



Adjudication Unit
Statement Codes
and Text

Revision: March 2012

DETERMINATION:

Claimant is disqualified for benefits beginning XXX and continuing until claimant meets all requirements of the Law.

REASONS:

Claimant filed an XXX Claim effective XXX which has been continued through XXX. The claimant XXX provide information regarding this issue.

The permanent disqualification cannot be removed because the claimant has not met each of the following requirements:

- a. The claimant returns to work for at least five weeks and is paid cumulative wages of at least 10 times his weekly benefit amount;
- b. Subsequently becomes unemployed through no fault of his own;
- c. Meets the availability requirements of the Law.

CONCLUSIONS:

N.C.G.S. 96-14(10) provides any employee disqualified for the duration of his unemployment due to the provisions of (1), (2), (2B), (3), (4), or (6A) may have that permanent disqualification removed if he meets the following three conditions:

- a. The claimant returns to work for at least five weeks and is paid cumulative wages of at least 10 times his weekly benefit amount;
- b. Subsequently becomes unemployed through no fault of his own;
- c. Meets the availability requirements of the Law.

Based on the foregoing, it is concluded the claimant has not met each of the above requirements and therefore the prior disqualification cannot be removed.

LOCAL OFFICE: XX XXXXXXXX
 CONFERENCE HELD: XX-XX-XX
 APPEARANCES: XXXXXXXX
 INVESTIGATOR: XXXXXXXX

DETERMINATION OF FRAUD: You are not eligible for benefits for a period of one year from XX-XX-XX through XX-XX-XX as provided under N.C.G.S. 96-18(e).

REASONS: You knowingly and willfully made false statements or failed to disclose material facts while claiming unemployment insurance benefits. You failed to properly and correctly report your work and earnings with XXXXXXXXXXXXXXXXXXXX for the period from XX-XX-XX through XX-XX-XX. You were paid XXXXXXXXXXXXXXXX by XXXXXXXXXXXXXXXX during the period from XX-XX-XX through XX-XX-XX.

DETERMINATION OF OVERPAYMENT: Because of the foregoing reasons, you have been overpaid as provided under N.C.G.S. 96-18(g)(1). This is a demand notice for refund.

\$ _____	OVERPAYMENT AS A RESULT OF THIS DETERMINATION.
\$ _____	PRIOR OVERPAYMENT BALANCE.
\$ _____	RECOUPED PRIOR TO THE DATE OF THIS DETERMINATION.
\$ _____	BALANCE OF REFUND REQUIRED.

Include your name and social security number on your payment and mail to:

EMPLOYMENT SECURITY COMMISSION OF NORTH CAROLINA
 BENEFIT PAYMENT CONTROL
 POST OFFICE BOX 25903
 RALEIGH, NORTH CAROLINA 27611

If assistance is needed in making refund arrangements, you may contact the Fraud Investigator at the Employment Security Commission Office in XXXXXXXX , telephone XXX XXX XXXX.

DETERMINATION

Claimant is eligible for benefits from XXX through XXX.

REASONS

Claimant filed an XXX Claim effective XXX which has been continued through XXX. The claimant XXX provide information regarding this issue. The claimant was instructed by mail on XXX to complete and return his/her Eligibility Review Interview. The claimant failed to return the NCIB-10 by XXX as instructed XXX.

CONCLUSIONS:

N.C.G.S. 96-13(a)(1) provides an unemployed individual shall be eligible to receive benefits with respect to any week only if the Commission finds he has registered for work at and thereafter has continued to report to an employment office in accordance with such regulations as the Commission may prescribe. Based on the foregoing, it is concluded the claimant failed to complete and return the NCIB-10 as directed. It is further concluded the claimant has shown good cause for such failure.

LOCAL OFFICE: XX XXXXXXXX
 CONFERENCE HELD: XX-XX-XX
 APPEARANCES: XXXXXXXX
 INVESTIGATOR: XXXXXXXX

DETERMINATION OF FRAUD: You are not eligible for benefits for a period of one year from XX-XX-XX through XX-XX-XX as provided under N.C.G.S. 96-18(e).

REASONS: You knowingly and willfully made false statements or failed to disclose material facts while claiming unemployment insurance benefits. You failed to properly and correctly report your work and earnings with XXXXXXXXXXXXXXXXXXXX for the period from XX-XX-XX through XX-XX-XX. You were XXXXXXXXXXXX during the period from XX-XX-XX through XX-XX-XX and therefore you are ineligible for benefits from XX-XX-XX through XX-XX-XX. N.C.G.S. 96-13(a)(3).

DETERMINATION OF OVERPAYMENT: Because of the foregoing reasons, you have been overpaid as provided under N.C.G.S. 96-18(g)(1). This is a demand notice for refund.

\$ _____ OVERPAYMENT AS A RESULT OF THIS DETERMINATION.
 \$ _____ PRIOR OVERPAYMENT BALANCE.
 \$ _____ RECOUPED PRIOR TO THE DATE OF THIS DETERMINATION.
 \$ _____ BALANCE OF REFUND REQUIRED.

Include your name and social security number on your payment and mail to:

EMPLOYMENT SECURITY COMMISSION OF NORTH CAROLINA
 BENEFIT PAYMENT CONTROL
 POST OFFICE BOX 25903
 RALEIGH, NORTH CAROLINA 27611

If assistance is needed in making refund arrangements, you may contact the Fraud Investigator at the Employment Security Commission Office in XXXXXXXX , telephone XXX XXX XXXX.

DETERMINATION

Claimant is eligible for benefits from XXX through XXX.

REASONS

Claimant filed an Extended Benefits (EB) Claim effective XXX which has been continued through XXX.

During the week(s) ending XXX, the claimant's work search consisted of XXX.

CONCLUSIONS

N.C.G.S. 96-12.01(c) provides that an individual shall be eligible to receive EB only if the Commission finds that he has furnished tangible evidence of a systematic and sustained effort to find work during each week claimed. If ineligible, ineligibility shall begin with the week in which the failure first occurred and shall continue until he has been employed in each of four subsequent weeks and has earned remuneration equal to not less than four times his weekly benefit amount.

Based on the claimant's work search during the period specified, it is concluded the claimant made a systematic and sustained effort to find work and is therefore eligible to receive benefits during the period specified.

LOCAL OFFICE: XX XXXXXXXX
CONFERENCE HELD: XX-XX-XX
APPEARANCES: XXXXXXXX
INVESTIGATOR: XXXXXXXX

DETERMINATION OF FRAUD: You are not eligible for benefits for a period of one year from XX-XX-XX through XX-XX-XX as provided under N.C.G.S. 96-18(e).

REASONS: You failed to disclose your earnings with XXXXXXXXXXXX when XXXXXXXXXXXX submitted temporary layoff claims in your behalf during the period from XX-XX-XX through XX-XX-XX.

DETERMINATION OF OVERPAYMENT: Because of the foregoing reasons, you have been overpaid as provided under N.C.G.S. 96-18(g)(1). This is a demand notice for refund.

\$ _____	OVERPAYMENT AS A RESULT OF THIS DETERMINATION.
\$ _____	PRIOR OVERPAYMENT BALANCE.
\$ _____	RECOUPED PRIOR TO THE DATE OF THIS DETERMINATION.
\$ _____	BALANCE OF REFUND REQUIRED.

Include your name and social security number on your payment and mail to:

EMPLOYMENT SECURITY COMMISSION OF NORTH CAROLINA
BENEFIT PAYMENT CONTROL
POST OFFICE BOX 25903
RALEIGH, NORTH CAROLINA 27611

If assistance is needed in making refund arrangements, you may contact the Fraud Investigator at the Employment Security Commission Office in XXXXXXXX , telephone XXX XXX XXXX.

DETERMINATION

Claimant is not eligible for benefits from XXX through XXX and continuing until the provisions of the Employment Security Law have been met.

REASONS

Claimant filed an Extended Benefits (EB) Claim effective XXX which has been continued through XXX.

On XXX the claimant was directed by a representative of the Commission to apply for a job with XXX as XXX. The job paid \$XXXXXX per XXX , was on XXX shift, and was located XX miles from the claimant's home.

The claimant was/wasnot capable of performing the work, the wages did/didnot exceed the claimant's weekly benefit amount and did/didnot pay the higher of the federal or state minimum wage. The directive to apply was/wasnot in writing and was/wasnot listed with the State employment service. The claimant failed to apply as directed because XXX.

CONCLUSIONS

N.C.G.S. 96-14(3) provides an individual shall be disqualified for benefits for the duration of his unemployment if it is determined by the Commission such individual has failed without good cause to accept a referral or to apply as directed by the Commission for available suitable work.

N.C.G.S. 96-12.01(c) provides in part that if an individual's prospects for obtaining work in his customary occupation are not good, the term "suitable work" means any work within the individual's capabilities to perform if (i) the gross average weekly wage exceeds the individual's weekly EB amount; (ii) the gross wages payable equal the higher of the federal or state minimum wage; and (iii) the work is offered to the individual in writing and is listed with the State employment service; and (iv) the considerations contained in G.S.96-14(3) are applied to the extent they are not inconsistent with the requirements of this subdivision.

Based on the foregoing it is concluded the work was suitable for the claimant. It is further concluded that the claimant has not shown good cause for failing to apply as directed.

DETERMINATION:

Claimant is eligible for benefits from XXX through XXX.

REASONS:

Claimant filed an XXX Claim effective XXX which has been continued through XXX. The claimant XXX provide information regarding this issue.

The Commission received the claimant's payorder(s) for the week(s) ending XXX by mail on XXX. The claimant did not file the week(s) within the twenty-eight (28) day deadline XXX.

