THE UNIVERSITY OF MICHIGAN

STANDARD PRACTICE GUIDE

SECTION:	Personnel	**Number:**	201.78
		Revised:	11/1/92
SUBJECT:	Unemployment Compensation	**Date Issued:**	
		Attachment(s)	0
APPLIES TO:	All University Staff Members		
ISSUED BY:	Personnel Office and Office of the Provost and Vice President for Academic Affairs		

I. Policy

Current and former University staff who meet eligibility requirements may draw unemployment compensation payments during periods of unemployment, in accordance with the Federal Employment Security Amendments of 1970, and the Michigan Employment Security Act.

II. Definitions

A. Student Employee: An individual currently enrolled at the University of Michigan who is pursuing a course of study for academic credit and who normally works 30 hours or less per week. (This differs from the definition of student employee as used in Temporary Employment [see SPG 201.57, Temporary Employment], as well as from the term student employment as used in the AFSCME Agreement.)

B. Work Study Participant: An individual whose services are rendered under the federally funded College Work Study Program. These individuals are recipients of a specific grant amount determined by the Work Study Unit in the Office of Financial Aid.

C. Covered Employment: Employment which is not exempt by the Michigan Employment Security Act with an employer who is under the Michigan Employment Security Act. Coverage includes the University of Michigan and the University Hospitals.

D. Base Period: The 52-week period immediately preceding the week in which an individual files a claim.

E. Credit Week: A calendar week during an individual's base period in which he/she earned, in covered employment, an amount which is equal to or greater than twenty (20) times the State's minimum wage.

F. Benefit Year: The 52-consecutive calendar weeks beginning with the first calendar week in which the individual files an application for unemployment compensation.

III. Regulations

A. Basic Eligibility Factors

1. Claimants must have: 1) earned at least 20 credit weeks during his/her base period or, 2) claimant must have earned at least fourteen (14) credit weeks and has base period wages in excess of twenty (20) times the state average weekly wage. These credit weeks and dollars may come from any number of employers.

2. Claimant must be unemployed or underemployed. An individual is considered to be underemployed whenever he/she, in any week of less than full-time work, receives remuneration less than his/her weekly benefit rate. In such instances, the benefit rate allowed is adjusted according to the amount of remuneration received from employment.

3. Claimant must be able to work, must be seeking work, and available to perform full-time work.

4. Claimant must register with the Michigan Employment Security Office and report there as directed.

B. Funding of Unemployment Costs

1. The University of Michigan is a "reimbursing employer," meaning that the University repays the Michigan Employment Security Commission (MESC) dollar-for-dollar all the benefits that MESC distributes to current and former University staff members for benefits arising from University employment.

2. The money used to repay MESC comes from the following sources:

   a) Benefits for individuals who were employed on general funds or research funds are paid by an allocation from the University's general fund or research overhead funds.

   b) Benefits for individuals who were employed on auxiliary or agency funds are recharged directly to the appropriate operating unit.

C. Credit Weeks

1. Benefits may be collected for a number of weeks equal to three-quarters the number of the credit weeks an individual established during the previous 52-week history, up to a maximum of 26 weeks of regular benefits.

2. Credit weeks can be transferred to the next employer if an individual accepts a new full-time regular position within the state while still employed with a covered employer.

3. Under certain conditions of unemployment within the state, extended benefits may be granted up to a maximum of an additional 13 weeks.

D. Disqualifications

1. An individual may be denied benefits for differing periods of time for the following reasons:

   a) Voluntary resignation without good cause attributable to the employer.

   b) Discharge for misconduct as determined by the state.

   c) Disciplinary layoff for misconduct as determined by the state.

   d) Refusal of an offer of suitable work and/or refusal to appear for an interview for suitable work may result in a six-week disqualification and a six-week reduction in an individual's number of weeks of benefits. Suitable work includes factors such as the degree of risk involved to health, safety and morals, one's physical fitness and prior training, experience and earnings, length of unemployment and prospects for securing local work in customary occupation, and the distance of the available work from one's residence.

   e) Not able and available to accept full-time work.

