

Sec. 31-222-9. Unemployment notices and employee information packet, low earnings reports and lack of work verification form

All employers, whether or not subject to the act, shall submit the following reports, forms, notices and information packets, in such medium as is authorized by the administrator, at the times and under the conditions specified:

(1) **An unemployment notice and employee information packet.** This notice shall be prepared on forms made up or approved by the administrator and shall contain the information required by such forms. The notice shall be attached to an employee information packet, which provides information regarding how to file for unemployment benefits and available reemployment assistance. The administrator shall provide such employee information packets, upon request, to the employer. The unemployment notice shall be completed by the employer and issued to the employee, along with the employee information packet, immediately upon layoff or separation from employment, whatever the cause of such layoff or separation, including a voluntary leaving. This notice shall not be used or required for any purpose other than the filing of a claim for unemployment compensation benefits by the employee. When the administrator determines that, based on the information contained on this notice, or information provided by the individual or the employer, that an issue exists which may affect the individual's eligibility, including but not limited to the separation being due to reasons other than a lack of work layoff, the administrator shall promptly schedule a predetermination hearing pursuant to the provisions of section 31-244-3a of the Regulations of Connecticut State Agencies.

(2) **Employee low earnings report.**

(A) The administrator may require an employer to complete this report with respect to an individual filing a claim for partial unemployment benefits pursuant to section 31-229 of the Connecticut General Statutes. The employer shall complete and submit the report in the manner and within the time period prescribed by the administrator. Information required on the report shall include, but not be limited to: the earnings for such individual for the calendar week in question, the cause of the reduced earnings, the name and the Connecticut registration number of the employer and the signature (individual or facsimile) of the authority supplying the information.

(B) Nothing in this section shall preclude the administrator, upon his own discretion, from entering into an agreement with an employer which would allow an employer to submit to the administrator, in a manner prescribed by the administrator, information concerning an individual's partial earnings for the calendar week or weeks in question and specifying the cause for the reduced earnings. The administrator shall utilize this procedure to enable the employer to establish a claim or to file continued claims for partial benefits on behalf of the individual.

(3) **Lack of work separation verification form.**

(A) The administrator shall promptly transmit this form to the employer in any case where the administrator determines it is necessary to verify that a lack of work separation has occurred, including any case where the individual alleging lack of work acknowledges that he was not given an unemployment notice and information packet by his employer upon separation. Further, the administrator shall promptly transmit this form to the employer in all cases where the claimant has indicated that he was laid off for lack of work from

employment which commenced after the claimant's base period.

(B) The administrator shall transmit the form to the employer's address that appears on the unemployment notice (Form UC-61). Where no Unemployment Notice is provided to the administrator, the administrator shall transmit the form to the most recent address of record provided by the employer to the administrator's Employer Status unit.

(C) The form shall advise the employer of the following:

(i) that the individual claiming benefits stated his separation was due to a reason which constituted a lack of work layoff;

(ii) that no action is required by the employer if the employer agrees with the individual's statement;

(iii) that the employer must respond within seven calendar days of the date the form was transmitted if the employer disagrees with the individual's characterization of the separation;

(iv) the manner in which the employer must respond if it disagrees with the individual's characterization of the separation; and

(v) the consequences for the employer's failure to timely respond, as described in subdivisions (E) and (F) of this subsection.

(D) If the employer disagrees with the individual's characterization of the separation as a lack of work layoff, it shall provide the administrator with the information requested on the form by responding to the administrator in the manner prescribed on the form.

(E) The employer's response shall be received by the administrator within the time limit prescribed on the form. If the employer fails to respond to the administrator with the required information within seven (7) calendar days, benefits may be paid based upon the information provided by the individual.

(F) If the employer fails to respond to the administrator with the required information within seven calendar days and prior to first payment of benefits, the administrator shall treat the separation as a lack of work and find that the employer has waived its right to a first level predetermination hearing and has failed to participate in such hearing for the purposes of section 31-241 of the Connecticut General Statutes.

(G) If the employer responds to the administrator in the prescribed manner within seven calendar days and advises the administrator that the separation was for a reason which does not constitute a lack of work layoff, the administrator shall promptly schedule a predetermination hearing pursuant to the provisions of section 31-244-3a of the Regulations of Connecticut State Agencies.

(H) Nothing in this section shall preclude the administrator, based on his own judgment, from scheduling a predetermination hearing with respect to any claim, based upon the specific circumstances of the claim.

(4) Repealed.

(5) **Vacation shutdown claim.** The administrator may require an employer to complete and submit this form, in a manner prescribed by the administrator, in order to establish a claim on behalf of an individual unemployed for a period of six weeks or less as a result of an employer's temporary shutdown or mass layoff.

(Effective April 19, 1977; Amended September 17, 2001)