CONCLUSIONS:

N.C.G.S. 96-13(a)(2) requires a claim for benefits be made in accordance with Commission regulations. ES Regulation No. 10.18 provides late reporting exists if a continued claim form is not received by the Commission within twenty-eight (28) days after the last day of the calendar week for which a claim for benefits is being filed. The claim(s) for benefits must be disallowed unless good cause is shown.

Based on the foregoing, it is concluded the claim(s) were not filed within twenty-eight (28) days after the day of the calendar week for which the claim(s) were filed. It is further concluded the claimant has shown good cause for the late reporting.

DETERMINATION

Claimant is eligible for benefits.

REASONS

Claimant filed an Extended Benefits (EB) Claim effective XXX which has been continued through XXX.

On XXX claimant was directed by a representative of the Commission to apply for a job with XXX as XXX. The job paid \$XXX per XXX, was on XXX shift, and was located XX miles from the claimant's home.

The claimant was/wasnot capable of performing the work, the wages did/didnot exceed the claimant's weekly benefit amount and did/didnot pay the higher of the federal or state minimum wage. The directive to apply was/wasnot in writing and was/wasnot listed with the State employment service. *

The claimant failed to apply as directed because XXX.

CONCLUSIONS

N.C.G.S. 96-14(3) provides an individual shall be disqualified for benefits for the duration of his unemployment if it is determined by the Commission such individual has failed without good cause to accept a referral or to apply as directed by the Commission for available suitable work.

N.C.G.S. 96-12.01(c) provides in part that if an individual's prospects for obtaining work in his customary occupation are not good, the term "suitable work" means any work within the individual's capabilities to perform if (i) the gross average weekly wage exceeds the individual's weekly EB amount; (ii) the gross wages payable equal the higher of the federal or state minimum wage; and (iii) the work is offered to the individual in writing and is listed with the State employment service; and (iv) the considerations contained in G.S.96-14(3) are applied to the extent they are not inconsistent with the requirements of this subdivision.

Based on the foregoing it is concluded that the work was suitable for the claimant. It is further concluded that the claimant has shown good cause for failing to apply as directed.

DETERMINATION:

Claimant is not eligible for benefits from XXX through XXX.

REASONS:

Claimant filed an XXX Claim effective XXX which has been continued through XXX. The claimant XXX provide information regarding this issue.

The Commission received the claimant's payorder(s) for the week(s) ending XXX by mail on XXX. The claimant did not file the week(s) within the twenty-eight (28) day deadline XXX.

CONCLUSIONS:

N.C.G.S. 96-13(a)(2) requires a claim for benefits be made in accordance with Commission Regulations. ES Regulation No. 10.18 provides late reporting exists if a continued claims form is not received by the Commission within twenty-eight (28) days after the last day of the calendar week for which a claim for benefits is being filed. The claim for benefits must be disallowed unless good cause is shown.

Based on the foregoing, it is concluded the claim(s) were not filed within twenty-eight (28) days after the day of the calendar week for which the claim(s) were filed. It is further concluded the claimant has not shown good cause for the late reporting.

DETERMINATION

Claimant is eligible for benefits.

REASONS

Claimant filed an Extended Benefits (EB) Claim effective XXX which has been continued through XXX.

On XXX claimant was offered work with XXX as XXX on XXX shift. The job paid \$XXX per XXX, and was located XX miles from the claimant's home.

The claimant was/wasnot capable of performing the work, the wages did/didnot exceed the claimant's weekly benefit amount did/didnot pay the higher of the federal or state minimum wage. The offer of work was/wasnot in writing and was/wasnot listed with the State employment service.

CONCLUSIONS:

N.C.G.S. 96-14(3) provides an individual shall be disqualified for benefits for the duration of his unemployment if it is determined by the Commission such individual failed without good cause to accept suitable work when offered to him.

N.C.G.S. 96-12.01(c) provides that if an individual's prospects for obtaining work in his customary occupation are not good, the term "suitable work" means any work within the individual's capabilities to perform if (i) the gross average weekly wage exceeds the individual's weekly EB amount; (ii) the gross wages payable equal the higher of the federal or state minimum wage; and (iii) the work is offered to the individual in writing and is listed with the State employment service; and (iv) the considerations contained in G.S.96-14(3) are applied to the extent they are not inconsistent with the requirements of this subdivision.

Based on the foregoing it is concluded that the work was not suitable for the claimant.

Under the Federal guidelines regarding eligibility for Emergency Unemployment Compensation (EUC) benefits, a claimant who has an indefinite disqualification is not eligible for EUC benefits until the requirements for requalification in the Employment Security Law of North Carolina have been met.

DETERMINATION

Claimant is eligible for benefits from XXX through XXX.

REASONS

Claimant filed an XXX Claim effective XXX which has been continued through XXX. The claimant XXX provide information regarding this issue.

The claimant was directed to report to the local office for a Periodic Interview on XXX. Claimant failed to report as directed XXX.

CONCLUSIONS

N.C.G.S. 96-13(a)(1) provides an unemployed individual shall be eligible to received benefits if the Commission finds he has registered for work at and thereafter has continued to report at an employment office at regular intervals no more than six weeks apart and in accordance with such regulations as the Commission may prescribe. ESC Regulation No. 10.12(A) provides the failure of the claimant to report as directed shall cause an issue of late reporting to be raised and referred for adjudication pursuant to G. S. 96-15(b)(2). Benefits shall not be paid based on any claim filed by the claimant for the week the claimant initially fails to report as directed, or for any subsequent week during which the claimant continues to fail to report to the local office of the Employment Security Commission, and such benefits shall only be paid if the adjudication of the late reporting issue concludes that good cause as defined by ESC Regulation 10.22 has been shown.

Based on the foregoing, it is concluded the claimant failed to report as directed. It is further concluded the claimant has shown good cause for such failure.

DETERMINATION

Claimant is not disqualified for benefits.

REASONS

Claimant filed an XXX Claim effective XXX which has been continued through XXX. Claimant was engaged in self-employment from XXX through XXX. Claimant separated from self-employment because XXX.

CONCLUSIONS

N.C.G.S. 96-14(6) provides an individual shall be disqualified for benefits if the Commission finds he is customarily self-employed and can reasonably return to self-employment.

Based on the foregoing, it is concluded claimant is / is not customarily self-employed and can / cannot reasonably return to self-employment.

DETERMINATION

Claimant is

REASONS

Claimant filed an XXX Claim effective XXX which has been continued through XXX.
The claimant XXX provide information regarding this issue.

CONCLUSIONS

N.C.G.S.

Based on the foregoing, it is concluded XXX

DETERMINATION

Claimant is not disqualified for benefits.

REASONS

Claimant filed an XXX Claim effective XXX which has been continued through XXX.

On XXX claimant was offered work with XXX as XXX on XXX shift. The job paid \$XXX per XXX, and was located XXX miles from the claimant's home. Claimant last worked for XXX on XXX as XXX on XXX shift, earning \$XXX per XXX. Claimant's occupational classification is XXX. The prevailing wage rate is \$XXX. The customary commuting distance is XXX miles, and the customary hours of work are XXX.

CONCLUSIONS:

N.C.G.S. 96-14(3) provides an individual shall be disqualified for benefits for the duration of his unemployment if it is determined by the Commission such individual has failed without good cause to accept suitable work when offered him.

Based on XXX it is concluded that the work was not suitable for claimant.

DETERMINATION

Claimant is eligible for benefits from xxx through XXX.

REASONS

Claimant filed an XXX Claim effective XXX which has been continued through XXX. The claimant XXX provide information regarding this issue.

The claimant's primary occupation is XXX. The claimant has been restricted from XXX due to/because XXX. The claimant's restriction does not eliminate him/her from a majority of jobs for which he/she is qualified in the local labor market.

CONCLUSIONS:

N.C.G.S. 96-13(a)(3) provides an unemployed individual shall be eligible to receive benefits only if the Commission finds such individual is able to work.

Based on the foregoing, it is concluded claimant can be deemed able to work.

DETERMINATION:

Claimant is eligible for benefits from XXX through XXX.

REASONS:

Claimant last worked on XXX. Claimant filed an XXX Claim effective XXX which has been continued through XXX. The claimant XXX provide information regarding this issue. By notice dated XXX, claimant was directed to contact the Commission's local office to schedule an appointment to register for work because claimant's unemployment status had changed from attached to separated. Despite notice that failure to comply would delay future payments, claimant did not contact the Commission's local office within five (5) days of the date of the notice because XXX.

CONCLUSIONS:

N.C.G.S. 96-13(a)(1) provides that an unemployed individual shall be eligible to receive benefits with respect to any week only if the Commission finds that the individual has registered for work at an employment office in accordance with such regulations as the Commission may prescribe. Commission Regulation 10.15 provides that if a temporary layoff of total unemployment exceeds eight consecutive payroll weeks, the individual shall be considered to have been separated from employment and an actual registration must be taken as of the first day of the ninth consecutive week unless (A) the employer furnishes the local Employment Security Office with a definite date when work for the individual shall become available with the employer; (B) the work is nonseasonal; and, (C) the local office accordingly extends the eight-week period for a reasonable amount of time.

Based on the foregoing reasons, it is concluded claimant was not required to register for work. Claimant is eligible to receive benefits for the week(s) specified above.

DETERMINATION

Claimant is not eligible for benefits from XXX through XXX.

REASONS

Claimant filed an XXX Claim effective XXX which has been continued through XXX. The claimant XXX provide information regarding this issue.

During the week(s) ending XXX, the claimant's work search consisted of XXX.

The claimant failed to meet the work search requirements because XXX. The claimant had been made aware of the requirements on XXX.

CONCLUSIONS

N.C.G.S. 96-13(a)(3) provides an unemployed individual shall be eligible to receive benefits only if the Commission finds such individual is actively seeking work.

Based on the foregoing, it is concluded claimant did not make an active work search.

DETERMINATION:

Claimant is eligible for benefits from XXX through XXX.

