



Workforce  
Solutions

# Hearing From Our Reps:

Tips To Help You Improve  
Your Unemployment  
Hearing Outcomes

January 25, 2024



# Thanks for joining our webinar



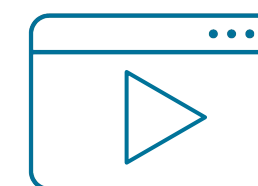
## Welcome!

Thank you for joining our webinar. Stay tuned for more from Equifax Workforce Solutions!



## Questions?

Please enter your questions in the chat box on your screen at any point during the presentation.







## Recording

This webinar is being recorded. You will receive an email with a link to view the recording in the coming days.



# To keep our lawyers happy

-  The information provided herein is intended as general guidance and is not intended to convey specific tax or legal advice. For a legal opinion, please consult your lawyer.
-  This presentation is intended for the education and benefit of our customers and potential customers. This webinar cannot be shared with third parties.
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# Today's Panelists



**Laura Paul**  
Solutions Consultant



**Dawn Gibson**  
Appeal Board Specialist

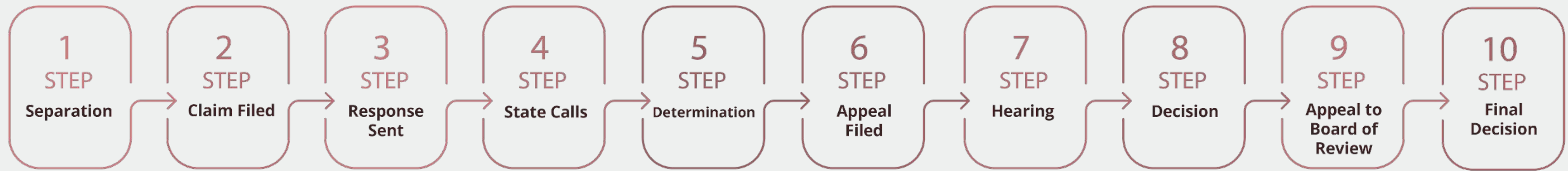


**Dan Pongonis**  
Solutions Engineer



**Amanda Lange**  
Appellate Manager

# The Claims Process



# Unemployment Hearings



**Can be scheduled in person or by phone**

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**Both parties may be represented**

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**Cross-examination allowed**

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**Closing statements allowed in some states**

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**Six states require licensed attorney representation:  
DE, MO, NC, SC, SD, WV**



