

Unemployment Claims-Options for Employers

Employers considering furloughs or reduced work hours may be interested in options for unemployment claims for their employees. Listed are methods for unemployment claims, *which if the requirements are met*, will not require the employee (claimant) to look for work, therefore keeping them “attached” to the job. All of these options are time limited as to the duration of the time the claimants are exempt from searching for work.

MASS CLAIMS:

Mass claims are unemployment claims established by the Commission for an employer that has a temporary layoff with a definite return to work of eight weeks or less.

- The process must be initiated by the employer.
- The temporary layoff must have a definite date of return to work and must be eight weeks or less.
- There should be at least 25 employees involved.
- The employer must furnish a list of specific information to the commission, or submit a excel spreadsheet in the proper format with the information required.

Often, the employer’s IT department may need to get involved in preparing the specific information to the commission. This method actually files the claim for the group of employees for a specified amount of time, and all the claimant has to do is file his/her weekly certifications for each week they wish to file benefits.

If interested in this option, please contact the Commission at the number at the bottom of this sheet and we will furnish a more detailed set of instructions. The mass claim information needs to be provided to us no later than the week prior to the layoff.

EMPLOYEES WORKING REDUCED HOURS:

If your company is required to reduce the work hours of its employees to less than 32 hours and wages are reduced to less than the employee’s weekly benefit amount, plus \$100, the employee will be eligible to file a new regular unemployment claim or reopen one the employee already has. The claimant/employee will need to report his or her work hours and the amount of wages earned each week when filing the weekly unemployment certification.

The claimant/employee will be responsible for filing his or her claim correctly and within the proper time period. The claimant/employee will also be responsible for correcting any errors on his or her claim, and will be required to look for work for each week claiming benefits.

As a separating employer, you will receive a Notice of Application for Unemployment Benefits after the claimant has filed a claim. In regular unemployment claims, the claimant

will be required to register with the employment service, conduct a work search for each week he or she files for benefits and accept a suitable job if one is offered.

TEMPORARY LAYOFF:

Sometimes it is not possible to receive a mass claim from an employer, for various reasons. If not, we will request that the employer provide a letter to the agency, listing the names and social security numbers of those on the temporary layoff, the effective date of the layoff and the return to work date for the employees. If this is provided, then the claimants will not have to look for work and will still be job attached. A temporary layoff can last up to eight weeks. If it is extended past eight weeks, it is no longer considered a temporary layoff and so the claimants must look for work and accept a suitable job if one is offered. Please contact the agency at the number below, for more details and we will provide further instructions to give to your employees.

The claimants will need to file the unemployment claim themselves and be responsible for filing the weekly claim and correcting any errors that occur.

PARTIAL CLAIMS:

Partial Claims are no longer available.

SHARED WORK UNEMPLOYMENT COMPENSATION PROGRAM:

An employer having a reduction of work hours must meet specific requirements to participate in the Shared Work program for unemployment benefits. If the conditions are met, the employer will be responsible for submitting the shared work claim in the format required each week of the reduction of hours. The requirements are as follows:

- A. The Oklahoma Employment Security Commission may approve a shared work plan if:
1. The participating employer regularly employs at least one hundred employees;
 2. The shared work plan applies to and identifies a specific affected unit or number of units;
 3. The employees in the affected unit are identified by name and social security number;
 4. The shared work plan reduces the normal weekly hours of work for an employee in the affected unit by not less than twenty percent (20%) and not more than forty percent (40%);
 5. The shared work plan applies to at least ten percent (10%) of the employees in the affected unit and at least fifty employees within the company;

6. The shared work plan maintains the fringe benefits of each employee in the affected unit at the benefit level in effect before the shared work plan is implemented;

7. The employer certifies that the implementation of a shared work plan and the resulting reduction in work hours is in lieu of temporary layoffs that would affect at least ten percent (10%) of the employees in the affected unit and at least fifty employees within the company, and that would result in an equivalent reduction in work hours; and

8. The employer has filed all reports required to be filed under the Employment Security Act of 1980 for all past and current periods, and has paid all contributions, interest, penalties and fees owing on the employer's account with the Commission.

B. If any of the employees who participate in a shared work plan pursuant to this act are covered by a collective bargaining agreement, the shared work plan must be approved in writing by the collective bargaining agent before approval by the Commission.

C. A shared work plan may not be implemented to subsidize seasonal employers during the off-season or to subsidize employers who have traditionally employed workers less than thirty-two (32) hours per week.

D. If any employer that is eligible for a tax rate computation under Sections 3-101 through 3-118 of Title 40 of the Oklahoma Statutes is assigned an experience tax rate of five and four-tenths percent (5.4%) or greater for a calendar year, that employer shall be ineligible to participate in the Shared Work Unemployment Compensation Program provided by this act for that calendar year.

E. The Commission shall approve or deny a shared work plan on later than thirty (30) days after the day the shared work plan is received by the Commission. The Commission shall approve or deny a shared work plan in writing. If the plan is denied, the Commission shall notify the employer of the reasons for the denial.

F. The employer may appeal the denial of a shared work plan pursuant to the provisions of Section 3-115 of Title 40 of the Oklahoma Statutes.

Contacts:

For Mass Claims, Temporary Layoffs or Shared Work Program:

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