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ASK THE EXPERT

Quitting job likely prohibits one from collecting jobless benefits

Is it true that an employer doesn't have to pay unemployment benefits? I have worked at a hospital in Gilbert that is involved in a large lawsuit with investors, and they have slowly been cutting our work hours to save money. Now I'm hardly getting any



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hours. We were told they aren't laying off anyone, but we are welcome to quit. I have worked there almost five years. If I quit, is there a good chance I won't be able to collect unemployment from them?

All companies with employees are required to pay unemployment compensation insurance. The insurance premiums are paid to the Arizona Department of Economic Security, and claims are processed and paid by DES, not the employer.

Unemployment benefits are temporary payments to those who lose their job through no fault of their own. If you voluntarily quit your job, then you would most likely not be approved for benefits. A possible exception would be if you could show that you were forced

to quit due to illegal discrimination or harassment. Absent such circumstances, though, if you simply choose to quit as opposed to getting laid off, you will not receive benefits.

If you are laid off, even if your hours have been reduced, as long as you have worked for your employer for more than a year and have been paid the minimum amount of wages specified by the state — 390 times the minimum wage in your highest-earning quarter, with the total of the other three quarters equaling at least one-half that amount, or at least \$7,000 in at least two quarters of the base period — you should be eligible to get benefits.

There is a one-week waiting period during which no benefits will be paid. If you receive severance payments or vacation, holiday or sick pay, those amounts must be disclosed and may impact the amount you can receive. Finally, you are required to comply with all administrative filing requirements and to prove that you are looking for work four days per week.

— Compiled by Georgann Yara

Have a question? Send it to Ask the Experts, The Arizona Republic, 200 E. Van Buren St., NM19, Phoenix, AZ 85004. E-mail asktheexperts1@gmail.com or fax 602-444-8044.