# Burden of Proof

**Determined by moving party**

**Quit vs. Discharge**

**Party with burden of proof presents first**





# Types of Separations





# Voluntary Quit



Good cause



Employer's action  
vs. inaction



Exceptions

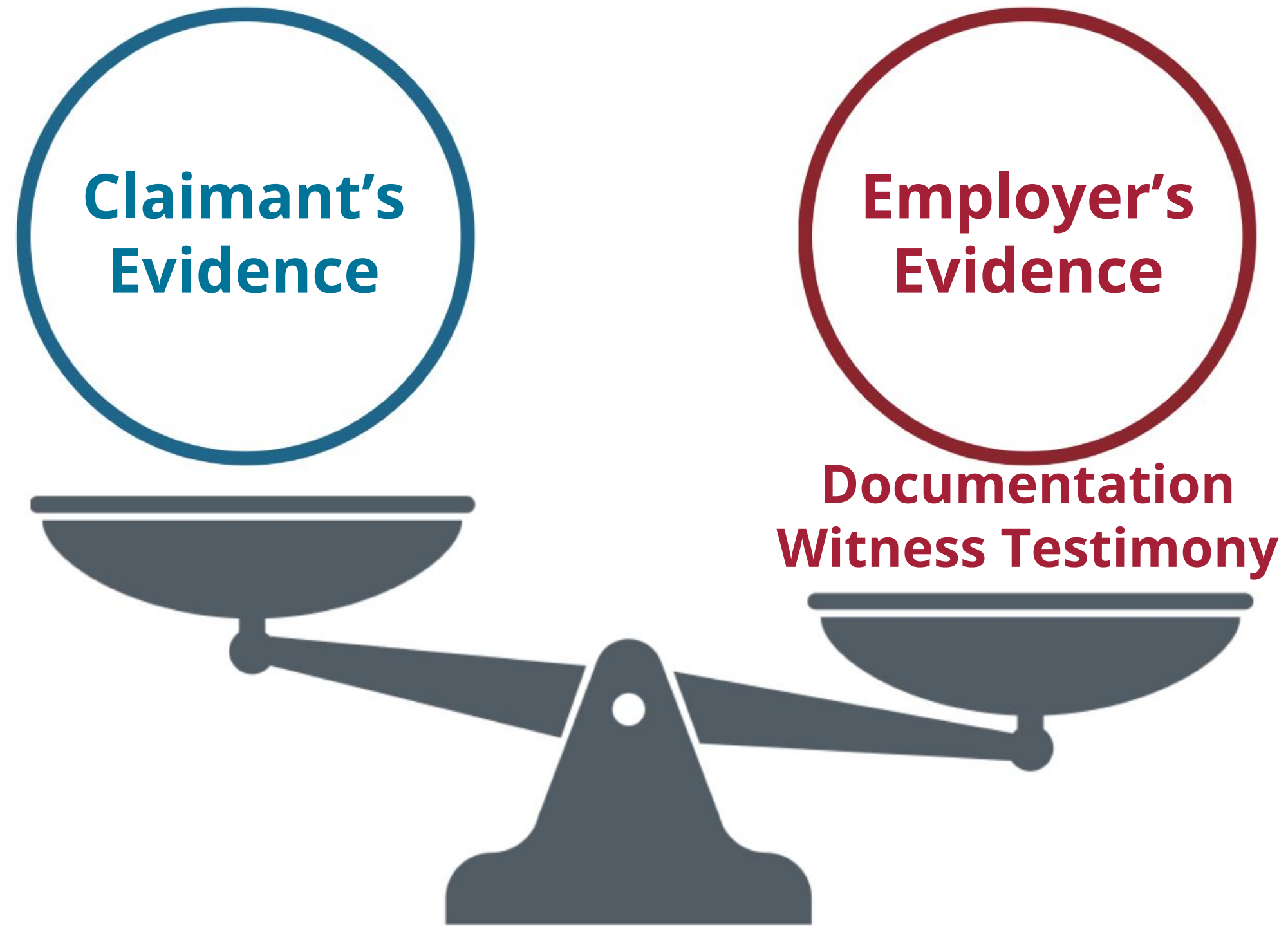


# Discharge

**Misconduct**

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**Poor performance**





# Hearing Participants



# Role of the Hearing Officer



# Outside Representation

**Claimants usually appear pro se**

**Impact on the hearing**

**Many attorneys have ulterior motives**





# Hearing Preparation



# Hearing Preparation

- Case review
- Hearing process/roles
- Witness selection/testimony
- Evidence identification/submission

**Thorough preparation in advance of the hearing will dramatically increase your chances of winning.**



# Hearing Etiquette



Hearing formalities



Addressing participants



Testimony and objections



Exhibits





# Hearsay



**Definition**

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**Admissibility**

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**Representative's responsibility**

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# What Happens Next?





Ask the Team!



# Enabling Improvement with Training

Our goal is to help you optimize your program and maximize your investment by helping ensure you have everything you need to follow proper procedures and streamline your processes.

**SHRM**  
RE-CERTIFICATION  
PROVIDER

## Welcome to Connections

A virtual space for the clients of Equifax Workforce Solutions, delivering valuable resources and industry knowledge when you need it.