REASONS:

Claimant filed an XXX Claim effective XXX which has been continued through XXX. The claimant XXX provide information regarding this issue.

The claimant is only available for work XXX due to school attendance. The claimant is not eliminated from a majority of jobs for which qualified as a result of this restriction.

- () The claimant previously worked full time on the above shift while attending school.
- () The claimant is willing to arrange a class schedule that will not interfere with availability for suitable work.

CONCLUSIONS:

N.C.G.S. 96-13(a)(3) provides an individual will be eligible to receive benefits only if the Commission finds he is available for work.

Based on the foregoing, it is concluded claimant has previously worked in full time employment concurrent with school attendance and/or is willing to arrange the class schedule to be available for full time suitable work. The restriction does not eliminate claimant from more than fifty percent (50%) of the available jobs. It is therefore concluded claimant must be deemed available for work.

DETERMINATION:

Claimant is not eligible for benefits beginning XXX through XXX and shall remain ineligible until all the eligibility requirements of the Law are met.

REASONS:

Claimant filed an XXX Claim effective XXX which has been continued through XXX. The claimant XXX provide information regarding this issue. During the week(s) ending XXX, claimant was willing to accept work only within a XXX mile radius of claimant's home. This restriction eliminates the claimant from the majority of jobs for which claimant is qualified in the local labor market.

CONCLUSIONS:

N.C.G.S. 96-13(a)(3) provides an individual will be eligible to receive benefits only if the Commission finds he is available for suitable work.

Based on the foregoing, it is concluded claimant's availability is limited to such extent claimant cannot be deemed available for work.

Based on the foregoing, it is concluded claimant has failed to show it was impracticable or unduly burdensome for claimant to work until the announced separation date. It is further concluded claimant left work without good cause attributable to the employer.

DETERMINATION:

Claimant is eligible for benefits from XXX through XXX.

REASONS:

Claimant filed an XXX Claim effective XXX which has been continued through XXX.

The claimant XXX provide information regarding this issue. Claimant was unwilling to accept a pay rate of less than \$XXX per XXX. The prevailing wage rate for work which claimant is qualified to perform is XXX. The wage restriction does not eliminate the claimant from a majority of jobs for which claimant is qualified in the local labor market.

CONCLUSIONS:

N.C.G.S. 96-13(a)(3) provides an individual will be eligible to receive benefits only if the Commission finds he is available for work.

Based on the foregoing, it is concluded claimant's availability has not been significantly limited. Therefore the claimant must be deemed available for work.

DETERMINATION:

Claimant is not eligible for benefits from XXX through XXX.

REASONS:

Claimant filed an XXX Claim effective XXX which has been continued through XXX.

During the week(s) ending XXX, the claimant states he/she looked for work at XXX.

The claimant's work search was investigated and XXX

The claimant failed to meet the work search requirements. The claimant had been made aware of the requirements on XXX.

CONCLUSIONS

N.C.G.S. 96-13(a)(3) provides an unemployed individual shall be eligible to receive benefits only if the Commission finds such individual is actively seeking work.

Based on the foregoing, it is concluded claimant did not make an active work search.

DETERMINATION:

Claimant is eligible for benefits from XXX through XXX.

REASONS:

Claimant filed an XXX Claim effective XXX which has been continued through XXX. The claimant XXX provide information regarding this issue.

From XXX through XXX claimant was available to work the following shifts/hours: XXX. Claimant is qualified to perform the following type(s) of work: XXX. Claimant's restriction does not eliminate claimant from a majority of jobs for which claimant is qualified in the local labor market.

CONCLUSIONS:

N.C.G.S. 96-13(a)(3) provides an individual will be eligible to receive benefits only if the Commission finds he is available for suitable work.

Based on the foregoing, it is concluded claimant's availability has not been significantly limited. Therefore, the claimant must be deemed available for work.

DETERMINATION

Claimant is not eligible for benefits from XXX through XXX, and shall remain ineligible until all the eligibility requirements of the Law are met.

REASONS

Claimant filed an XXX Claim effective XXX which has been continued through XXX.

When claimant filed for the week ending XXX, he/she indicated he began receiving or changed his retirement pension. The Commission has not been successful in its attempts to contact claimant.

CONCLUSIONS

N.C.G.S. 96-13(a) provides an unemployed individual shall not be eligible to receive benefits if it is determined by the Commission such individual began receiving or changed any type of retirement pension during the week.

DETERMINATION

Claimant is eligible for benefits from XXX through XXX.

REASONS

Claimant filed an XXX Claim effective XXX which has been continued through XXX. The claimant XXX provide information regarding this issue.

The employer issued a NOTICE OF TEMPORARY UNEMPLOYMENT to claimant for week(s) ending XXX. During the week XXX hours of work were available to claimant. Claimant did not work the available hours because xxx. The employer considered the absence to be excused.

CONCLUSIONS:

N.C.G.S. 96-13(a)(3) provides an individual shall be eligible to receive benefits only if the Commission finds he is available for work.

Based on the foregoing, it is concluded the claimant was available for work within the meaning of the Law during the week specified above.

DETERMINATION

Claimant is not eligible for benefits from XXX through XXX and shall remain ineligible until it is clearly shown that he is available for work.

REASONS

Claimant filed an XXX Claim effective XXX which has been continued through XXX.

When claimant filed for the week ending XXX, he/she indicated that he was not able and available for work, seeking work, and keeping a work search record as directed by the Commission. The Commission has not been successful in its attempts to contact the claimant.

CONCLUSIONS: N.C.G.S. 96-13(a) of the Law provides an individual shall not be eligible for benefits if it is determined by the Commission such individual was not available for work.

DETERMINATION:

Claimant is eligible for benefits from XXX through XXX.

REASONS

: Claimant filed an XXX Claim effective XXX

which has been continued through XXX.

The claimant was directed by a representative of the Commission to participate in reemployment services on XXX.

Claimant failed to participate as directed because XXX.

CONCLUSIONS:

N.C.G.S. 96-13(a)(1) provides an unemployed individual shall be eligible to receive benefits with respect to any week only if the Commission finds the individual has registered for work at and thereafter has continued to report to employment office in accordance with such regulations as the Commission may prescribe. ESC Regulation No. 10.25 H2 provides a REA Claimant will be held ineligible for failure to attend a rescheduled in-person appointment of which properwritten notice was provided unless the REA Claimant has justifiable cause for failing to report as directed. Based on the foregoing, it is concluded the claimant failed to participate as directed. It is further concluded the claimant has shown justifiable cause for such failure.

DETERMINATION

Claimant is eligible for benefits from XXX through XXX.

REASONS

Claimant filed an XXX Claim effective XXX which has been continued through XXX. The claimant XXX provide information regarding this issue.

During the week(s) ending XXX, the claimant's work search consisted of XXX.

CONCLUSIONS

N.C.G.S. 96-13(a)(3) provides an unemployed individual shall be eligible to receive benefits only if the Commission finds such individual is actively seeking work.

Based on the foregoing, it is concluded claimant did make an active work search.

DETERMINATION

Claimant is eligible for benefits from XXX through XXX.

REASONS

Claimant filed an XXX Claim effective XXX which has been continued through XXX. The claimant XXX provide information regarding this issue.

The claimant was directed by a representative of the Commission to participate in reemployment services on XXX. Claimant failed to participate as directed because XXX.

CONCLUSIONS

N.C.G.S. 96-13(a) (5) provides an unemployed individual shall be eligible to receive benefits with respect to any week only if the Commission finds that he has accepted and participated in reemployment services, such as job search assistance services, if he has been determined to be likely to exhaust regular benefits and will need employment services pursuant to a profiling system established by the Commission, unless it is determined that: (a) the individual has completed such services; or (b) there is justifiable cause for such individual's failure to participate in such service.

Based on the foregoing, it is concluded the claimant failed to participate as directed. It is further concluded the claimant has shown good cause for such failure.

DETERMINATION:

Claimant is eligible for benefits from XXX through XXX.

REASONS:

Claimant filed an XXX Claim effective XXX which has been continued through XXX. The claimant XXX provide information regarding this issue.

During the week(s) ending XXX the claimant was willing to accept work only within a XXX mile radius of claimant's home. This restriction does not eliminate claimant from a majority of jobs for which claimant is qualified in the local labor market.

CONCLUSIONS:

N.C.G.S. 96-13(a)(3) provides an individual will be eligible to receive benefits only if the Commission finds he is available for suitable work.

Based on the foregoing, it is concluded that such restriction does not eliminate claimant from a majority of suitable jobs in the local labor market. Therefore, it is concluded claimant is available for work.

Based on the foregoing, it is concluded claimant has not limited his availability to such extent claimant cannot be deemed available for work.

DETERMINATION

Claimant is not eligible for benefits from XXX through XXX and shall remain ineligible until he/she participates in reemployment services as directed.

REASONS

Claimant filed an XXX Claim effective XXX which has been continued through XXX. The claimant was directed by a representative of the Commission to participate in reemployment services on XXX. Claimant failed to participate as directed because XXX.

CONCLUSIONS:

N.C.G.S. 96-13(a)(1) provides an unemployed individual shall be eligible to receive benefits with respect to any week only if the Commission finds he has registered for work at and thereafter has continued to report to an employment office in accordance with such regulations as the Commission may prescribe. ESC Regulation No. 10.25(H)(1) provides failure to participate in a reemployment service to which individuals have been referred will be allowed if they (1) have completed such service, (2) have completed a similar service, or (3) have justifiable cause for failing to participate in the offered reemployment service.

Based on the foregoing, it is concluded the claimant failed to participate as directed. It is further concluded the claimant has failed to show good cause for such failure.

DETERMINATION:

Claimant is eligible for benefits from XXX through XXX.

REASONS:

Claimant filed a XXX Claim effective XXX which has been continued through XXX. The claimant XXX provide information regarding this issue.

