



Unemployment Insurance

I lost my job. Can I get unemployment insurance?

Unemployment insurance is given to people who lose their jobs when it is not their fault. This fact sheet gives some of the rules about who can get unemployment insurance. If you are not sure if you can get unemployment, **you should apply**. Although there are other rules, there are 4 basic rules.

The 4 Basic Rules to Get Unemployment

1. You must have earned a certain amount of money at 1 or more jobs.

Unemployment looks at a 1-year period that ends 1 to 6 months before the date you apply. Sometimes you have to apply again in a different month to qualify.

2. You must have lost your job and it was not your fault.

In general, this means that you can't get unemployment if you quit your job or if you were fired for "misconduct." But there are exceptions. Sometimes you can still get unemployment insurance for these reasons below. If you're not sure, you should apply.

- Did you get laid off?
- Were your hours cut?
- Did you quit because your job was unsafe, or someone was threatening or hurting you?
- Did you quit because of an illness or emergency in your family, and you couldn't get time off?
- Did you quit or were you fired because changes to your mental or physical health made doing the job hard? **(Bullet after this was deleted)**
- Were you sick or injured and it made working hard? Was someone in your family sick or injured?
- Did you lose childcare or your transportation? Did your boss or co-workers harass you or treat you badly?
- Did you do the job to the best of your ability, but still got fired because it wasn't good enough for your boss?



3. You must be looking for work after losing your job.

Treat your job search like a full-time job. Spend at least 30 hours a week looking for a new job. Keep records of where you look for work.

4. You must be able to work and available to work after losing your job.

If you have health issues or commitments (like school) that keep you from looking for work or working, you may not be eligible.

Note: If you get social security disability payments, it can be very hard to get unemployment insurance. Contact your local legal aid office for more information.

Before you quit a job...

- In some cases, you may be able to get unemployment if you were **forced to quit**. For example, if you or someone in your immediate family has a serious illness or injury you have to let your boss know and ask for a reasonable accommodation. This means you are asking for changes, like time off, so you can keep your job. If your boss doesn't do anything to help your situation and you have to quit, you might be able to get unemployment.
- If you can't keep working your same schedule because you don't have childcare, you have to let your boss know and ask for an accommodation before you quit. If you don't do this, you will be denied for unemployment insurance.
- You may also be able to get unemployment if you felt like you had to quit because your boss didn't fix a serious problem **that you reported**, like an unsafe work condition, sexual harassment or discrimination.

If things like this happen, keep notes about what happened and when **and** make your complaint in writing. Be sure to keep a copy of everything important.



Remember: it is important to let your boss know about the problem and give them time to fix it. If you don't, you may not be able to get unemployment insurance.

You probably won't get unemployment if...

- You probably **won't** be able to get unemployment insurance if you quit for personal reasons or because you did not like your job.
- You might **not** be able to get unemployment if your boss says you were fired for "misconduct." Misconduct can be things like poor attendance and being late a lot. It is also things like stealing, lying, fighting on the job, or refusing to do what your supervisor asked. If you are told not to do something and you keep breaking the rules even after being warned, your boss can call that misconduct.

If you have good reasons for breaking the rules or not doing what your boss asks, you may be eligible. Good reasons are usually about safety and well-being of workers. If you think you were doing the right thing, you should still apply for unemployment.

You might still be able to get unemployment if you missed work for a good reason, like illness or an unexpected transportation problem, if you told your boss about it as soon as you could.

You might also be able to get unemployment if your boss fired you because of something related to your mental illness.

Can I work when I'm getting unemployment?

You can work part-time while getting unemployment, but the amount of your wages is taken out of your unemployment money. This is how it works:

- If you work **less than 32 hours** in a week **and** you earn less than your weekly unemployment amount, you can get a partial payment.
- If you work **32 or more hours** in a week **or** if your gross earnings for a week are the same as or more than your weekly unemployment amount, you won't get unemployment for that week.

It is really important for you to report all of your earnings and other income to the Unemployment Office. Report it every week when you ask for your weekly payment. Report your earnings from all jobs, even temporary or part-time jobs. Even a rent discount for being the caretaker of your building counts. Report the earnings even if you think the Unemployment Office already knows about the job.

If you don't report all of your earnings or other income, you get an overpayment. You have to repay this overpayment back to the Unemployment Office. You may also have to pay a fraud penalty and interest.



Each case is different. Call your local legal aid office right away to talk about your case.

You can find your office here:

<https://www.lawhelpmn.org/providers-and-clinics>.

How much money do I get?

Unemployment insurance are about 50 percent of the wages you were making. But it may be less in certain situations.

Filing for Unemployment Insurance

File your claim right away. The longer you wait, the longer it takes before you get any money. You do not get paid at all for the time between your last day and the week that you file. Also, there is a 1 week waiting period before you get paid the first time.

It is fastest to file online at <http://www.uimn.org/>. You can also file by phone. In the metro, call (651) 296-3644. Outside the metro, call 1-(877) 898-9090. TTY: 1-(866) 814-1252.

Get all your job information together:

- Your social security number
- The employer's name and address
- The dates you worked there
- Why the job ended

- Names of your employers for the last 18 months and the dates you worked at each job
- Any papers from your employer explaining why your job ended

How long can I get unemployment?

You can usually get up to 26 weeks' worth of unemployment insurance, but you have to use them within a year of the date you apply.

Every week you need to log into your account or call and ask for the insurance.

You can appeal if unemployment is denied, lowered, or cut off. You get a letter if your insurance changes. You can appeal online, by mail or fax. The information to do this is in the letter.



You have 20 days to appeal. Don't wait until the last day to file an appeal. If you miss the deadline for **any** reason your appeal will be ignored. Make sure you keep a copy of your appeal. They set a phone hearing and send you a letter about it. Make sure you give them the right phone number for the hearing. Be sure you can answer the call at the hearing time! If you don't answer the call, you lose your chance to appeal.

If You Have a Hearing

- **Get your proof together** – Read the papers from the Unemployment Office about why your boss thinks you should not get unemployment, or why your benefits are being lowered or cut off. Fax any notes, doctor's statements, or records to the judge. Write down the things you want to say at the hearing, so you don't forget anything.
- **Legal help** – You don't **have** to have a lawyer, but it can help. At least talk to one for advice about how to handle the hearing yourself. Call your legal aid office for help or referrals.

If you lose the appeal, you may have an overpayment. That means that you have to pay back any insurance that you got.

For more information on appeals go online to <http://www.uimn.org/> or call (651) 296-3795.

Fact Sheets are legal information NOT legal advice. See a lawyer for advice.

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