- LIVE Webcast**  
**Improving Your UC Process From End to End**  
● WEBCAST ● 30:00  
FEB 14, 2023 12:00 PM CST  
Learn about UI Integrity and the entire UC claim process from beginning to end. We outline what this process entails, we will also go through how your UC...
- LIVE Webcast**  
**Introduction to CaseBuilder**  
● WEBCAST ● 45:00  
FEB 14, 2023 2:00 PM CST  
This session provides an in-depth demonstration of settings and features in CaseBuilder so you can respond to your unemployment claims in a fast, secure...
- LIVE Webcast**  
**Life of a Claim and Determining Liability**  
● WEBCAST ● 30:00  
FEB 15, 2023 12:00 PM CST  
Walk through the entire life of a claim and see the outcome as we follow a claimant and their claim from filing to the final decision. See how a claim is...
- LIVE Webcast**  
**Performance Discharges: Misconduct vs. Inability**  
● WEBCAST ● 30:00  
FEB 15, 2023 2:00 PM CST  
In this session, find out the difference between an employee being let go for misconduct versus inability. We define both terms and explain why knowing the...
- LIVE Webcast**  
**Introduction to Unemployment Tax Services**  
● WEBCAST ● 30:00  
FEB 16, 2023 2:00 PM CST  
See an overview of our Unemployment Tax Services to learn about unemployment tax basics and what a Tax Consultant does to assist in keeping your unemployment...
- LIVE Webcast**  
**Introduction to Unemployment Tax Services**  
● WEBCAST ● 30:00  
MAR 16, 2023 2:00 PM CDT  
See an overview of our Unemployment Tax Services to learn about unemployment tax basics and what a Tax Consultant does to assist in keeping your unemployment...
- Additional Resources**  
**Employment Tax Services On Demand Learning**  
□ WEBPAGE  
We know that your time is valuable and sometimes you need training on your schedule. We offer on-demand trainings in the form of videos, interactive user...

**Client Community**

We invite you to Discover, Engage, and Network with subject matter experts, industry leaders and your peers through a variety of initiatives, programs, and events created with you in mind.

[CLICK HERE](#)

Visit the Connections Training Website here:  
<https://gateway.on24.com/wcc/eh/3589033/connections>

# Proactively Sharing Knowledge and Insights

## Thought Leadership: Articles, Blogs, and Bulletins

**EQUIFAX** EMPLOYER PORTAL CONTACT US

**EMPLOYER UNEMPLOYMENT INSURANCE RESOURCE CENTER**

This resource is to provide quick access to key unemployment information.

**Unemployment Reference Guides**

Download one of our Guides found below to see the latest state-by-state information. We encourage you to bookmark this site and revisit frequently for the most recent updates.

### Employer Unemployment Insurance Resource Center

MANAGE UNEMPLOYMENT ACTIVITIES AND TAXES June 29, 2023

### Why Unemployment Claims Fraud May Still Be an Issue

By Jason Pachucki

Fraudulent unemployment claims still remain well above pre-pandemic levels. Learn more about why this may be and what you can do to help you and your employees fight future fraud.

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In some cases, states and employers have gotten better about identifying fraudulent claims following the surge during the pandemic. We've seen a downturn in the amount of fraud at the macro level, but, unfortunately, it appears that we're clearly not out of the woods, yet. In 2022, the volume of identified fraudulent claims still remained at levels more than 3x what they were in 2019.1 We are just now seeing another surge in fraudulent claims in some states, such as Ohio and Massachusetts, and other events

### Unemployment Cost Management Blogs

Blogs / Outlook for SUI Tax Rates in 2023 and Beyond

MANAGE UNEMPLOYMENT ACTIVITIES AND TAXES May 09, 2023

### Outlook for SUI Tax Rates in 2023 and Beyond

By Tom Towson, CPA

State unemployment insurance (SUI) tax rates have challenged employers in recent years. Equifax is tracking changes and potential impacts in 2023 and beyond.