Claimant is attached to the payroll of XXX, a temporary employment service. On XXX, the employer offered claimant a temporary assignment with a client. Such work was for a XXX working XXX hours XXX days per week. Claimant refused the offer because XXX

CONCLUSIONS:

N.C.G.S. 96-13(a)(3) provides that an unemployed individual shall be eligible to receive benefits only if the Commission finds that such individual is available for suitable work.

Based upon the available information, the work was not suitable for the claimant. It is concluded that claimant is eligible for benefits during the above weeks.

DETERMINATION

Claimant is eligible for benefits from XXX through XXX.

REASONS

Claimant filed an XXX Claim effective XXX which has been continued through XXX. The claimant XXX provide information regarding this issue.

The claimant was available for work during the week(s) ending XXX because XXX.

CONCLUSIONS:

N.C.G.S. 96-13(a)(3) provides no individual shall be deemed available for work during any week that the individual tests positive for a controlled substance if (i) the test is a controlled substance examination administered under Article 10 of Chapter 95 of the General Statutes, (ii) the test is required as a condition of hire for a job, and (iii) the job would be suitable work for the claimant. The employer shall report to the Commission, in accordance with regulations adopted by the Commission, each claimant that tests positive for a controlled substance under this subdivision.

Based on the foregoing, it is concluded claimant was available for work.

DETERMINATION:

Claimant is eligible for benefits from XXX through XXX.

REASONS:

Claimant filed an XXX Claim effective XXX which has been continued through XXX. The claimant XXX provide information regarding this issue. The claimant is available for part-time work. The claimant's monetary eligibility is based predominately on part-time wages. The claimant is available for work under essentially the same conditions under which such wages were accrued. The claimant has imposed no other restrictions and is in a labor market where a reasonable demand exists for part-time work.

CONCLUSIONS:

N.C.G.S.96-13(a)(6) provides an unemployed individual shall not be disqualified for eligibility for unemployment compensation benefits solely on the basis that the individual is only available for part-time work. If an individual restricts his or her eligibility to part-time work, the individual may be considered able and available to work if it is determined that all the following conditions exist:

a. The claimant's monetary eligibility is based predominately on wages from part-time work.

b. The claimant is actively seeking and is willing to accept work under essentially the same conditions as existed while the claimant's reported wages were accrued.

c. The claimant imposes no other restriction and is in a labor market in which a reasonable demand exists for part-time service.

Based on the foregoing, it is concluded claimant has not limited his/her availability and must be deemed available for work.

DETERMINATION:

Claimant is not disqualified for benefits.

REASONS:

Claimant last worked for XXX on XXX. Claimant filed an XXX Claim effective XXX which has been continued through XXX.

Claimant left this job XXX

CONCLUSIONS:

N.C.G.S. 96-14(1g) of the Law provides any separation or discharge solely due to an inability to accept work during a particular shift as a result of an undue family hardship shall constitute good cause for leaving work. Benefits paid on the basis of this section shall not be charged to the account of the employer.

N.C.G.S. 96-8(10a) provides that an "undue family hardship" arises when an individual is unable to accept a particular shift because the individual is unable to obtain (i) child care during that shift for a minor child who is in the legally recognized custody of the individual, (ii) elder care during that shift for an aged or disabled parent of the individual, or (iii) care for any disabled member of that individual's immediate family.

Based on the foregoing, it is concluded the claimant's leaving was for reasons due solely to an undue family hardship and the claimant must be held not disqualified from receiving unemployment insurance benefits. Furthermore, if the employer meets the requirements to receive noncharging, any benefits paid to the claimant as a result of this determination must be noncharged to the base period employer.

DETERMINATION

Claimant is not eligible for benefits from XXX through XXX and shall remain ineligible so long as he/she is employed and not unemployed within the meaning of the Law.

REASONS

Claimant filed an XXX claim effective XXX which has been continued through XXX. The claimant XXX provide information regarding this issue.

The claimant began working for XXX on XXX. Throughout the claimant's employment, the work schedule has consisted of the following: XXX. Work, under the conditions of hire, continues to be available for the claimant.

CONCLUSIONS:

N.C.G.S. 96-13(a) provides an unemployed individual shall be eligible to receive benefits.

Based on the foregoing, it is concluded claimant is employed and not unemployed within the meaning of the Law.

DETERMINATION

Claimant is eligible for benefits from XXX through XXX.

REASONS

Claimant filed an XXX Claim effective XXX which has been continued through XXX. The claimant XXX provide information regarding this issue. Claimant received separation/vacation pay in the amount of \$XXX which covered the period from XXX through XXX. During the weeks in question, claimant was registered at or attending either an institution of higher education, secondary school, or Commission approved training.

CONCLUSIONS

N.C.G.S. 96-8(10)c provides no individual shall be considered unemployed if, with respect to the calendar week, he is receiving, has received, or will receive as a result of his separation from employment, remuneration in the form of (i) wages in lieu of notice, (ii) accrued vacation pay, (iii) terminal leave pay, (iv) severance pay, (v) separation pay, or (vi) dismissal payments or wages by whatever name. Provided, however, if such payment is applicable to less than the entire week, the claimant may be considered to be unemployed as defined in subsections a and b of this paragraph. Provided further, however, that an individual shall be considered to be unemployed as to receipt of severance pay for any week the individual is registered at or attending any institution of higher education as defined in G.S. 96-8(5)j., or secondary school as defined in G.S. 96-8(5)q., or Commission approved vocational, educational, or training programs as defined in G.S. 96-13.

Based on the foregoing, it is concluded claimant is eligible for benefits for the week(s) ending XXX.

DETERMINATION:

Claimant is not eligible for benefits from XXX through XXX and shall remain ineligible so long as he/she is employed and not unemployed within the meaning of the Law.

REASONS:

Claimant filed an XXX Claim effective XXX which has been continued through XXX. The claimant XXX provide information regarding this issue.

The claimant began working for XXX on XXX as XXX. Claimant is not a permanent full-time school employee or a full-time substitute. Work, under the conditions of hire continues to be available for the claimant.

CONCLUSIONS:

N.C.G.S.96-13(a) provides an unemployed individual be eligible to receive benefits. N.C.G.S. 96-8(10)e. provides no substitute teacher or other substitute school personnel shall be considered unemployed for days or weeks when not called to work unless the individual is or was a permanent school employee regularly employed as a full-time substitute during the period of time for which the individual is requesting benefits.

Based on the foregoing, it is concluded claimant is employed and not unemployed within the meaning of the Law.

DETERMINATION:

Claimant is not eligible for benefits from xxx through xxx.

REASONS: Claimant filed an XXX Claim effective XXX which has been continued through XXX. Claimant received separation/vacation pay in the amount of \$xxx which covered the period from xxx through xxx.

CONCLUSIONS: N.C.G.S. 96-8(10)c provides no individual shall be considered unemployed if, with respect to the calendar week, the individual is receiving, has received, or will receive as a result of the individual's separation from employment, remuneration in the form of (i) wages in lieu of notice, (ii) accrued vacation pay, (iii) terminal leave pay, (iv) separation pay, or (v) dismissal payments or wages by whatever name. Provided, however, if such payment is applicable to less than the entire week, the claimant may be considered to be unemployed as defined in subsections a and b of this paragraph.

Based on the foregoing, it is concluded claimant is not eligible for benefits for the week(s) ending xxx.

DETERMINATION

Claimant is eligible for benefits from XXX through XXX.

REASONS

Claimant filed an XXX Claim effective XXX which has been continued through XXX. The claimant XXX provide information regarding this issue.

The claimant began work for XXX on XXX. Throughout the claimant's employment, the work schedule has varied depending on the needs of the employer. The claimant averages XXX hours of work per week. Work, under the conditions of hire, continues to be available.

CONCLUSIONS

N.C.G.S. 96-13(a) provides an unemployed individual shall be eligible to receive benefits.

Based on the foregoing, it is concluded claimant is part-totally unemployed within the meaning of the Law.

DETERMINATION:

Claimant is not eligible for benefits from XXX through XXX.

REASONS

Claimant filed an XXX Claim effective XXX which has been continued through XXX. The claimant XXX provide information regarding this issue. Claimant received separation/vacation pay in the amount of \$XXX which covered the period from XXX through XXX.

CONCLUSIONS:

N.C.G.S. 96-8(10)c provides no individual shall be considered unemployed if, with respect to the calendar week, he is receiving, has received, or will receive as a result of his separation from employment, remuneration in the form of (i) wages in lieu of notice, (ii) accrued vacation pay, (iii) terminal leave pay, (iv) severance pay, (v) separation pay, or (vi) dismissal payments or wages by whatever name. Provided, however, if such payment is applicable to less than the entire week, the claimant may be considered to be unemployed as defined in subsections a and b of this paragraph.

Based on the foregoing, it is concluded claimant is not eligible for benefits for the week(s) ending XXX.

DETERMINATION

Claimant is disqualified from receiving benefits under Section 96-14 beginning XXX and continuing until the conditions of Section 96-14(10) of the Law are met.

REASONS

Claimant filed an XXX Claim effective XXX which has been continued through XXX. When claimant filed for the week ending XXX, he/she indicated he refused work, quit a job, or was fired from a job. The Commission has not been successful in its attempts to contact claimant.

CONCLUSIONS:

N.C.G.S. 96-14 of the Law provides an individual shall be disqualified for benefits for the duration of his unemployment if it is determined by the Commission such individual is unemployed because he left work without good cause attributable to the employer, refused suitable work, or was discharged for misconduct in connection with the work.

LOCAL OFFICE: XX XXXXXXXXXXXX
CONFERENCE HELD: XX-XX-XX
APPEARANCES: XXXXXXXX
INVESTIGATOR: XXXXXXXXXXXX

NOTIFICATION OF AUDIT: An audit has been made of your claim for unemployment insurance benefits.

