LOST YOUR JOB?

Contact the unemployment office right away to apply for unemployment compensation benefits. You may also apply for benefits online at jobs4tn.gov. You should get unemployment if you have worked at the job steadily for 4 to 6 months; AND

• You were laid off because of no work or the company closed down;
• You couldn’t get a job back after being off for health problems or child birth;
• You were fired for something that was not your fault; OR
• You quit for a good reason connected with the job, such as being allergic to something at work that makes your asthma worse, or having an illness or disability caused by the job.

NOTE: If you were temporarily not working due to medical issues, you have to report back to work as soon as your doctor says you’re ready, even if you still have some restrictions. Your employer should provide reasonable accommodations to allow you to return.

You may get unemployment if:

• You were fired because you could not do a job; or
• You were fired because you made a bad mistake at work.

You cannot get unemployment benefits if any of the following is true:

• You quit your job without a good reason connected with the job. This is called a “voluntary quit”. OR
• You can’t work because of illness or disability NOT caused by the job. OR
• You were fired because you broke the company’s alcohol and drug rules and failed a drug or alcohol test. OR
• You were fired for “misconduct,” meaning you:
  o Did not follow reasonable orders;
  o Did something to hurt your employer;

  o Took leave but did not come back on time;
  o Were absent without letting your boss know; OR
  o Did not do your job the way you were supposed to.

• You are unemployed because you are out on strike. ( Strikes have special rules, so check with the unemployment office.) OR
• You were offered a “suitable” job and turned it down. Suitable means:
  o the pay is almost the same as your old job;
  o the hours are almost the same as your old job;
  o you don’t have to drive a long way;
  o you don’t have to join a union or quit one; AND
  o you are not replacing someone who is out on strike.

IF YOU ARE DENIED, YOU CAN APPEAL!

First Appeal: Did you apply for unemployment benefits and get turned down? You can appeal. When you appeal, a different person looks at your case. You must appeal within 15 days. The 15 days start with the date on the letter that turned you down.

After you file an appeal, you will get confirmation of your appeal. Fill out the paperwork included in this confirmation and mail it back. If you move or change your phone number, let the Appeals Tribunal know right away.

If you win the appeal, you get your unemployment check. You get paid starting from your first week of unemployment if you have continued certifying.

Do not miss any deadlines. The deadlines are different depending on what stage you are in. If you miss a deadline, your case is likely over.

IT’S EASY TO START AN APPEAL!

Just fill out an appeal paper at your local unemployment office or by logging in to jobs4tn.gov. Keep a copy of the appeal paper after you fill it out or save a screenshot of the confirmation page. You can appeal without a lawyer but having a lawyer at the first hearing can be very helpful. The lawyer can help you get the evidence you need. In most cases, you can’t give any new evidence after the first hearing. Need a lawyer? Call your local Legal Aid office to see if they can help you.

APPEAL STEP 1: Hearing

When you appeal, the Hearing Officer holds a hearing on your case. You may get a choice of doing the hearing by phone or in person. It may be best to do the hearing in person.

You have the right to bring a lawyer or other person with you to this hearing. The hearing is NOT like going to court. You and your boss both tell your side of the story to the Hearing Officer.

IMPORTANT! Let the Hearing Officer know if you move or change your phone number.

If you have a lawyer, they will help you get ready for the hearing. If you don’t have a lawyer, here’s how to get ready:

• Find out what your boss said about why you lost your job by asking the Nashville Unemployment Office to see your file. You may need to prove that what your boss said isn’t true. For example, you may need to prove that you did not quit on your own, or prove that you were not fired for misconduct.

• Decide how to prove that what your boss said is not true. You will only have a few minutes to show why you lost your job. Stay focused: statements about your boss...
mistreating other people or the difficulties of being unemployed will not help you win your case.

- **Witnesses.** You cannot just say what someone else told you, but you can bring a witness. Before you bring a witness, ask what they will say and be sure that they will help your case. **Do not** bring someone because you think they will back you up. You can have the Hearing Officer subpoena a witness if you are concerned they will not show up.

- **Be respectful** during the hearing. Do not interrupt your boss, the witnesses, or the hearing officer. If you want to say something, write it down and wait your turn. **However,** if your boss tries to say things that he or she did not see or hear in person, state clearly, “I object.” The hearing officer will decide whether to continue.

**APPEAL STEP 2:**
Office of Administrative Review

Whoever loses at the hearing can appeal. If you lose, you can appeal, and the same goes for your employer. This appeal must be made within 15 days from the date of the decision letter.

**APPEAL STEP 3:**
Chancery Court

Whoever loses at the Office of Administrative Review can appeal by filing a lawsuit in Chancery Court. This appeal must be made within 40 days from the date of the decision letter from the Office of Administrative Review.

**IF YOU WIN**

- Do follow the rules from the unemployment office about looking for a job.
- Do watch out for an appeal by your boss.
- Don’t miss a scheduled job interview.
- Don’t turn down a job without a reason.

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**Knoxville Area Locations**

- Knoxville, TN 37902
  - (865) 637-0484
  - Fix: (865) 525-1162

- Knoxville EJC
  - Knoxville, TN 37915
  - (865) 215-6830

- Sullivan Family Justice Center
  - Blountville, TN 37717
  - (423) 574-7235

- Compton Place
  - Maryville, TN 37801
  - (865) 981-1818

**Tri-Cities**

- Johnson City, TN 37604
  - (423) 928-3611
  - (800) 821-1312

- Johnson City EJC
  - Johnson City, TN 37604
  - (423) 574-7233

- Morristown
  - Morristown, TN 37814
  - (423) 587-4850
  - (800) 821-1309

**Chattanooga Area**

- Chattanooga, TN 37402
  - (423) 928-8311
  - (800) 572-7457

- Erlanger Health Law Partnership
  - Chattanooga, TN 37403
  - (423) 778-7807
  - Erlanger patients only! funding restrictions

- Cleveland
  - Chattanooga, TN 37401
  - (423) 303-8206
  - (800) 572-7457

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Linea Gratis en Español 1 (866) 408-6573

No person in the United States shall, on the grounds of race, color, or national origin, be denied the benefits of, or be subjected to discrimination under, any program or activity receiving federal financial assistance.

This pamphlet is intended for general information only. The circumstances of every case are different and need to be dealt with on a case-by-case basis. This is not a substitute for the advice of a lawyer. Also, the law may change and may be different from county to county.

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Unemployment Compensation

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