

Unemployment Tip of the Month



Identifying Your Firsthand Witness

The choice of the employer's witness is often critical to a successful unemployment insurance hearing. The right witness can potentially provide clear, credible, and direct evidence to support the employer's position.

Here are a **few tips** to help ensure you have the most effective representative:

- **Firsthand Knowledge:** The witness should have direct, personal knowledge of the event that led to the employee's separation (e.g., the manager who issued the final warning or the supervisor who witnessed the misconduct). Hearsay or secondhand information is generally inadmissible.
- **Verify Authority:** Ensure the selected witness is authorized to testify on behalf of the company, and it also helps if they have the authority to make decisions related to the employee's job or termination.
- **Choose Based on Documentation:** The witness should be the person most familiar with the relevant company policies, the employee's performance record, and any documentation (warnings, emails, performance reviews) related to the separation.
- **Prioritize Availability and Temperament:** Confirm the witness is available for the hearing and possesses a calm, professional, and credible demeanor. They must be able to clearly articulate the facts under questioning without becoming emotional or argumentative.

More Training Available!

Check out additional training resources on our site, [Connections](#), such as our [Hearing Support Guide](#), which will help you learn more about the hearing process and best practices. Be sure to check it out!

The information provided is intended as general guidance and is not intended to convey any tax, benefits, or legal advice. For information pertaining to your company and its specific facts and needs, please consult your own tax advisor or legal counsel.