FINDINGS: You failed to properly and correctly report your work and earnings with xxxxxxxxxxxxxxxx during the period from xx-xx-xx through xx-xx-xx. You were paid xxxxxxxxxxxxxxxx by xxxxxxxxxxxxxxxx during the period from xx-xx-xx through xx-xx-xx.

DETERMINATION OF OVERPAYMENT: Because of the foregoing reasons, you have been overpaid as provided under N.C.G.S. 96-18(g)(2). This is a demand notice for refund.

\$ _____	OVERPAYMENT AS A RESULT OF THIS DETERMINATION.
\$ _____	PRIOR OVERPAYMENT BALANCE.
\$ _____	RECOUPED PRIOR TO THE DATE OF THIS DETERMINATION.
\$ _____	BALANCE OF REFUND REQUIRED.

Include your name and social security number on your payment and mail to:

EMPLOYMENT SECURITY COMMISSION OF NORTH CAROLINA
BENEFIT PAYMENT CONTROL
POST OFFICE BOX 25903
RALEIGH, NORTH CAROLINA 27611

If assistance is needed in making arrangements for refund, you may call our Central Office Unit in Raleigh, North Carolina, telephone, (919) 707-1338.

DETERMINATION

Claimant is not disqualified for benefits.

REASONS

Claimant filed an XXX Claim effective XXX which has been continued through XXX.

On XXX claimant was offered work with XXX as XXX on XXX shift. The job paid \$XXX per XXX and was located XXX miles from claimant's home. Claimant last worked for XXX as XXX on XXX shift, earning \$XXX per XXX. Claimant's occupational classification is XXX. The prevailing wage rate is \$XXX. The customary commuting distance is XXX miles, and the customary hours of work are XXX. Claimant refused the work because XXX

CONCLUSIONS:

N.C.G.S. 96-14(3) provides an individual shall be disqualified for benefits for the duration of his unemployment if it is determined by the Commission such individual has failed without good cause to accept suitable work when offered him.

Based on XXX XXX it is concluded the work was suitable for the claimant. It is further concluded the claimant has shown good cause for failing to accept suitable work when offered.

LOCAL OFFICE: xx xxxxxxxx
CONFERENCE HELD: xx-xx-xx
APPEARANCES: xxxxxxxxxxxx
INVESTIGATOR: xxxxxxxxxxxx

NOTIFICATION OF AUDIT: An audit has been made of your claim for unemployment insurance benefits.

FINDINGS: You failed to properly and correctly report your work and earnings with xxxxxxxxxxxxxx for the period from xx-xx-xx through xx-xx-xx.

DETERMINATION OF OVERPAYMENT: Because of the foregoing reasons, you have been overpaid as provided under N.C.G.S. 96-18(g)(2). This is a demand notice for refund.

\$ _____	OVERPAYMENT AS A RESULT OF THIS DETERMINATION.
\$ _____	PRIOR OVERPAYMENT BALANCE.
\$ _____	RECOUPED PRIOR TO THE DATE OF THIS DETERMINATION.
\$ _____	BALANCE OF REFUND REQUIRED.

Include your name and social security number on your payment and mail to:

EMPLOYMENT SECURITY COMMISSION OF NORTH CAROLINA
BENEFIT PAYMENT CONTROL
POST OFFICE BOX 25903
RALEIGH, NORTH CAROLINA 27611

If assistance is needed in making arrangements for refund, you may call our Central Office Unit in Raleigh, North Carolina, telephone, (919) 707-1338.

DETERMINATION

Claimant is not disqualified for benefits.

REASONS

Claimant filed an XXX Claim effective XXX which has been continued through XXX.

On XXX claimant was directed by a representative of the Commission to apply for a job with XXX as XXX. The job paid \$XXX per XXX, was on XXX shift, and was located XXX miles from claimant's home. Claimant last worked for XXX as XXX on XXX shift, earning \$XXX per XXX. Claimant's occupational classification is XXX. The prevailing wage rate is \$XXX. The customary commuting distance is XXX miles, and the customary hours of work are XXX. Claimant refused the referral/failed to apply for this work because XXX.

CONCLUSIONS:

N.C.G.S. 96-14(3) provides an individual shall be disqualified for benefits for the duration of his unemployment if it is determined by the Commission such individual has failed without good cause to apply/to accept a referral for available suitable work when so directed by the Commission to apply.

Based on XXX it is concluded the work was suitable for claimant. It is further concluded claimant has shown good cause for failing to apply as directed.

LOCAL OFFICE: XX XXXXXXXX
CONFERENCE HELD: XX-XX-XX
APPEARANCES: XXXXXXXXXXXX
INVESTIGATOR: XXXXXXXXXXXX

NOTIFICATION OF AUDIT: An audit has been made of your claim for unemployment insurance benefits.

FINDINGS: You failed to properly and correctly report your work and earnings with XXXXXXXXXXXXXXXX for the period from XX-XX-XX through XX-XX-XX. You were XXXXXXXXXXXXXXXX during the period from XX-XX-XX through XX-XX-XX and therefore ineligible for benefits from XX-XX-XX through XX-XX-XX. N.C.G.S. 96-13(a)(3).

DETERMINATION OF OVERPAYMENT: Because of the foregoing reasons, you have been overpaid as provided under N.C.G.S. 96-18(g)(2). This is a demand notice for refund.

\$ _____	OVERPAYMENT AS A RESULT OF THIS DETERMINATION.
\$ _____	PRIOR OVERPAYMENT BALANCE.
\$ _____	RECOUPED PRIOR TO THE DATE OF THIS DETERMINATION.
\$ _____	BALANCE OF REFUND REQUIRED.

Include your name and social security number on your payment and mail to:

EMPLOYMENT SECURITY COMMISSION OF NORTH CAROLINA
BENEFIT PAYMENT CONTROL
POST OFFICE BOX 25903
RALEIGH, NORTH CAROLINA 27611

If assistance is needed in making arrangements for refund, you may call our Central Office Unit in Raleigh, North Carolina, telephone, (919) 707-1338.

DETERMINATION:

Claimant is eligible for benefits from XXX through XXX.

REASONS:

Claimant filed an XXX Claim effective XXX which has been continued through XXX. The claimant XXX provide information regarding this issue.

The claimant first attempted to file a claim for benefits on XXX Claimant requested antedating of the claim to XXX The claimant did not attempt to file the claim prior to XXX because XXX

CONCLUSIONS

N.C.G.S. 96-13(a)(2) requires a claim for benefits be made in accordance with Commission Regulations.

ES Regulation No. 10.22 provides good cause for antedating exists without time restriction whenever an individual's delayed reporting is due to any of the following:

- (A) A notice of the time and place for filing his claim for benefits was not posted in the employer's establishment when it should have been posted;
- (B) His employer warned, instructed, or coerced him not to file for benefits;
- (C) A representative of the Commission made inadequate or misleading statements to him;
- (D) Due to circumstances beyond his control, it was impossible for him to report.

Based on the foregoing, it is concluded the claimant has shown good cause for antedating of the claim filed; therefore, the request must be allowed.

LOCAL OFFICE: xx xxxxxxxx
CONFERENCE HELD: xx-xx-xx
APPEARANCES: xxxxxxxxxxxx
INVESTIGATOR: xxxxxxxxxxxx

NOTIFICATION OF AUDIT: An audit has been made of your claim for unemployment insurance benefits.

FINDINGS: You received a back pay award from xxxxxxxxxxxxxxxx for the period from xx-xx-xx through xx-xx-xx.

DETERMINATION OF OVERPAYMENT: Because of the foregoing reasons, you have been overpaid as provided under N.C.G.S. 96-18(g)(2). This is a demand notice for refund.

\$ _____	OVERPAYMENT AS A RESULT OF THIS DETERMINATION.
\$ _____	PRIOR OVERPAYMENT BALANCE.
\$ _____	RECOUPED PRIOR TO THE DATE OF THIS DETERMINATION.
\$ _____	BALANCE OF REFUND REQUIRED.

Include your name and social security number on your payment and mail to:

EMPLOYMENT SECURITY COMMISSION OF NORTH CAROLINA
BENEFIT PAYMENT CONTROL
POST OFFICE BOX 25903
RALEIGH, NORTH CAROLINA 27611

If assistance is needed in making arrangements for refund, you may call our Central Office Unit in Raleigh, North Carolina, telephone, (919) 733-5034.

DETERMINATION:

Claimant is disqualified for benefits beginning XXX and ending XXX

REASONS:

Claimant last worked for the employer on XXX. Claimant filed a XXX Claim effective XXX which has been continued through XXX.

Claimant was separated from this job because XXX

CONCLUSIONS:

N.C.G.S. 96-14(2) provides that an individual shall be disqualified for benefits for the duration of his unemployment if it is determined by the Commission that such individual is unemployed because he was discharged for misconduct connected with the work.

N.C.G.S. 96-14(2A) provides that an individual shall be disqualified for a period of not less than four nor more than 13 weeks if it is determined by the Commission that such individual is unemployed because he was discharged for substantial fault on his part connected with his work not rising to the level of misconduct.

Based on the foregoing reasons, it is concluded that claimant was discharged for substantial fault connected with the work.

Under the Federal guidelines regarding eligibility for Emergency Unemployment Compensation (EUC) benefits, a claimant who received a time certain penalty is not eligible for EUC benefits until the requirements for requalification in the Employment Security Law of North Carolina have been met.

DETERMINATION

Claimant is not disqualified for benefits.

REASONS

Claimant filed an XXX Claim effective XXX which has been continued through XXX

Claimant was separated from Commission Approved Training on XXX because XXX

CONCLUSIONS:

N.C.G.S. 96-14(4)b provides an individual shall be disqualified for benefits for the duration of his unemployment if it is determined by the Commission such individual is separated from his training course due to misconduct.

