

## **PERSONNEL**

### **Personnel**

#### **Unemployment Compensation (6.39)**

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### **PURPOSE**

The purpose of this policy is to ensure compliance with the provisions of the Tennessee Employment Security Act of the Tennessee Code Annotated.

### **POLICY**

It is the policy of Tennessee State University to provide unemployment compensation benefits as provided by the State of Tennessee.

### **PROCEDURE**

In order to establish a benefit year and receive benefits for total unemployment, an individual must file a claim at a local claims office of the Department of Employment Security, register for work and furnish certain information, including:

1. Name, address, social security number.
2. Name and address of last employer and any previous employers during the last six months.
3. Reason for separation.

Reasons for a claimant's separation from his most recent employment are carefully reviewed. If the separation notice indicates separation was for reasons other than "lack of work," further fact finding becomes necessary.

In order to establish a benefit year, an individual must file a request for and receive a determination of eligibility as a fully insured worker. To establish eligibility the employee must have been paid wages for insured work in a base period equal to 36 times the weekly benefit amount and must have been paid wages in at least two quarters of the base period. The employee must also have no less than \$338.01 in the base period quarter in which the most earnings were made.

The base period is the first four of the last five completed calendar quarters immediately preceding the effective date of a new claim. The effective date of the claim is usually the first day of the week in which claim is filed.

If all of the above requirements are met, the determination also establishes the weekly benefit amount and the maximum amount of benefits the claimant may receive during such benefit year.

## **QUALIFYING FOR BENEFITS**

To be eligible to receive benefits an employee must:

1. Be totally unemployed or performing less than full-time work and earning less than his weekly benefit amount.
2. File a claim for benefits with the Department of Employment Security.
3. Register for work and continue to report as directed by the Department.
4. Be able and available for work (unless specifically exempted).
5. Serve a waiting period of one week.

A claim must be filed each week if a worker is to continue to receive benefits. Continued claims are submitted by mail; however, each claimant is required to report to the Claims Office periodically for an Eligibility Review.

Weekly benefit payments are mailed directly to the claimant from the Central Office in Nashville.

## **DISQUALIFICATIONS**

A claimant may be disqualified from receiving benefits because of the reason for his separation from employment. The facts pertaining to the circumstances causing the separation must be clearly established. The following are the most common disqualifications.

### **VOLUNTARY QUILTS**

A person leaving work voluntarily without good cause connected with his work shall be disqualified for the ensuing period of unemployment and until the person has secured subsequent employment covered by an unemployment compensation law of this state or another state and earned thereby five times the weekly benefit amount.

### **SICK OR DISABLED**

A person forced to leave work due to illness or disabled shall not be disqualified upon availability for work if the person (1) presents competent medical proof at being forced to leave work; (2) notifies the employer of that fact as soon as reasonable practical to do so; (3) returns to the employer and applies for work as soon as work capabilities are regained and (4) is able to perform former duties.

### **PREGNANCIES**

Pregnancy shall be considered on the same basis as any other disability within the meaning of the

Law.

### **JOINING ARMED SERVICES**

A person who leaves his work in good faith to join the armed forces of the United States shall not be disqualified for unemployment compensation.

### **GROSS MISCONDUCT**

A worker shall be disqualified for benefits if a discharge was for reasons which constitute gross misconduct in connection with his work. The Department is prohibited from making a determination of benefit rights of an individual based on wages which have been paid prior to the time of discharge for gross misconduct.

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### **REFERENCE**

Tennessee Employment Security Act of the Tennessee Code Annotated