

Unemployment Issues, Be Proactive

Presentation By:
Chris Lyonnais-Human
Resource/Payroll Coordinator
Orchard View Public Schools

Separation Occurs

- | A layoff/termination/downsize or lack of work to an employee occurs.
- | It doesn't matter the reason, what you do next is all the same.
- | Deactivate the employee in any HR/Payroll systems, send out COBRA notice and receive notification from the Unemployment Insurance Agency.

HR/Payroll Systems

- | Make sure to turn off any active contracts to avoid overpayment. Need to communicate if different departments are involved.
- | Delete user names and passwords if the person was in a sensitive position. Cancel name from any credit card accounts and businesses.
- | Termination is important for REP report due on 12/1/09.
- | Cancel benefits through Medical Provider(s).

COBRA

- | Make sure you send out notification of coverage. Coverage is retro to when benefits end.
- | Send in the COBRA application to the medical provider if the person elects coverage.
- | Premium plus 2% charge to the person.
- | Designated person in Central Office to handle billing to the employee (A/P/HR/Payroll).
- | Keep Track!

Unemployment

- | Monetary Determination first form received by district/employer.
- | If laid off, prepare to pay the cost. Most districts are reimbursing (pay claims only).
- | Able to protest claim.
- | Must be sent in within 10 days if disputing.
- | Clearly indicate reason for dispute and provide documentation.

Disputing Claim

- | Make sure you have all the documentation on why the former employee should be denied unemployment.
- | Be clear and concise in the reasoning when responding to the UIA including all necessary documentation.
- | Respond to all UIA notices sent to you that you are disputing before the 10 day deadline.

UIA Decision

- | The UIA will receive information from the employee in question and the employer disputing the claim.
- | Should your dispute be upheld, congratulations, you saved your district money.
- | If you loose the dispute, there is still hope.

Appeal

- | If your dispute is denied, you can appeal the decision.
- | Need to identify why you feel a reversal is justified.
- | May be granted a hearing by an ALJ or decision denied.
- | Provide all documentation to the Administrative Law Judge (ALJ) if granted a hearing.

Hearing

- | You will be assigned an ALJ hearing the case.
- | Most likely will be a phone hearing.
- | Have access to Employer Advocate. No charge for court hearing, fee for phone hearing.
- | Talk to them before the case. Will give you advice to handle phone hearing.

Hearing cont.

- | Make sure you have all the documentation to the ALJ a head of time for them to review.
- | Employee in question and yourself will have an opportunity to speak to the ALJ.
- | Be professional and answer all questions.
- | Win and congratulations or loose and appeal.

Appealing hearing

- | If your appeal from the ALJ has been denied, you have an opportunity to appeal the decision.
- | Rehearing, appeal to board of review or to circuit court are your options.
- | Can use the Employer Advocate if you go to court or in front of the ALJ.
- | Decision is final after that.

Conclusion

- | Make sure to document anything that could help in the event of unemployment.
- | Cost savings to the district if you don't have to pay out claims.
- | Make sure to budget for unemployment in the event of downsizing or layoffs.
- | Be timely in your responses to any paperwork from the UIA.
- | Attend a UIA Conference!

Questions

- | UIA telephone number is 1-800-638-3994
- | The website for the UIA is www.michigan.gov/uia
- | Questions for me?