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Last updated: May 8, 2023 (charges since last update on March 15, 2023 will begin with \*\*NEW\*\*)

Many states acted quickly in response to the COVID-19 pandemic to help mitigate sizable increases in 2021 SUI tax rates. Even with these mitigation efforts, SUI tax rates increased, on average, from 1.72% in 2020 to 1.89% in 2021 to 2.30% in 2022.1 Now the question becomes, what is the outlook for 2023 SUI tax rates?

### Unemployment Tax Rate Blog

- FUTA credit reduction updates
- State trust fund balances
- Annual taxable wage bases
- Correlation of state trust fund balances to SUI tax rates
- State actions potentially impacting unemployment tax rates

**State Unemployment Insurance (SUI) Tax Guide** Update: 12/2/2022

Outlook for 2023 SUI Tax Rates and Wage Bases

Unemployment claims filed as a result of the COVID-19 pandemic continue to have an overall negative impact (i.e., increase) on future SUI tax rates and annual taxable wage bases. A lot of factors go into determining state SUI tax rates (and wage bases), some of which are known at this time and some are not. Visit our blog titled: Outlook for SUI Tax Rates in 2023 and Beyond for additional insights.

This SUI Tax Guide is intended to assist employers in identifying potential risks associated with increases in SUI tax costs from 2022 to 2023. The risk assessment is measured by changes to minimum and maximum SUI tax rates and year-over-year changes in wage bases. However, contingencies may increase risk and individual employer tax rates will likely fluctuate between the minimum and maximum SUI tax rates based on individual employer experience. Yellow fields indicate a potential increase in tax costs and green fields indicate a potential decrease in tax costs. This Guide is for general reference purposes. Users are urged to independently verify the accuracy with state workforce agencies and we assume no liability for its use or distribution.

Equifax is not providing, and cannot provide, tax and legal advice. Users should work with their own tax and legal experts to make all determinations regarding specific state obligations as they relate to your company or organization. This information regularly changes and is presented "as is."

