

# ***Understanding The Process of Filing for Unemployment Compensation (UC) Benefits***

by: Northwestern Legal Services

## **Filing a Claim:**

Filing a claim for UC benefits in Pennsylvania now takes a matter of minutes by telephone or Internet. The Commonwealth has completed implementation of Statewide UC telephone claims service by establishing eight regional Call Service Centers. All Call Service Centers can be reached by using Statewide toll-free numbers: 1-888-313-7284 and TTY 1-888-334-4046. Local numbers are also available for individuals living within local calling distance of the Call Service Centers: Allentown 821-6735; Altoona 946-7224; Duquesne 267-1315; Erie 871-4311; Indiana 599-1250; Lancaster 299-7711; Philadelphia 856-6990; Scranton 496-2332. A geographical map is located on the Website of the Pennsylvania Department of Labor and Industry at [www.dli.state.pa.us](http://www.dli.state.pa.us). You may use the website to file a UC claim and to access a multitude of employment and training opportunities through CareerLink. You are required to register with Career Link and post a resume to Career Link within 30 days of your application for benefits and apply for positions that offer work and wages similar to your prior jobs and which are within a forty-five minute commute from your home.

## **Standard Application of Unemployment Compensation Law:**

In Pennsylvania, a computer system now standardizes the way Unemployment Compensation (UC) Law is applied to quit and discharge cases. The Expert Assistance System for Examiners (EASE) determines if a person is eligible for Unemployment Compensation benefits. It works this way.

When a claimant reports being discharged from or quitting a job, the claimant is asked questions from an issue-specific form by a UC Claims Examiner. The employer is telephoned by the Examiner and interviewed by using an issue-specific form developed for employers. The form is faxed to employers who cannot be reached by telephone and mailed to those without a fax. The employer has 48 hours to respond to a fax and seven days to respond to mailed forms. If the information is not received within the specified time, a determination is made based on the available information. However, if you do not receive a written determination but instead simply begin receiving payments your claim may be looked at later. Therefore, even once you are receiving payments you should still pay attention to and respond to any mail from the unemployment compensation authorities.

After the fact-finding is complete, the Examiner enters the information into the system. EASE responds by asking a series of related questions that the Examiner must answer to resolve all issues. EASE then writes the determination using consistent language and explains why benefits are allowed or denied and mails the determination directly to each party. If you disagree with this decision you may appeal but it must be within 15 days of the Notice of Decision which will be on the Determination. If it is even one day late your appeal will not be considered.

## **UC Referee's Hearing:**

Unemployment Compensation (UC) is for people who lose their job through no fault of their own. If your application for UC benefits is denied by the UC Service Center you have 15 days to appeal. If you are granted benefits the employer may appeal. A Referee's Hearing will then be scheduled. You will receive a Notice of Hearing telling you the date, time and place of the Hearing, along with the name of the

Referee and the issues to be decided. You should arrive at least 15 minutes before the Hearing to review the Exhibit File to see what was said by the employer and you. You may bring an attorney or non-attorney to represent you at the hearing. The employer may also do this. The Referee will come out and announce it is time for the Hearing and take you and the employer to the Hearing Room. The Referee will explain the procedure and your rights. He will name the documents in the Exhibit File and ask if anyone has objections to any of them. The Referee will get all the facts from you and the employer. The Hearing is tape recorded and anyone testifying is asked to take an oath to tell the truth. You should have your facts organized before you go to the Hearing so you can tell your story to the Referee. Take any documents to support your case and give them to the Referee. You may also take witnesses who were directly involved. You may also subpoena witnesses in advance of the hearing by contacting the Referee's Office. The Referee will listen to you and to the employer and any witnesses. Each side may question the other and the Referee may ask anyone questions at any time. The Referee will issue a decision in writing. It will list the facts, the law that applies, and whether benefits are granted or disapproved. The Referee's Hearing is very important because it is the only time you can tell your side of the story in person. Either side can appeal the Referee's Decision to the Unemployment Compensation Board of Review and if not satisfied with that decision appeal to the Commonwealth Court. However, no one appears in person and no new issues can be brought up at these levels of appeal. The tape recording of the Referee's Hearing and the Exhibit File is sent to the next level of appeal for their review to decide whether the Referee made the correct decision according to the law. Feel free to contact Northwestern Legal Services if you need help with a UC case.

### **Employment Discrimination:**

It is against the law for employers to discriminate based on a person's race, color, sex, religion, national origin, age, or disability. It is also against the law for employers to tolerate discriminatory actions in the workplace. Incidents of harassment and discrimination which occur in the workplace should be reported immediately in order to address the issue and prevent future occurrences as well as to preserve legal rights. Employees may also file a complaint with the U.S. Equal Employment Opportunity Commission (EEOC) if the employer does not address the issue, or if the employer itself engages in unlawful acts, such as improper hiring or termination practices or unequal treatment in the workplace. By law, an employer is prohibited from intimidating or retaliating against an employee who files such a complaint with the government agency. Detailed information may be found at the Equal Employment Opportunity Commission Website: [www.eeoc.gov](http://www.eeoc.gov) or telephoning toll free: 1-800-669-4000 or (TDD) 1-800-669-6820.

We have attempted to ensure the accuracy of the information in this Pamphlet at the time it was created or revised. However, the law does change, sometimes quickly and unexpectedly. Therefore, you should consult an attorney before taking or refraining from any action based on the information.

***New Clients Call for Service (814) 452-6597 or (800) 665-6957  
Or Apply Online at [www.nwls.org](http://www.nwls.org)***



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