

Filing a claim for PA Unemployment Compensation (UC)

Non-English speakers can request a conference call or in-person meeting with an interpreter and another person of their choice. For ASL Videophone Service call 717-704-8474. For TextTelephone Service (TTY) call 888-334-4046 from a TTY device.

1. File your initial claim for benefits as soon as possible after your separation from your employer:

- **If you have internet access**, go to <https://benefits.uc.pa.gov/> to register and then file your claim. During the process you will be prompted to connect to the ID.me website to confirm your identity, then returned to the UC website to complete the claim.
- **If you don't have internet access**, call the UC Service Center Monday-Friday 8am-4pm at 1-888-313-7284 to file your claim by phone. Or call 855-284-8545 to schedule an in-person appointment to apply through the UC Connect program - UC Service Center staff will meet you at a CareerLink office. After you finish the claim, be sure to ask whoever is helping you to make sure that a PIN personal id number for the Pennsylvania Teleclaims (PAT) system will be mailed to you for your weekly certifications by phone.

2. File your weekly certifications as long as you have an active UC claim:

- **If you have internet access**, every week go to your UC dashboard at benefits.uc.pa.gov/ to answer work certification questions regarding ability and availability for suitable work, part-time earnings, confirmation you are doing work searches etc.
- **If you don't have internet access**, when you receive your PIN, call PA Teleclaims every week at 888-255-4728 to answer the work certification questions regarding ability and availability for any work, part-time earnings, work searches, etc.

3. Complete your CareerLink work registration as soon as possible to avoid automatic disqualification after 30 days

- **If you have internet access**, go to pacareerlink.pa.gov/ and complete your work registration as a UC Claimant. If you have previously completed work registration with CareerLink, update your resume. Save your registration completion confirmation!
- **If you don't have internet access**, complete your work registration at a local CareerLink office. If you have previously registered at a CareerLink, bring an updated resume. Be sure to save all registration confirmation documentation!

What happens after I file my initial claim, start filing my weekly certifications, and complete my CareerLink work registration?

- 1. Financial determination:** The UC Service Center first issues a determination of financial eligibility for up to 26 weeks worth of benefits. (If you receive partial benefits due to part-time earnings, the duration of your claim may extend beyond 26 weeks.) Your weekly benefit rate will be based on total base-year wages, highest quarterly wages, and number of credit weeks in which you earned \$116 or more in your base year. When you receive the determination, if you believe that there are missing wages not reported by your employer, or if a base-year employer is not listed, you can file a wage protest on your UC dashboard or by calling 888-313-7284.
- 2. Separation determination:** The UC Service Center then reviews info from you and your former employer to determine whether the cause of your separation qualifies you for benefits. The review may take between 4-8 weeks. See the next pages for more info on common causes for separation and the types of evidence that you can collect and submit to show your eligibility.

Common types of separation from employment and determination of UC eligibility

Layoffs

A layoff is the elimination of a position due to an employer's lack of work, a lack of employer funds, and/or because of an employer reorganization. Layoffs may be temporary, seasonal, or permanent. Sometimes your employer will not call your separation a "layoff" but a "furlough", a "position elimination," or "reduction of work hours to zero." If your hours are reduced you can also apply for partial UC.

If your employer informs you that your lack of work is temporary and gives you a return to work date, be sure to share that date on your claim. If your employer doesn't give you a return to work date or a date to return to full time work, you *must* complete and document weekly work searches throughout the duration of your claim, even if you expect to return to your previous job full time.

When you file your claim, collect and submit ALL information you are provided by your employer regarding your layoff, reduction in hours, and/or expected return to work. Generally, if you can show that the separation is a layoff, you should be eligible for UC.

Terminations

A termination means that your employer ended your employment. To challenge your eligibility for UC benefits, the employer has the burden of proof to show that you demonstrated wilful misconduct and/or that you knowingly violated their policies:

- The employer should provide evidence that they informed you of an official policy that you willfully violated. You may use company handbooks or policy documents to show that conduct for which you were terminated is not an official policy violation.
- Evidence that the employer did not follow their own policies regarding progressive disciplinary procedure and warnings may be considered. Look for disciplinary steps outlined in company policies and handbooks AND evidence that they did not follow such steps.
- Tardiness or absenteeism due to health or other valid reasons may not be misconduct. Collect evidence to show that you followed employer's policies regarding timely communications and documentation of reasons provided to your employer of absences/tardiness.
- Unintentional mistakes or inability to perform tasks are not misconduct. Share testimony and any evidence that you did your best.

Voluntary resignations

A resignation means that you ended your employment. You have the burden of proof to show necessary reasons to quit, such as:

- significant changes in work conditions from the time of hire, such as schedule, work location, work responsibilities, pay, benefits, etc.
- unhealthy or unsafe conditions at the workplace
- ethical or professional standard violations by the employer supervisors, and/or other company representatives.
- transportation problems that made it difficult to reach the work place, such as bus route changes, car loss, etc.
- the need to care for family members, such as a sick relative or to stay home with children if day care is not available.
- professionally documented medical conditions that made it hard to continue that job but still allow you to do other types of work.

