

File for unemployment? No way (Part 1 of 2)

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Don't be a fool. You're embarrassed, your ego is bruised, you may even question your abilities right now, but this is no time to wallow - even if you've quit or been fired. File for unemployment the moment you leave work. Don't stop for gas. Don't stop for food. Drive straight to the local unemployment office, call, or go on-line to file for your benefits. You've definitely paid for them, or technically, your employer has paid on your behalf.

Who pays for unemployment insurance?

Except for Alaska and New Jersey,* employers are required to pay into the Federal-State Unemployment Insurance (UI) programs, whether they pay as they hire or reimburse the programs once a positive unemployment determination is made. Either way, employers must pay or face adverse tax consequences, as well as fines, by the federal and/or state audit they'll face if they refuse to pay (intentionally or otherwise).

While the percentage of gross wages each employer pays is set by individual states, a percentage is paid on the first several thousand dollars gross wages for every employee. For example, in Florida, an employer pays 2.7% of the first \$7000 a person earns each calendar year, which equals 189 dollars, or UI credits, for each individual. At \$10 an hour, this means \$10.80 a week is paid into UI for 17.5 weeks. After that, the excess wages are not taxable. The longer a person works, though, the larger h/her credit pool grows. (Independent contractors licensed as businesses, too, would pay the same amount for anyone hired, including themselves).

Little known fact

Though the UI program is funded by employers, you, as an employee, have actually paid the cost as all employers pass this cost to employees through a lower average wage. I know this, because I was a senior human resource executive before I struck out on my own. You'll know this, because, once you file for unemployment, you will have to choose whether or not you want your Federal Income Taxes withheld upon benefit payment. Yep, UI is a lot like an IRA; you pay a tax upon use. That noted, the funds have been paid by you or your employer, however you want to reconcile yourself to the fact, and you are potentially due a percentage of your total gross wage as calculated by your state's department of finance or labor.

* In AK and NJ, employees must pay their UI directly to the state.

For more information on unemployment compensation, click on your state's icon at: <http://workforcesecurity.doleta.gov/unemploy/>.

Disclaimer *I am not a licensed attorney or certified accountant. My blogs are based on my own experiences and loads of research.*

Diane Faulkner is a freelance writer and speaker whose work is seen in such publications as *Credit Union Management*, *The Federal Credit Union*, *The Conference Board Magazine*, *Human Resource Executive*, *Women's Digest* and *The Business Journal*. A former human resource vice-president and certified substance abuse counselor, Faulkner's expertise in human behavior and labor issues helps people work and play well together in the office without later landing in court.

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File for unemployment? No way (Part 2 of 2)

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When would I not qualify for unemployment?

This is sticky. Though a federal program, each state is allowed to make its own rules, and each program director has h/her own take on how closely rules are followed. Without throwing any particular states under the bus, one state in which I've lived and worked, it is very difficult to obtain unemployment if you've been fired or quit a position. In another, the rules are extremely lenient. Overall, though, if you can make a case to the adjudicator as to how you came to the decision to quit or why you believe you were fired - and you have neither caused bodily harm to anyone nor otherwise severely adversely affected a company's business a.k.a. embezzled or spied) - you will most likely qualify.

Remember, one way or another, you have paid into this fund, which is why you should always, always, apply for unemployment the moment you are out of work.

What if I waited to apply?

Well, depending upon how long you waited, you should still be okay. When your information is received at an Unemployment Compensation (UC) office, the processor looks back five months to a year to see where you worked, how long, for whom, and verifies your pay rate. This takes time, so most states have an official waiting period, called a Waiting Week, to allow for verification of your paperwork. This means that, if you qualify, you will not receive your first check until the second or third week after you filed.

If you have been out of work for more than a year, you should check with your local unemployment compensation office to see how your state handles long-term unemployed claims.

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