination carefully. If you do not understand it, call the Redetermination Unit or your Processing Center for an explanation.

## What Happens After a Redetermination Decision Is Issued?

- If the Redetermination is in your favor, you will receive benefits for any valid weekly claims you have filed.
- **If the Redetermination is not in your favor, you may file another appeal. That appeal must also be filed within the 21-day appeal period from the date that the decision was mailed to you.** Again, you must follow the appeal instructions and keep a copy of your appeal and proof of mailing, fax or internet filing.

If you file an appeal, your case will then be transferred to the Unemployment Compensation Review Commission (UCRC) for a hearing.

The UCRC will send you information about the hearing procedures, or you can look at the UCRC web site at: <http://www.web.ucrc.state.oh.us/FAQ/Questions.stm>.

## What Happens if my Employer Appeals my Award of Benefits?

If your employer files an appeal, your benefits will continue during the appeal.