

Update: June, 2009

Unemployment Bulletin



State Unemployment Appeals Departments Now Scheduling Saturday Hearings

Situation

A number of state unemployment insurance (UI) agencies have recently implemented Saturday hearing schedules. The change is a consequence of the economic recession, which has resulted in an overwhelming increase in UI claims and a growing backlog of related appeals for UI hearings.

What Employers Need to Know

States currently scheduling UI hearings on Saturdays are California, Florida and New Mexico. Each state “dockets” the hearings according to its own set of parameters. Important highlights are as follows:

California: Saturday hearings are being docketed by the Inland and San Diego Appeals Offices of the California Unemployment Insurance Appeals Board (CUIAB), which services the Rancho Cucamonga and the San Bernardino hearing locations, respectively. The CUIAB expects to schedule hearings each Saturday, except July 4th, through the end of August 2009. At that point, the backlog issue will be reviewed and the Saturday hearing dockets will end if the backlog has been sufficiently reduced. For employers that do not normally operate on Saturdays, the CUIAB will consider a postponement.

Florida: Saturday hearings are being scheduled by the Agency for Workforce Innovation Appeals Division. The agency is giving consideration to employers who are not doing business on weekends. If an employer is normally operational on Saturdays, then the state is not likely to grant a hearing continuance or postponement.

New Mexico: The New Mexico Department of Workforce Solutions Appeals Division began docketing Saturday hearings on May 30, 2009, and will continue through July 25, 2009. There will be no hearings on July 4th.

The agency *will not* grant postponements on the basis that the employer or witness is not available on Saturdays, or because the employer has to pay overtime. Postponements for compelling issues under dire circumstances will have to be requested case by case. Once the case backlog issue is resolved, the appeals division will discontinue Saturday hearings.

What You Can Expect

Saturday UI hearings are temporary, but states see it as an efficient method for addressing unprecedented appeal levels without unduly compromising interested parties to the appeal. It should be expected that other state UI agencies will adopt the practice.

TALX is actively working with state agencies to lessen the impact of Saturday hearings on our clients. We have also asked that cases be profiled so only those with the least complexity of issues be scheduled for Saturdays.