



KNOW YOUR RIGHTS:

Unemployment Insurance after July 1, 2013

Facts from the NC Justice Center's WORKERS' RIGHTS PROJECT

▶ YOUR RIGHT TO unemployment insurance benefits.

Unemployment insurance provides workers with temporary and partial replacement of lost wages during periods of unemployment.

What do I need to do to get unemployment benefits?

First, gather the necessary information for applying:

- **Your social security number.**
- **Names of the places you worked during the last 18 months, and the dates when you worked there.**
- **The telephone number and address of your last employer.**
- **The reason you left your last job.**
- **Any document from your last employer stating the reason you ended your last job.**

Once you have all these documents together, call the Division of Employment Security at 1-877-841-9617 between 8:00am and 4:30pm, or fill out your application at <https://www.ncesc.com/default.aspx>.

How much will I receive in benefits?

The weekly benefit amount is how much money you can receive each week in unemployment benefits. The amount is based on your earnings before you were unemployed. As of July 1, 2013, the maximum weekly benefit that anyone can receive is \$350.

What do I have to do when I start receiving benefits?

Every week you will need to call 1-877-841-9617 or log in to your account at <https://www.ncesc.com/default.aspx> in order to receive your weekly benefits. The Division of Employment Security will want to know how much you earned during the previous week.

You must seek work on at least 2 different days and make at least 2 job contacts each week in order to receive benefits. You need to keep a record of your job search in case you are audited.

Did you know?

Qualifying for Unemployment Insurance

You may qualify for unemployment insurance if you lost your last job because your position was terminated. There are also some situations in which you may qualify if you resigned or you were fired for not following internal rules. If you are not sure, apply.

You must be a **U.S. citizen or legally present with work authorization** in order to qualify for benefits.

You must be **able to work** in order to be eligible for benefits. If you have a disability, it's possible you may be eligible for some limited benefits.

You must be **available to work**. If you are a full-time student, it's possible you don't qualify for benefits.

This fact sheet is intended to provide accurate, general information regarding legal rights relating to employment in North Carolina. However, this fact sheet does not address exemptions and does not go into detail regarding legal rights. In addition, laws and legal procedures are subject to frequent change and differing interpretations, and the North Carolina Justice Center cannot ensure the information in this sheet is current nor be responsible for any use to which it is put. Do not rely on this information without consulting an attorney or the appropriate agency about your rights in your particular situation.

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What if I don't speak English?

The Division of Employment Security must provide information to significant minority populations in their own languages. If you need help in another language, ask the Division to help you. If you don't get the help you need, contact a lawyer.

What if I'm denied unemployment benefits?

If you are denied unemployment benefits, you have 10 days to appeal the agency's decision against you. You need to do so in writing. If you are denied because your employer says you are an independent contractor, and you disagree, be sure to appeal.

How long can I receive benefits?

If you apply for benefits after July 1, 2013, the maximum number of weeks of benefits you can receive is 20 weeks, and the minimum number of weeks is 5. The exact number of weeks of benefits you can receive will depend on the state unemployment rate. There is also a cap on the total amount of benefits a worker may receive, which is based on the worker's previous wages and the amount of benefits they are receiving.

Workers should be able to count on unemployment benefits when they lose a job through no fault of their own. However, benefits are under attack in North Carolina.

Your story can help us make the case for the importance of protecting the UI system. If you are unemployed, or have recently been unemployed, please contact us to tell your story.

Check out www.tarheelworkers.org to learn more about the campaign to protect North Carolina's unemployment insurance.

RESOURCES

For help finding a lawyer, call:

- North Carolina Advocates for Justice 1-(800) 688-1413
- North Carolina Bar Association Lawyer Referral Service 1-(800) 662-7660
- Legal Aid of North Carolina..... 1-(866) 219-5262

To file a claim with a government agency or to seek information on the following issues, contact:

DISCRIMINATION	<ul style="list-style-type: none"> ▪ US Equal Employment Opportunity Commission ▪ Office of Special Counsel for Unfair Immigration-Related Employment Practices 	1-800-669-4000 - or - www.eeoc.gov 1-800-255-768 - or - www.justice.gov/crt/about/osc/
E-VERIFY	<ul style="list-style-type: none"> ▪ Department of Homeland Security / E-Verify 	1-888-897-7781 - or - www.dhs.gov/e-verify
FAMILY AND MEDICAL LEAVE	<ul style="list-style-type: none"> ▪ US Department of Labor 	1-866-487-9243 - or - www.dol.gov/whd
HEALTH & SAFETY	<ul style="list-style-type: none"> ▪ NC Department of Labor 	1-800-NC-LABOR (625-2267) - or - www.nclabor.com/osa/osh.htm
MISCLASSIFICATION	<ul style="list-style-type: none"> ▪ Internal Revenue Service 	http://www.irs.gov/pub/irs-pdf/fss8.pdf
RETALIATION	<ul style="list-style-type: none"> ▪ NC Department of Labor, Employment Discrimination Bureau 	1-800- 625-2267 - or - www.nclabor.com/edb/edb.htm
UNEMPLOYMENT INSURANCE	<ul style="list-style-type: none"> ▪ NC Department of Commerce, Division of Employment Security 	1-877-841-9617 - or - https://www.ncesc.com/
UNIONS & COLLECTIVE ACTION	<ul style="list-style-type: none"> ▪ National Labor Relations Board 	1-866-667-6572 - or - www.nlr.gov
WAGE THEFT	<ul style="list-style-type: none"> ▪ NC Department of Labor, Wage and Hour Bureau ▪ US Department of Labor 	1-800-625-2267 - or - www.nclabor.com/wh/wh.htm 1-866-487-9243 or http://www.dol.gov/whd/
WORKERS' COMPENSATION	<ul style="list-style-type: none"> ▪ NC Industrial Commission 	1-800- 688-8349 - or - http://www.ic.nc.gov/