Based on the foregoing, it is concluded claimant was separated from Commission Approved Training. It is further concluded claimant was not separated due to misconduct.

DETERMINATION:

Claimant is disqualified for benefits beginning XXX and continuing until claimant qualifies for benefits in accordance with the applicable provisions of the Employment Security Law.

REASONS:

Claimant last worked for XXX on XXX. Claimant filed an XXX Claim effective XXX which has been continued through XXX.

Claimant was separated from this job XXX.

CONCLUSIONS:

N.C.G.S. 96-14(2B) provides an individual shall be disqualified for benefits for the duration of the individual's unemployment if it is determined the individual is unemployed because the individual has been discharged from employment because a license, certificate, permit, bond, or surety that is necessary for the performance of the individual's employment and that the individual is responsible to supply has been revoked, suspended, or otherwise lost to the individual, or the individual's ability to successfully apply, or the individual's application therefore has been lost or denied for a cause that was within the individual's power to control, guard against or prevent.

Based on the foregoing, it is concluded the claimant was discharged from this job due to failure to obtain or maintain a license, certificate, permit, bond or surety that was necessary for continuing employment, and such failure was within claimant's power to control, guard against, or prevent.

DETERMINATION

Claimant is not disqualified for benefits

REASONS

Claimant last attended Commission Approved Training on XXX. Claimant filed an XXX Claim effective XXX which has been continued through XXX.

Claimant discontinued Commission Approved Training on XXX because XXX.

CONCLUSIONS:

N.C.G.S. 96-14(4)b provides an individual shall be disqualified for benefits for the duration of his unemployment if it is determined by the Commission such individual has discontinued his training course without good cause.

Based on the foregoing, it is concluded claimant discontinued Commission Approved Training. It is further concluded claimant has shown good cause for such discontinuation.

DETERMINATION:

Claimant is not disqualified for benefits.

REASONS:

Claimant last worked for XXX on XXX. Claimant filed an XXX Claim effective XXX which has been continued through XXX.

Claimant was separated from this job XXX

CONCLUSIONS:

N.C.G.S. 96-14(2B) provides an individual shall be disqualified for benefits for the duration of the individual's unemployment if it is determined the individual is unemployed because the individual has been discharged from employment because a license, certificate, permit, bond, or surety that is necessary for the performance of the individual's employment and that the individual is responsible to supply has been revoked, suspended, or otherwise lost to the individual, or the individual's ability to successfully apply, or the individual's application therefore has been lost or denied for a cause that was within the individual's power to control, guard against, or prevent.

Based on the foregoing, it is concluded the claimant was discharged from this job but not because such failure was within claimant's power to control, guard against or prevent.

DETERMINATION

Claimant is not eligible for benefits from XXX through XXX and shall remain ineligible so long as he/she is not legally authorized to work in the United States of America.

REASONS

Claimant filed an XXX Claim effective XXX which has been continued through XXX. The claimant XXX provide information regarding this issue.

The claimant is not available for work because XXX.

CONCLUSIONS

N.C.G.S. 96-13(f)(2) provides that an individual who is not a citizen of the United States shall not be deemed available for work under subsection (a)(3) of this section unless the individual is in satisfactory immigration status under the laws administered by the United States Department of Justice, Immigration and Naturalization Service.

Based on the foregoing, it is concluded that claimant cannot be deemed available for work.

DETERMINATION

Claimant is disqualified for benefits beginning XXX and continuing until claimant qualifies for benefits in accordance with the applicable provisions of the Employment Security Law.

REASONS

Claimant last worked for XXX on XXX. Claimant filed an XXX Claim effective XXX which has been continued through XXX.

Claimant was separated from this job XXX

CONCLUSIONS:

N.C.G.S. 96-14(2) provides an individual shall be disqualified for benefits for the duration of his unemployment if it is determined by the Commission such individual is unemployed because he was discharged for misconduct connected with the work. "Discharge for misconduct with the work" as used in this section is defined to include but not be limited to separation initiated by an employer for reporting to work significantly impaired by alcohol or illegal drugs; consuming alcohol or illegal drugs on the employer's premises; conviction by a court of competent jurisdiction for manufacturing, selling, or distribution of a controlled substance punishable under G.S. 90-95(a) (1) or G.S. 90-95(a) (2) while in the employ of said employer.

Based on the foregoing, it is concluded claimant was discharged for misconduct connected with the work.

DETERMINATION

Claimant is not eligible for benefits from XXX through XXX and shall remain ineligible until all eligibility requirements of the Law are met.

REASONS

Claimant filed an XXX Claim effective XXX which has been continued through XXX. The claimant XXX provide information regarding this issue.

The claimant worked for XXX from XXX through XXX. He/She was separated from this employer on XXX because the sports season ended.

The claimant does have a reasonable assurance he/she will perform such services for the sports system during the next sports season.

CONCLUSIONS:

N.C.G.S. 96-13(b)(1)(e) of the Law provides benefits cannot be paid to an individual based on any services, substantially all of which consist of participating in sports or athletic events or training or preparing to so participate, for any week which commences during the period between two successive sports seasons (or similar periods) if such individual performs such services in the first of such seasons (or similar periods) and there is a reasonable assurance that such individual will perform such services in the latter of such seasons (or similar periods).

Based on the foregoing, it is concluded claimant does have a reasonable assurance of performing the same or similar services for the sports system. It is further concluded claimant is not available for work within the meaning of the Law.

DETERMINATION:

Claimant is not disqualified for benefits.

REASONS:

Claimant last worked for XXX on XXX. Claimant filed an XXX Claim effective XXX which has been continued through XXX.

Claimant was separated from this job because of loss of military sponsorship which was required for continuing employment. The loss of sponsorship was not caused by claimant. Claimant's sponsor was transferred to a duty station located in the continental United States.

CONCLUSIONS:

N.C.G.S. 96-14(2) provides an individual shall be disqualified for benefits for the duration of his unemployment if it is determined by the Commission such individual is unemployed because he was discharged for misconduct connected with the work.

N.C.G.S. 96-14(2A) provides an individual shall be disqualified for a period of not less than four nor more than 13 weeks if it is determined by the Commission such individual is unemployed because he was discharged for substantial fault on his part connected with his work not rising to the level of misconduct.

Based on the foregoing, it is concluded claimant was discharged but not for misconduct or substantial fault connected with the work.

DETERMINATION

Claimant is not eligible for benefits from XXX through XXX and shall remain ineligible until all eligibility requirements of the Law are met.

REASONS

Claimant filed an XXX Claim effective XXX which has been continued through XXX. The claimant XXX provide information regarding this issue.

The claimant worked for XXX from XXX through XXX. He/She was separated from this employer on XXX because the school year ended. The claimant does have a reasonable assurance he/she will perform work for this school system during the next school year.

CONCLUSIONS:

N.C.G.S. 96-13(b)(1) of the law provides the payments to an individual based on services for secondary schools during the period between two successive academic years may be made only if the individual does not have a contract, written, oral, or implied, or a reasonable assurance to perform services in any capacity for any secondary school for both such academic years.

Based on the foregoing, it is concluded claimant does have a reasonable assurance of performing the same or similar services for this school system. It is further concluded claimant is not available for work within the meaning of the law.

DETERMINATION:

Claimant is not disqualified for benefits.

REASONS:

Claimant last worked for XXX on XXX Claimant filed an XXX Claim effective XXX which has been continued through XXX.

Claimant is no longer employed because the claimant's ownership share of the employing entity was sold. The claimant's ownership share was sold XXX At the time of the sale, the employing entity was a

- () corporation and the claimant held five percent (5%) or more of the outstanding shares of the voting stock of the corporation.
- () partnership, limited or general, and the claimant was a limited or general partner.
- () proprietorship and the claimant was the proprietor.

CONCLUSION

N.C.G.S. 96-14(6A) provides an individual shall be disqualified for benefits for the duration of his unemployment if it is determined by the Commission such individual is, at the time the claim is filed, unemployed because the individual's ownership share of the employing entity was voluntarily sold and, at the time of the sale:

- a. The employing entity was a corporation and the individual held five percent (5%) or more of the outstanding shares of the voting stock of the corporation;
- b. The employing entity was a partnership, limited or general, and the individual was a limited general partner; or,
- c. The employing entity was a proprietorship, and the individual was a proprietor.

Based on the foregoing, it is concluded claimant is unemployed as a result of the involuntary sale of the ownership share.

DETERMINATION

Claimant is not eligible for benefits from XXX through XXX.

REASONS

Claimant filed an XXX Claim effective XXX which has been continued through XXX. The claimant XXX provide information regarding this issue. The claimant was directed to report to the local office for a Fact Finding Interview on XXX. He/She failed to report as directed XXX.

CONCLUSIONS:

N.C.G.S. 96-13(a)(1) provides an unemployed individual shall be eligible to receive benefits with respect to any week only if the Commission finds he has registered for work at and thereafter has continued to report at an employment office in accordance with such regulations as the Commission may prescribe. ES Regulation No. 10.20 provides failure to appear on the date or at the place specified for reporting will be allowed if the individual shows good cause for such failure; provided, the claimant reports at his first opportunity thereafter.

Based on the foregoing, it is concluded the claimant failed to report as directed. It is further concluded the claimant has not shown cause for such failure.

DETERMINATION:

Claimant is not disqualified for benefits.

REASONS:

Claimant last worked for XXX on XXX. Claimant filed an XXX Claim effective XXX which has been continued through XXX. Claimant was separated from this job XXX.