You must show that you made reasonable efforts to communicate your concerns to managers and ask for accommodations to keep your job.

Evidence of eligibility

The UC Service Center may interview both claimants and employers, send fact finding forms, and review available evidence that you and your employer submit to determine your separation eligibility. Be sure to check your preferred method of notification regularly, whether email or postal mail. It is very important that you answer any fact finding forms and return phone calls as soon as possible. Collect evidence, talk to possible witnesses, and organize your account of events as soon as possible after a separation while memories of events, names, dates, documents are fresh.

Important information and evidence to prepare regarding your separation could include:

- A timeline of significant events, meetings, conditions, and communications that are relevant to your separation.
- Notes on your memories of all conversations and meetings relevant to your separation.
- If possible, find first-hand witnesses that would be willing to testify to incidents and communications relevant to your separation if you need to appeal a separation determination. Collect all witness names, contact information, and their roles.

Documents you may use for evidence regarding your separation could include:

- company policies
- disciplinary and counseling forms
- emails
- timesheets
- contracts
- medical documentation
- pay stubs
- app messages
- letters
- texts
- written notes
- memos

Since your access to company emails or communication platforms often ends soon after you are separated, collect such evidence as soon as possible. Download such documents to your own computer, email them as attachments to your personal email address, take photos, screenshots, and/or print them out. You can then upload such documents on your UC dashboard as part of your claim, email them to UCHelp@pa.gov, or present hard copies of such documents at a UC Connect in-person meeting with UC Service Center staff.

If you receive a determination that you are not eligible for unemployment compensation, you can file an appeal ***no later than 21 calendar days after the date on the determination notice***. An appeal hearing will be scheduled at which you can present the types of evidence listed above to show that the determination was based in UC Service Center error or was based on misrepresentation of the facts by your employer, witnesses, or employer representatives. If you are eligible and your employer then appeals, go to the hearing!

See the next page on how to file an appeal. As you wait for an appeal hearing, keep doing your weekly job searches and filing your weekly certification online or with the PAT teleclaims system in order to remain eligible for eventual benefit payment!

There are three levels of UC eligibility appeals:

1. First level appeal hearing with a referee

File your appeal no later than 21 calendar days of receiving your determination. Ways to file an appeal include:

- **online from your UC account dashboard** by going to the Unemployment Services section of your UC account dashboard. At the bottom of that section, click on [More Unemployment Services](#), then on the next page click on the Appeals gavel icon.
- **by fax** using the number on your determination notice.
- **by mailing** the Petition for Appeal in your determination letter to Mail Processing Unit, 651 Boas St, 5th Floor, Harrisburg PA 17121
- **by email** at UCAppeals@pa.gov;
- **in-person** by delivering a petition for appeal or appeal letter to a [PA CareerLink® office](#).

Include your social security number, address, determination date, and reason for your appeal. The appeal will be assigned a number and forwarded to a UC Referee. The Referee will send all parties a Notice of Hearing with hearing time and place, the issues, and parties involved. Gather any relevant documents and invite witnesses to testify as soon as possible, even if you don't have an appeal date yet.

2. Appeal of a Referee decision to the UC Board of Review

You may appeal a Referee ruling to the UC Board of Review as a written brief, no later than 21 calendar days after the ruling date on the determination notice. First request a transcript from the referee appeal hearing and request the right to file a brief:

- **online from your UC account dashboard** in the Appeals section.
- **by mail** to: UC Board of Review, Room 1119 Labor & Industry Building, 651 Boas St. Harrisburg, PA 17121
- **by email** to UCBoardAppeals@pa.gov
- **by fax** to the UC Board of Review at 717-346-4484
- **in-person** at a [PA CareerLink® office](#) during business hours.

Be sure to include name, address, Social Security number, ruling date, and reason for the appeal. Please visit this UC web page for more info. <https://www.uc.pa.gov/appeals/Pages/Appealing-a-Referee-Decision-to-the-UC-Board-of-Review.aspx>. The Board of Review usually does NOT hold an additional hearing for new evidence, or allow additional verbal testimony or documents to be submitted, but instead reviews the claimant brief, the Referee's record, and transcript from the initial appeal hearing. There may be exceptions: you may request that the Board send the case back to the Referees for a remand hearing to gather more information.

3. Appeal of a UC Board of Review Decision to Commonwealth Court

You may appeal a UC Board of Review decision to the Commonwealth Court within 30 days of the mailing date of the Board decision. We encourage consultation and filing a petition for review with a Unemployment Compensation attorney. If a claimant qualifies, free legal assistance may be available from local legal services organizations, local bar associations or law school clinics.

Non-English speakers have the right to an interpreter and translation of documents for appeal hearings. Use the contact information for the referees office provided on the notice of your appeal hearing to make the request for language services.