Unemployment Hearing FAQs

- **Who should participate in the unemployment hearing?**

  The best witnesses to attend a hearing are those who have first-hand knowledge of the claimant's separation. Typically, this will be the claimant's direct supervisor, but it may be more than one person depending on the situation.

- **If the date or time of the hearing is inconvenient, can I have it rescheduled?**

  The opportunity to have a hearing rescheduled varies by state. Most states will only grant a postponement if there is good cause such as a previously scheduled medical procedure or other unavoidable issue for a first-hand witness, while others will not reschedule a hearing at all. Hearings will not typically be rescheduled for vacation or a conflicting business meeting. A request to postpone a hearing must be made within the state's deadline, so notify your Hearing Analyst with HRlogics as soon as the schedule conflict is identified.

- **Is this like a court proceeding where I must present a case?**

  No. An unemployment hearing is an informal fact-finding interview where the Hearing Officer will be asking questions to gather details of the claimant's separation. The Hearing Officer acts as an impartial representative for both parties.

- **Will all my documentation about the claimant's separation be available for the hearing?**

  In some states, all the documentation submitted at the initial claim level is carried forward to the hearing file, while in others, the hearing officer conducts a de novo hearing with no documents from the initial claim in their files. HRlogics will ensure that all relevant documents already submitted to us are in the hearing record. If you have any new or additional documents you would like considered, you must get them to your Hearing Analyst as soon as possible to meet the state's submission requirements.

- **During the hearing, how do I get my documents into the record?**

  Many Hearing Officers will ask you about submitted documents as they take testimony and will identify the document being referenced so all parties can follow along and make objections. If the Hearing Officer does not identify the document you are describing in your testimony, let them know that you have submitted a copy and would like it to be made an exhibit. They will then identify and label the document as an exhibit for all parties.

- **The Hearing Officer and/or claimant begin referencing documents that I do not have. What do I do?**

  OBJECT TO THE DOCUMENTS! The claimant is required to get any documents they want considered to all interested parties prior to the hearing, just like the employer. If the claimant forwards documents to HRlogics for a hearing, we will forward them to you. If you don't object to the documents or you agree to waive your right to review, those documents will be made part of the hearing record with no recourse available.

- **Am I required to answer questions from our former employee?**

  Both parties are allowed to ask cross-examination questions of each witness. If the claimant asks you a relevant question that has not already been asked, you must answer it. If they ask a question that has already been covered, the Hearing Officer should redirect them. If you feel you're asked a question that isn't relevant or has already been asked, ask the Hearing Officer for clarification. Don't get drawn into a back and forth with the claimant.

- **Am I required to make a closing argument?**

  No. The hearing officer will base their decision on the evidence and testimony provided. Both parties are allowed a brief closing statement on why they feel the decision should be in their favor, but you can stand on the evidence and testimony submitted.