CONCLUSIONS:

N.C.G.S.96-14(lf) of the Law provides any claimant's leaving work, or discharge, if the claimant has been adjudged an aggrieved party as set forth by Chapter 50B of the General Statutes or there is evidence of domestic violence, sexual offense, or stalking, or the claimant has been granted program participant status pursuant to G.S. 15C-4 as the result of domestic violence committed upon the claimant or upon a minor child with or in the custody of the claimant by a person who has or has had a familial relationship with the claimant or minor child, shall constitute good cause for leaving work. Benefits paid on the basis of this section shall be noncharged. Evidence of domestic violence, sexual offense, or stalking may include: (i) law enforcement, court, or federal agency records or files; (ii) documentation from a domestic violence or sexual assault program if the claimant is alleged to be a victim of domestic violence or sexual assault; or (iii) documentation from a religious, medical, or other professional from whom the claimant has sought assistance in dealing with the alleged domestic violence, sexual abuse, or stalking. This provision is applicable to the claimant and the claimant's spouse, parents and children under 18 years of age, whether the relationship is a biological, step-, half-, or in-law relationship.

Based on the foregoing, it is concluded the claimant's discharge was for reasons related to domestic violence as defined by G.S.96-14(lf) and the claimant must be held not disqualified from receiving unemployment insurance.

NONCHARGING:

Furthermore, if the employer meets the requirements to receive noncharging, any benefits paid to the claimant as a result of this determination must be noncharged to the base period employer.

DETERMINATION:

Claimant is not eligible for benefits from XXX through XXX.

REASONS:

Claimant filed an XXX Claim effective XXX which was continued through XXX. The claimant XXX participate in the scheduled fact finding interview. On XXX, claimant was scheduled to report to the local office for the purpose of being tested. Claimant was being tested XXX. Claimant did not report as instructed because XXX

CONCLUSIONS:

N.C.G.S. 96-13(a)(1) provides an unemployed individual shall be eligible to receive benefits with respect to any week only if the Commission finds he has registered for work at and thereafter has continued to report at an employment office in accordance with such regulations as the Commission may prescribe. ES Regulation No.10.20 provides failure to appear on the date or at the place specified for reporting will be allowed if the individual shows good cause for such failure; provided, the claimant reports at his first opportunity thereafter.

Based on the foregoing, it is concluded the claimant failed to report as directed. It is further concluded the claimant has not shown good cause for such failure.

DETERMINATION:

Claimant is not disqualified for benefits.

REASONS:

Claimant last worked for XXX on XXX. Claimant filed an XXX Claim effective XXX which has been continued through XXX. Claimant was separated from this job XXX.

CONCLUSIONS:

N.C.G.S.96-14(1f) of the Law provides any claimant's leaving work, or discharge, if the claimant has been adjudged an aggrieved party as set forth by Chapter 50B of the General Statutes or there is evidence of domestic violence, sexual offense, or stalking, or the claimant has been granted program participant status pursuant to G.S. 15C-4 as the result of domestic violence committed upon the claimant or upon a minor child with or in the custody of the claimant by a person who has or has had a familial relationship with the claimant or minor child, shall constitute good cause for leaving work. Benefits paid on the basis of this section shall be noncharged. Evidence of domestic violence, sexual offense, or stalking may include: (i) law enforcement, court, or federal agency records or files; (ii) documentation from a domestic violence or sexual assault program if the claimant is alleged to be a victim of domestic violence or sexual assault; or (iii) documentation from a religious, medical, or other professional from whom the claimant has sought assistance in dealing with the alleged domestic violence, sexual abuse, or stalking. This provision is applicable to the claimant and the claimant's spouse, parents and children under 18 years of age, whether the relationship is a biological, step-, half-, or in-law relationship.

Based on the foregoing, it is concluded the claimant left work for reasons related to domestic violence as defined by G.S.96-14(1f) and the claimant must be held not disqualified from receiving unemployment insurance.

NONCHARGING:

Furthermore, if the employer meets the requirements to receive noncharging, any benefits paid to the claimant as a result of this determination must be noncharged to the base period employer.

DETERMINATION

Claimant is not eligible for benefits from XXX through XXX.

REASONS:

Claimant filed an XXX Claim effective XXX which was continued through XXX. On XXX, claimant was scheduled for an interview with a Quality Control Investigator in the XXX local office on XXX. The claimant did not report as scheduled XXX.

CONCLUSIONS:

N.C.G.S. 96-13(a)(1) provides an unemployed individual shall be eligible to receive benefits with respect to any week only if the Commission finds he has registered for work at and thereafter has continued to report at an employment office in accordance with such regulations as the Commission may prescribe. ES Regulations No. 10.20 provides failure to appear on the date or at the place specified for reporting will be allowed if the individual shows good cause for such failure; provided, the claimant reports at his first opportunity thereafter.

Based on the foregoing, it is concluded the claimant failed to report as directed. It is further concluded the claimant has not shown good cause for such failure.

DETERMINATION:

Claimant is eligible for benefits from XXX through XXX.

REASONS:

Claimant filed an XXX Claim effective XXX. which has been continued through XXX. The claimant XXX provide information regarding this issue.

The employer, XXX, placed claimant on a disciplinary suspension on XXX because XXX

CONCLUSIONS:

N.C.G.S. 96-13(g)(1) provides no individual shall be eligible for benefits for any week during any part of which the Commission finds work was not available to the individual because he had been placed on a bona fide disciplinary suspension by his employer.

N.C.G.S. 96-13(g)(2) provides ineligibility pursuant to the preceding shall not be imposed for any claims week beginning after the tenth consecutive calendar day of the suspension. Further, if at the time a claim is filed for such a week the individual is still so suspended, the individual shall be deemed to have been discharged from his work because of all the acts or omissions that caused his suspension and the issue of whether that discharge was for disqualifying reasons under N.C.G.S. 96-14 shall then be adjudicated.

Based on the foregoing, it is concluded claimant was placed on a disciplinary suspension but the cause of such suspension was not based on acts or omissions which constitute fault on the part of the employee and are connected with the work. Claimant must therefore be deemed to have been discharged from work and such discharge must be adjudicated under N.C.G.S. 96-14.

DETERMINATION:

Claimant is eligible for benefits from XXX through XXX.

REASONS

Claimant filed an XXX Claim effective XXX which was continued through XXX. The claimant XXX provide information regarding this issue. Claimant was scheduled to report to the local office where he files his claim on XXX for an Early Intervention Interview. Claimant failed to report as directed because XXX XXX.

CONCLUSIONS:

N.C.G.S. 96-13(a)(1) provides an unemployed individual shall be eligible to receive benefits with respect to any week only if the Commission finds he has registered for work at and thereafter has continued to report at an employment office in accordance with such regulations as the Commission may prescribe. ES Regulation No.10.20 provides failure to appear on the date or at the place specified for reporting will be allowed if the individual shows good cause for such failure; provided, the claimant reports at his first opportunity thereafter.

Based on the foregoing, it is concluded the claimant failed to report as directed. It is further concluded the claimant has shown good cause for such failure.

DETERMINATION

Claimant is not eligible for benefits from XXX through XXX and shall remain ineligible until all eligibility requirements of the Law have been met.

REASONS

Claimant filed an XXX Claim effective XXX which has been continued through XXX. The claimant XXX provide information regarding this issue.

The claimant applied for/began receiving benefits under the XXX Program on XXX. The benefits are temporary/permanent and are based on a total disability.

CONCLUSIONS:

N.C.G.S. 96-13(a)(3) provides an individual will be eligible to receive benefits only if the Commission finds he is able to work. N.C.G.S. 96-13(4) provides no individual shall be deemed able to work during any week for which that person is receiving or is applying for benefits under any other State or federal law based on his temporary total or permanent total disability.

Based on the foregoing, it is concluded the claimant is applying for/receiving benefits under a State/federal law based on a temporary/permanent total disability. The claimant, therefore, must be deemed not able to work.

DETERMINATION

Claimant is eligible to receive benefits from XXX through XXX.

REASONS

Claimant filed an XXX Claim effective XXX which has been continued through XXX. The claimant XXX provide information regarding this issue.

The claimant was instructed by mail on XXX to complete and return the NCIB-10 to the Commission within ten days for an Eligibility Review Notice/Profile. The claimant failed to return the NCIB-10 XXX as instructed XXX.

CONCLUSIONS:

N.C.G.S. 96-13(a)(1) provides an unemployed individual shall be eligible to receive benefits with respect to any week only if the Commission finds he has registered for work at and thereafter has continued to report to an employment office in accordance with such regulations as the Commission may prescribe. ES Regulation No. 10.20 provides failure to appear on the date or at the place specified for reporting will be allowed if the individual shows good cause for such failure, provided the claimant reports at his first opportunity thereafter.

Based on the foregoing, it is concluded the claimant failed to report as directed. It is further concluded the claimant has shown good cause for such failure.

DETERMINATION

Claimant is not eligible for benefits from XXX through XXX

REASONS

Claimant filed an XXX Claim effective XXX which has been continued through XXX. The claimant XXX provide information regarding this issue.

During the week(s) ending XXX claimant was unemployed as the employer had declared such week to be a vacation.

CONCLUSIONS:

N.C.G.S. 96-13(a)(3) provides an individual shall be eligible to receive benefits only if the Commission finds he is available for work and further provides no individual shall be considered available for work for any week not to exceed two in any calendar year in which the Commission finds his unemployment is due to a vacation.

Based on the foregoing, it is concluded claimant was not available for work.

DETERMINATION

Claimant is not eligible to receive benefits from XXX through XXX

REASONS

Claimant filed an XXX Claim effective XXX which has been continued through XXX. The claimant XXX provide information regarding this issue.

The claimant was instructed by mail on XXX to complete and return the NCIB-10 to the Commission within ten days for an Eligibility Review Notice/Profile. The claimant failed to return the NCIB-10 by XXX as instructed XXX.

CONCLUSIONS:

N.C.G.S. 96-13(a)(1) provides an unemployed individual shall be eligible to receive benefits with respect to any week only if the Commission finds he has registered for work at and thereafter has continued to report to an employment office in accordance with such regulations as the Commission may prescribe. ES Regulation No. 10.20 provides failure to appear on the date or at the place specified for reporting will be allowed if the individual shows good cause for such failure, provided the claimant reports at his first opportunity thereafter.