2. Individuals performing services in an Instructional, Research or Principal Administrative capacity are not eligible to receive benefits for any week of unemployment which begins during the period between two regular University years, if the individual has a contract to perform services in such capacity for any institution of higher education for the following term or University year.

3. Individuals who have been granted a sabbatical leave or any type of leave of absence.

E. Requalification

1. An individual who was disqualified for benefits due to a voluntary quit or retirement, misconduct, theft or willful destruction under $25.00, may requalify for benefits by earning an amount equal to, or in excess of, seven (7) times the individual's potential weekly benefit rate, calculated on the basis of

employment with the employer involved in the disqualification, or by earning an amount equal to, or in excess of, forty (40) hours times the state minimum hourly wages times seven (7), whichever is the lesser amount.

2. Benefits paid after such requalifications are not charged to the University.

F. Minimizing University Unemployment Costs

1. For an individual to be disqualified, sufficient documentation must be provided. The burden of proof in establishing misconduct rests solely with the employer.

2. Consideration for employment must be given by supervisors to qualified candidates referred by the Personnel Office who are currently laid off and may be receiving unemployment benefits from the University.

3. It is essential that information be included on all terminations explaining where an individual may be going to work.

4. Promptly forward any request (Form 1555) to the University Unemployment Compensation Office. Delay in returning these forms to the State can jeopardize University appeal rights. Only ten (10) days are allowed from the time MESC mails out the form to respond to claims.

5. It is important to document an individual's reason for separation from a position, as well as his/her reason for refusing suitable work or for refusing an interview for suitable work.

6. Consideration should be given, where possible, to hiring students for temporary hourly positions.

IV. Procedure

A. At Time of Employment

RESPONSIBILITY		ACTION
University Employment Offices and UMH Training and Development Office	1a.	Provide regular staff member with notice that UM is a covered employer (MESC Form 1711).
Supervisors	1b.	Provide temporary staff member notice that UM is a covered employer (Form 37000 and MESC Form 1711).

RESPONSIBILITY		ACTION
	2.	Document misconduct, tardiness and absenteeism to provide reason for separation on "Layoff/Termination" Form 36605 for regular staff.
B. Claims		
Current or former staff member	1.	File claim in person at a local Employment Security Commission Office.
Employment Security Commission	2.	Send University a "Request for Wage and Separation Information" Form 1555.
University Unemployment Compensation Office	3.	Complete request form and return to MESC within ten (10) days.
	4.	Notify department that a claim has been filed.
Employment Security Commission	5.	Issue a determination of the claimant's eligibility.
University Unemployment Compensation Office	6.	Review determination and protest any errors.
	7.	Notify department of liability when a claim has been granted.
C. Appeal		
University Unemployment Compensation Office	1.	If in disagreement with determination, consult Personnel Representative and Request Redetermination.
Employment Security Commission	2.	Issue a redetermination based on a re-examination of the facts.
University Unemployment Compensation Office, Personnel Representative Office of General Counsel	3.	If still in disagreement, file appeal to Referee, Board of Review, and Courts.

D. Billing and Recharge

RESPONSIBILITY		ACTION
Employment Security Commission	1.	Issue checks to claimants, routing a record to the University.
University Unemployment Compensation Office	2.	Check for accuracy and post to claimant's ledger.
	3.	Prepare service unit billing.
Financial Operations	4.	Complete the billing to appropriate pool accounts.
University Unemployment Compensation Office	5.	Review monthly statement of accounts.
Supervisor of Auxiliary Account	6.	Review monthly billings.
Employment Security Commission	7.	Bill the University on a quarterly basis for benefits paid.
University Unemployment Compensation Office	8.	Verify Quarterly charges.
	9.	Notify Financial Operations to reimburse the Employment Security Commission.
Supervisors	10.	Notify the University Unemployment Compensation Office with information affecting claims, e.g., availability of claimant for full-time work, current employment status, availability of work for claimants.