State	Rate before December 31st (2022 Effective)	2022 Rate	2022 Wage Base	2022 Rate Change	2022 Wage Base Change	2023 Rate	2023 Wage Base	2023 Rate Change	2023 Wage Base Change	2024 Rate	2024 Wage Base	2024 Rate Change	2024 Wage Base Change						
AK	1.05	1.05	5,400	48,800	E	1.05	5,400	48,200	488	1.07	452	2,441	18	80	0.0%	1.0%	1.00	1.0%	
AL	1.05	1.05	7,000	8,000	E	1.05	8,000	8,000	10	1.05	30	1,450	0	0	0.0%	0.0%	0	0.0%	
AR	1.05	1.05	14,000	10,000	E	1.05	14,000	10,000	20	1.05	30	1,450	0	0	0.0%	0.0%	0	0.0%	
AZ	1.05	1.05	20,000	8,000	A	1.05	20,000	7,000	0	1.05	0	1,450	0	200	0.0%	14.3%	1,250	14.3%	
CA	1.05	1.05	7,000	7,000	A	1.05	7,000	7,000	110	1.05	110	1,450	0	0	0.0%	0.0%	0	0.0%	
CO	1.05	1.05	10,000	20,400	A	1.05	10,000	17,000	110	1.05	110	1,450	0	0	0.0%	0.0%	0	0.0%	
CT	1.05	1.05	6,000	11,000	A	1.05	6,000	10,000	200	1.05	200	1,450	0	0	0.0%	0.0%	0	0.0%	
DC	1.05	1.05	8,000	8,000	A	1.05	8,000	8,000	100	1.05	100	1,450	0	0	0.0%	0.0%	0	0.0%	
DE	1.05	1.05	6,000	14,000	E	1.05	6,000	14,000	60	1.05	60	1,450	0	0	0.0%	0.0%	0	0.0%	
FL	1.05	1.05	5,000	7,000	A	1.05	5,000	7,000	7	1.05	7	1,450	0	0	0.0%	0.0%	0	0.0%	
GA	1.05	1.05	6,000	6,000	A	1.05	6,000	6,000	4	1.05	4	1,450	0	0	0.0%	0.0%	0	0.0%	
HI	0.91	0.91	8,000	10,000	E	0.91	8,000	10,000	117	0.91	117	1,450	0	0	0.0%	0.0%	0	0.0%	
IA	1.05	1.05	7,000	16,100	A	1.05	7,000	16,000	0	1.07	0	2,000	0	0	0.0%	1.3%	1,300	1.3%	
ID	1.05	1.05	5,400	50,000	E	1.05	5,400	48,000	104	1.05	104	1,450	0	190	0.0%	2.0%	1,900	2.0%	
IL	1.05	1.05	7,000	12,000	A	1.05	7,000	12,000	10	1.05	10	1,450	0	0	0.0%	0.0%	0	0.0%	
IN	1.05	1.05	7,000	9,000	A	1.05	7,000	9,000	40	1.05	40	1,450	0	0	0.0%	0.0%	0	0.0%	
KS	1.05	1.05	6,000	14,000	A	1.05	6,000	14,000	24	1.05	24	1,450	0	0	0.0%	0.0%	0	0.0%	
KY	1.05	1.05	6,000	11,100	A	1.05	6,000	10,800	31	1.05	31	1,450	0	0	0.0%	0.0%	0	0.0%	
LA	1.05	1.05	6,000	7,000	A	1.05	6,000	7,000	7	1.05	7	1,450	0	0	0.0%	0.0%	0	0.0%	
MA	0.91	0.91	1.14	16,222	15,900	A	1.14	16,222	15,900	107	2,453	107	2,453	0	0	0.0%	0.0%	0	0.0%
MD	0.91	0.91	6,000	10,000	E	0.91	6,000	10,000	100	0.91	100	1,450	0	0	0.0%	0.0%	0	0.0%	
ME	1.05	1.05	5,000	12,000	A	1.05	5,000	12,000	80	1.05	80	1,450	0	0	0.0%	0.0%	0	0.0%	
MI	1.05	1.05	7,000	9,500	A	1.05	7,000	9,500	0	1.05	0	1,450	0	0	0.0%	0.0%	0	0.0%	
MN	1.05	1.05	6,100	41,000	E	1.05	6,100	38,000	60	1.05	60	1,450	0	0	0.0%	0.0%	0	0.0%	
MO	1.05	1.05	6,700	15,000	A	1.05	6,700	15,000	0	1.05	0	1,450	0	0	0.0%	0.0%	0	0.0%	
MS	1.05	1.05	6,000	14,000	A	1.05	6,000	14,000	20	1.05	20	1,450	0	0	0.0%	0.0%	0	0.0%	
MT	1.05	1.05	6,000	40,000	A	1.05	6,000	38,000	37	1.05	37	1,450	0	0	0.0%	0.0%	0	0.0%	
NC	1.05	1.05	5,200	10,000	E	1.05	5,200	10,000	18	1.05	18	1,450	0	0	0.0%	0.0%	0	0.0%	
ND	1.05	1.05	6,000	16,400	E	1.05	6,000	16,400	31	1.05	31	1,450	0	0	0.0%	0.0%	0	0.0%	