Based on the foregoing, it is concluded the claimant failed to report as directed. It is further concluded the claimant has not shown good cause for such failure.

DETERMINATION:

Claimant is not eligible for benefits from XXX through XXX.

REASONS:

Claimant filed an XXX Claim effective XXX which has been continued through XXX. The claimant XXX provide information regarding this issue.

The claimant was directed to report to the local office for the purpose of participating in the profiling and reemployment services system on XXX. Claimant did not report as instructed because XXX.

CONCLUSIONS:

N.C.G.S. 96-13(a)(5) provides an unemployed individual shall be eligible to receive benefits with respect to any week only if the Commission finds that he has accepted and participated in reemployment services, such as job search assistance services, if he has been determined to be likely to exhaust regular benefits and will need employment services pursuant to a profiling system established by the Commission, unless it is determined that:

- (a) the individual has completed such services; or
- (b) there is justifiable cause for such individual's failure to participate in such service.

Based on the foregoing, it is concluded the claimant failed to report as directed. It is further concluded the claimant has not shown good cause for such failure.

DETERMINATION:

Claimant is disqualified for benefits beginning XXX and ending XXX

REASONS:

Claimant last worked for XXX on XXX. Claimant filed an XXX Claim effective XXX which has been continued through XXX.

Claimant left this job XXX.

CONCLUSIONS:

N.C.G.S. 96-14(1d) of the Law provides any claimant leaving work to accompany the claimant's spouse to a new place of residence where that spouse has secured work in a location that is too far removed for the claimant reasonably to continue his or her work shall serve a time certain disqualification for benefits for a period of five weeks beginning the first day of the first week after the disqualifying act occurs with respect to which week an individual files a claim for benefits.

Based on the foregoing, it is concluded claimant left work to accompany the spouse to a new residence where the spouse secured work. The new residence was too far removed for the claimant to continue working for the employer.

DETERMINATION

Claimant is disqualified for benefits beginning XXX and continuing until claimant qualifies for benefits in accordance with the applicable provisions of the Employment Security Law.

REASONS

Claimant last worked for XXX on XXX Claimant filed an XXX Claim effective XXX which has been continued through XXX

Claimant left this job XXX.

CONCLUSIONS:

N.C.G.S. 96-14(1) of the Law provides an individual shall be disqualified for benefits for the duration of his unemployment if it is determined by the Commission such individual is unemployed because he left work without good cause attributable to the employer.

Based on the foregoing, it is concluded claimant left work without good cause attributable to the employer.

DETERMINATION:

Claimant is not disqualified for benefits.

REASONS:

Claimant last worked for XXX. on XXX Claimant filed an XXX Claim effective XXX which has been continued through XXX.

Claimant left this job on XXX because the rate of pay was permanently reduced from \$XXX per XXX to \$XXX per XXX. Such reduction was initiated by the owner for XXX.

CONCLUSIONS:

N.C.G.S. 96-14(1C) of the Law provides where an individual leaves work due solely to a unilateral and permanent reduction in his rate of pay of more than fifteen percent (15%), said leaving shall constitute good cause attributable to the employer for leaving work. Provided, however, that if said reduction is temporary or was occasioned by malfeasance, misfeasance or nonfeasance on the part of the individual, such reduction in pay shall not constitute good cause attributable to the employer.

Based on the foregoing, it is concluded claimant has shown leaving work was due to a unilateral and permanent reduction in rate of pay of more than fifteen percent (15%) and such reduction was not occasioned by malfeasance, misfeasance or nonfeasance on the part of the claimant. It is therefore concluded claimant left work with good cause attributable to the employer. the part of the claimant. It is therefore concluded claimant left work with good cause attributable to the employer.

DETERMINATION:

Claimant is disqualified for benefits beginning XXX and continuing until Claimant qualifies for benefits in accordance with the applicable provisions of the Employment Security Law.

REASONS:

Claimant last worked for XXX on XXX. Claimant filed an XXX Claim effective XXX which has been continued through XXX.

Claimant left this job XXX.

CONCLUSIONS:

N.C.G.S. 96-14(1) of the Law provides an individual shall be disqualified for benefits for the duration of his unemployment if it is determined by the Commission that such individual is unemployed because he left work without good cause attributable to the employer. Where an individual leaves work due solely to a disability incurred or other health condition, whether or not related to the work, he shall not be disqualified for benefits if the individual shows:

a. That at the time of leaving, an adequate disability or health condition of the employee, of a minor child who is in the legally recognized custody of the individual, of an aged or disabled parent of the individual or of a disabled member of the individual's immediate family, either medically diagnosed or otherwise shown by competent evidence, existed to justify the leaving and prevented the employee from doing other alternative work offered by the employer which pays the minimum wage or eighty-five percent (85%) of the individual's regular wage, whichever is greater; and b. That, at a reasonable time prior to leaving, the individual gave the employer notice of the disability or health condition.

Based on the foregoing, it is concluded the claimant has failed to show that leaving work was for compelling health reasons. It is further concluded that claimant left work without good cause attributable to the employer.

DETERMINATION

Claimant is not disqualified for benefits.

REASONS

Claimant last worked for XXX on XXX. Claimant filed an XXX Claim effective XXX which has been continued through XXX.

Claimant left this job on XXX because his customary work hours were permanently reduced from XXX hours per week to XXX hours per week. Such reduction was initiated by the employer XXX

CONCLUSIONS

N.C.G.S. 96-14(1B) of the Law provides where an individual leaves work due solely to an unilateral and permanent reduction in work hours of more than twenty percent (20%) of the customary scheduled full-time work hours in the establishment, plant, or industry in which he was employed, said leaving shall constitute good cause attributable to the employer for leaving work. Provided, however, if said reduction is temporary or was occasioned by malfeasance, misfeasance or nonfeasance on the part of the individual, such reduction in work hours shall not constitute good cause attributable to the employer for leaving work.

Based on the foregoing, it is concluded claimant left work with good cause attributable to the employer.

DETERMINATION:

Claimant is disqualified for benefits beginning XXX and continuing until claimant qualifies for benefits in accordance with the applicable provisions of the Employment Security Law.

REASONS:

Claimant last worked for XXX on XXX. Claimant filed an XXX Claim effective XXX which has been continued through XXX.

Claimant left this job XXX

CONCLUSIONS:

N.C.G.S. 96-14(1E) of the Law provides an individual shall be disqualified for benefits for the duration of an individual's unemployment if it is determined by the Commission such individual is, at the time such claim is filed, unemployed because the individual, without good cause attributable to the employer and after receiving notice from the employer, refused to return to work for a former employer when recalled within four weeks from a layoff, or when recalled in any week in which the work search requirements under G.S. 96-13 have been waived. As used in this subsection, the term 'layoff' means a temporary separation from work due to no work available for the individual at the time of separation from work and the individual is retained on the employer's payroll and is a continuing employee subject to recall by the employer.

Based on the foregoing, it is concluded claimant's failure to return to work for a former employer when recalled from a layoff was without good cause attributable to the employer.

DETERMINATION:

Claimant is disqualified for benefits beginning XXX and ending XXX.

REASONS:

Claimant last worked for XXX on XXX. Claimant filed an XXX Claim effective XXX which has been continued through XXX.

Claimant left this job prior to an announced termination XXX.

CONCLUSIONS

N.C.G.S. 96-14(1) of the Law provides an individual shall be disqualified for benefits for the duration of his unemployment if it is determined by the Commission such individual is unemployed because he left work without good cause attributable to the employer. Where an employer notifies an employee he will be separated on some definite future date, the impending separation shall be reduced to the greater of four weeks or the period running from the beginning of the week during which application for benefits was made until the end of the week of the announced separation date if the individual quits because of the impending separation and shows to the satisfaction of the Commission it was impracticable or unduly burdensome for the individual to work until the announced separation date.

Based on the foregoing, it is concluded claimant left work because it was impracticable or unduly burdensome to work until the announced separation date.

DETERMINATION

Claimant is not disqualified for benefits.

REASONS

Claimant last worked for XXX. on XXX Claimant filed an XXX Claim effective XXX which has been continued through XXX.

Claimant left this job XXX

CONCLUSIONS

N.C.G.S. 96-14(1) of the Law provides an individual shall be disqualified for benefits for the duration of his unemployment if it is determined by the Commission such individual is unemployed because he left work without good cause attributable to the employer.

Based on the foregoing, it is concluded claimant left work with good cause attributable to the employer.

DETERMINATION:

Claimant is not disqualified for benefits.

REASONS:

Claimant last worked for XXX on XXX. Claimant filed an XXX Claim effective XXX which has been continued through XXX. Claimant left this job XXX.

CONCLUSIONS:

N.C.G.S 96-14(1) of the Law provides an individual shall be disqualified for benefits for the duration of his unemployment if it is determined by the Commission such individual is unemployed because he left work without good cause attributable to the employer. Where an individual leaves work due solely to a disability incurred or other health condition, whether or not related to the work, he shall not be disqualified for benefits if the individual shows: a. That, at the time of leaving, an adequate disability or health condition, of the employee, of a minor child who is in the legally recognized custody of the individual, of an aged or disabled parent of the individual, or of a disabled member of the individual's immediate family, either medically diagnosed or otherwise shown by competent evidence, existed to justify the leaving; and b. That, a reasonable time prior to leaving, the individual gave the employer notice of the disability or health condition.

Based on the foregoing it is concluded the claimant left work for compelling health reasons.

NON-CHARGING:

N.C.G.S. 96-9(c)(2)b provides that benefits paid a claimant who was separated for compelling health reasons as defined in G.S. 96-14 shall not be charged to the account of an experience rated employer.