

UNEMPLOYMENT COMPENSATION FOR FLORIDA WORKERS¹

What is unemployment compensation?

Unemployment compensation is partial wage replacement for unemployed workers who are actively seeking work. Unemployment compensation is not welfare. It is a job benefit provided by employers.

Who is eligible for unemployment compensation?

Workers who are unemployed or had their hours reduced, and who earned at least \$3,400 within 2 of the last 4 calendar quarters before the most recently completed calendar quarter before separation from work. Eligibility is not based on need. You may not be eligible if you (1) quit without good cause attributable to your employer or illness or (2) were fired for misconduct. If the misconduct was minor or unintentional, you may be eligible even if your employer says otherwise.

Are there special eligibility requirements for temporary workers supplied through an employment agency?

Yes. Temporary workers supplied through an employment agency must notify the agency when the work assignment ends and request another assignment. If the agency provided you notice of this requirement and you fail to meet it, you can be denied unemployment compensation.

How much is paid in weekly benefits?

Between \$32 – \$275 per week for up to 26 weeks per year based on your prior earnings.

When should I apply for benefits?

As soon as you lose your job because benefits are not retroactive and only begin after a "waiting week" for which no payment is made. It takes 3 to 4 weeks to receive your first check.

How do I apply for benefits?

Apply online at www.floridajobs.com or by calling 1-800-204-2418. You can also obtain a paper application at your local WorkSource Career Services office and apply by fax or mail as directed on the application.

What information do I need to file a claim?

Your social security number (or alien registration number and work permit expiration date), the names, addresses and phone numbers of all your employers during the last 18 months, the dates you worked and total earnings for each employer, your driver license, state ID, voter registration or other ID. If you were recently in the military, you will need your DD-214. If you were a federal employee, you will need Form SF-50 or Form SF-8 and check stubs or W-2.

What happens after I apply?

There are 2 stages to qualifying: (1) sufficient wages earned and (2) the reason for job loss. As to wages: Within 7-14 days after filing a claim, you should receive a Wage

¹ The information provided here is general in nature and not intended as legal advice. The laws discussed are subject to change without notice. Seek legal advice for more information.

Transcript showing your past earnings. It will have an "X" in the applicable box showing that you are monetarily "eligible" or "ineligible." If eligible, it will show your potential benefits amount assuming you qualify based on the reason for job loss. Check the Wage Transcript for accuracy and promptly report errors. The Wage Transcript must include information about how to report errors and the deadline for doing so. If you do not report errors or appeal within the time deadline, you lose your right to correct the wage transcript which is the basis for calculating the amount of your benefits.

As to eligibility based on the reason for job loss: A claims adjudicator may call you and your former employer to request additional information about why you are no longer employed. You should receive a Determination stating whether or not you are eligible. If you are denied benefits, the Determination must state the reason, give instructions on how to appeal and provide the deadline for filing. If you do not appeal within the time deadline, you lose your right to claim benefits. If you qualify for benefits, you must call biweekly during appointed times to report your work search efforts to maintain eligibility.

IMPORTANT APPEAL INFORMATION IF YOU ARE DENIED BENEFITS

Many workers who deserve benefits are wrongly turned down when they first apply. You must make a **written** request for an appeal hearing within **20 calendar days of the date of mailing on the Determination** or you lose your appeal rights. Keep a copy of what you file as your appeal and **evidence that you filed on time** (such as a fax transmittal report, online confirmation number, certified mail receipt). You must continue calling in to report your work search efforts while an appeal is pending.

What happens if I or my former employer files an appeal?

Within a few weeks of the filing date of the appeal, you will receive a Notice of Telephone Hearing with the date and time of the hearing and the issues to be heard. An appeals referee conducts the telephone hearing to take sworn testimony from you, your former employer and witnesses and renders a decision regarding your eligibility. **THIS IS NOT JUST A PHONE CONVERSATION!** This is generally your only opportunity to present evidence and legal arguments can be made on your behalf.

Do I need a lawyer for the hearing?

No, but legal representation will likely increase your chance of winning. Jacksonville Area Legal Aid, Inc. provides free legal advice and representation at appeals hearings for qualified applicants. It is important that you contact us immediately if denied benefits.

When do benefits end?

If you fail to make biweekly telephone reports, fail to seek work, are not able or available to work, accept a job, fail to accept a suitable job, or exhaust your benefits.

Where can I get help?

Workers' Rights Clinic

2nd Wednesday of Each Month
6:00 – 8:00 PM at
Jacksonville Area Legal Aid, Inc.
126 West Adams Street
Jacksonville, FL

Or

Call 356-8371

For information on
applying for help.

JACKSONVILLE AREA LEGAL AID, INC.
Employment Law Project