



Pennsylvania Unemployment Compensation Benefits

When you are separated from employment in Pennsylvania, or your hours are significantly reduced, you may be entitled to Unemployment Compensation, or UC, benefits.

Total separation from employment generally falls into one of two categories: you quit a job, or you were terminated from employment. Once you have either quit a job or have been fired, you may apply for UC benefits. In addition, if there is no work for you for 2 weeks or more, you may file for UC benefits. This may be done online or over the phone. To apply online or obtain a telephone number for filing over the phone, you may visit the PA Dept. of Labor & Industry's website: www.dli.state.pa.us, which also provides instructions in Spanish. Filing online usually is faster.

To apply, you will either fill out a questionnaire if you apply online, or answer a UC Service Center Representative's questions if you apply by telephone. The Representative will ask you questions about your former employer and other general information, and the reason you left work. You will then receive notice in the mail whether or not you are financially eligible to receive UC benefits, based on the amount of money you have earned in a certain amount of time. If you disagree with this decision you have 15 days to appeal it.

After financial eligibility is determined, your former employer will be notified that you have applied. The employer will then be asked for information regarding your separation. Once the Unemployment Compensation Service Center has heard both your and your employer's version of why you are separated from that employment, in most cases it will issue a "Notice of Determination," which will state whether or not you are eligible for UC benefits. Both you and the employer have the right to appeal this Determination within 15 days of the Date of Decision which will be on the Notice of Determination. Failure to appeal an unfavorable decision within 15 days of the date on the decision will mean that the decision to deny you UC benefits has become final.

If the case is appealed, you will receive notice in the mail of a hearing in front of a UC Referee, at which time you are entitled to be represented by an attorney, paralegal, or other non-legal representative if you so choose. At the hearing, the Referee will take testimony and evidence including documents regarding your separation from employment. The issues are addressed as follows:

If you quit your job, you will be awarded UC benefits if you can prove that there was a "necessitous and compelling" reason to quit the job. This means that you must have a very good reason for quitting, which the Referee will evaluate on a case by case basis. In situations where you quit voluntarily, you must exhaust **all** alternatives prior to quitting – that is, you must inform the employer of the issue, and allow them an opportunity to address your issues.

If you are terminated from your job, the employer must prove that you committed willful misconduct, which basically means that you **intentionally violated** one of the employer's rules, that you disregarded standards of behavior that the employer had a right to expect from you, or that you willfully disregarded the employer's interests. In a willful misconduct case, if an employer provides evidence that you intentionally violated a rule, you can try to show that the rule was unreasonable or not uniformly enforced.

After the hearing, the Referee will issue a "Notice of Decision." That, too, can be appealed by either party.

**For Service Call NWLS 1-800-665-6957 or In Erie 452-6957
Or Apply Online at WWW.NWLS.ORG**

Date Revised: 10/2018