NE	1.05	1.05	5,400	9,000	A	1.05	5,400	9,000	0	1.05	0	1,450	0	0	0.0%	0.0%	0	0.0%	
NH	1.05	1.05	6,100	14,000	A	1.05	6,100	14,000	14	1.05	14	1,450	0	0	0.0%	0.0%	0	0.0%	
NJ	1.05	1.05	6,400	41,000	A	1.05	6,400	38,000	217	1.05	217	1,450	0	0	0.0%	0.0%	0	0.0%	
NM	1.05	1.05	6,400	12,000	A	1.05	6,400	12,000	10	1.05	10	1,450	0	0	0.0%	0.0%	0	0.0%	
NV	1.05	1.05	5,400	40,000	A	1.05	5,400	38,000	100	1.05	100	1,450	0	0	0.0%	0.0%	0	0.0%	
NY	0.91	0.91	2,100	12,100	A	1.00	8,000	12,000	206	1.18	252	1,450	0	0	0.0%	2.0%	2,000	2.0%	
OH	1.05	1.05	10,200	9,000	A	1.05	10,200	9,000	72	1.05	72	1,450	0	0	0.0%	0.0%	0	0.0%	
OR	1.05	1.05	6,000	25,700	A	1.05	6,000	24,800	77	1.05	77	1,450	0	0	0.0%	0.0%	0	0.0%	
PA	1.05	1.05	5,400	16,000	A	1.05	5,400	16,000	600	1.05	600	1,450	0	0	0.0%	0.0%	0	0.0%	
RI	1.05	1.05	6,000	10,000	A	1.05	6,000	10,000	100	1.05	100	1,450	0	0	0.0%	0.0%	0	0.0%	
SC	1.05	1.05	5,400	14,000	A	1.05	5,400	14,000	0	1.05	0	1,450	0	0	0.0%	0.0%	0	0.0%	
SD	1.05	1.05	6,000	10,000	A	1.05	6,000	10,000	0	1.05	0	1,450	0	0	0.0%	0.0%	0	0.0%	
TN	1.05	1.05	6,000	10,000	E	1.05	6,000	10,000	1	1.05	1	1,450	0	0	0.0%	0.0%	0	0.0%	
TX	1.05	1.05	6,300	9,000	A	1.05	6,300	9,000	20	1.05	20	1,450	0	0	0.0%	0.0%	0	0.0%	
UT	1.05	1.05	7,300	44,800	A	1.05	7,300	41,000	104	1.05	104	1,450	0	0	0.0%	0.0%	0	0.0%	
VA	1.05	1.05	6,400	8,000	A	1.05	6,400	8,000	20	1.05	20	1,450	0	0	0.0%	0.0%	0	0.0%	
VI	1.05	1.05	6,000	30,000	E	1.05	6,000	30,000	100	1.05	100	1,450	0	0	0.0%	0.0%	0	0.0%	
VT	1.05	1.05	5,400	11,000	A	1.05	5,400	11,000	14	1.05	14	1,450	0	0	0.0%	0.0%	0	0.0%	
WA	1.05	1.05	6,000	17,000	A	1.05	6,000	16,000	110	1.05	110	1,450	0	0	0.0%	0.0%	0	0.0%	
WI	1.05	1.05	6,000	12,000	A	1.05	6,000	12,000	0	1.05	0	1,450	0	0	0.0%	0.0%	0	0.0%	
WV	1.05	1.05	6,000	9,000	E	1.05	6,000	9,000	100	1.05	100	1,450	0	0	0.0%	0.0%	0	0.0%	
WY	1.05	1.05	6,000	25,100	A	1.05	6,000	23,700	0	2.04	0	2,300	0	110	0.0%	4.1%	1,100	4.1%	

\*Fixed year begins on July 1

### SUI Tax Guide

**EQUIFAX** Workforce Solutions Solutions Insights Partners Contact

**Workforce Wise™ Blog**

**Balancing Speed to Hire and Background Screening**

Join our webinar to learn how you can best balance the use of pre-employment screening solutions with speed to hire to identify the best candidates.

### Workforce Wise™ Blog

## Monthly Unemployment Tax Bulletins

## Periodic Unemployment Claims Bulletins

# Next Steps



## 1 SURVEY

Complete the survey through the webinar console



## 2 CONTACT

Want to talk to someone about your Unemployment processes? Click on the “Want to Get In Touch” button on your webinar console or contact us at:

[workforce.equifax.com/contact](https://workforce.equifax.com/contact)



## 3 CONNECT

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