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FloridaLawHelp.org

To locate your local legal aid or legal services office, please visit us on the web at

www.floridalawhelp.org

Your local legal aid or legal services office can be located through either the “Find Local Help” or “Directory” links at the top of the page.

If you don't have access to the internet, consult your local Directory Assistance for the number of the legal aid or legal services office nearest to you.

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CAN I GET UNEMPLOYMENT COMPENSATION IF I QUIT MY JOB?

**What you need to
know before you
quit.**



**YOU MAY BE ELIGIBLE
FOR UNEMPLOYMENT
COMPENSATION**

Generally, when someone quits their job, they are not entitled to unemployment compensation benefits. However, if the person quits their job for GOOD CAUSE ATTRIBUTABLE TO THE EMPLOYER, then unemployment compensation benefits will be paid to the employee.

What is voluntary quit?

Voluntary quit means voluntarily leaving a job without intention of returning, even if under threat of discharge. If your employer threatens to fire you and give you a bad recommendation but offers to let you quit, accepting this "deal" will prevent you from collecting unemployment compensation benefits and you have no guarantee the employer will give you a good recommendation. If a good recommendation is important enough for you to give up your unemployment compensation benefits, you should get the recommendation in writing from the employer before you sign a resignation. Otherwise, never sign a resignation instead of being fired.

What if my employer claims I quit when I did not?

If your employer alleges that you quit when you did not, you will need prove you have not quit your job. It is always important to get things in writing from your employer. If you are being fired, you can request something in writing that you have been discharged and why. If an employer fails to provide this, you must present witnesses to support your side at a hearing. Having other employees testify consistently with you would be great but not always practical when they are still employed by that employer. If you are fired and the employer refuses to provide you with a written record of the discharge, you should immediately tell as many people as

possible that you just got fired, that you asked for a written confirmation but were not given one.

Hopefully, either the employer will realize the folly of committing perjury at a subsequent hearing or at least one of those witnesses will testify truthfully.

What is Good Cause Attributable to the Employer?

Good cause attributable to the employer means that the reason you quit your job was because of something the employer did or failed to do which made continuing to work for the employer unreasonable.

Examples of Good Cause Attributable to the employer include:

Employer significantly changes your work conditions such that a reasonable person would elect to leave the employment rather than continue under those conditions. These conditions include decrease in pay and change in shift from day to night.

You are experiencing harassment or discrimination, you have repeatedly complained to the employer about the situation without getting any relief.

The working conditions are so harsh, you are required to quit for health reasons.

Under Florida Law, if you are physically unable to continue in the work (even though it is not the employer's fault) that is good cause to quit. You will need medical evidence, such as a doctor's note, to support your case and you will need to give notice to the employer of the problem and allow him to try to give you work you can still do before quitting.

What is not good cause attributable to the employer?

Problems with day care: Not being able to continue in job because you do not have someone to care for your child is not good cause attributable to the employer.

Problems with transportation: If your car breaks down and you cannot get to work, you do not have good cause attributable to the employer.

What do I do when my unemployment compensation claim is denied?

You have very little time to appeal an unfavorable Notice of Determination. You must appeal the notice within twenty (20) days. You should seek legal advice and possible representation as soon as possible. We assist clients in these matters, including even representation at the Appeals Referee hearings.

EVERY CASE IS DIFFERENT

Depending on the facts of your case, you may be entitled to unemployment compensation benefits.

DO NOT WAIT to find out about your legal rights. **DO NOT WAIT** to get valuable legal help.

Your local legal services office may be able to help you.