

Notice of Claim Determination FAQs

- Q** Do I need to respond to this form?
- A** It is optional. You should respond to this form if you wish to protest the charges or wages or make any corrections.
- Q** Why am I getting this form?
- A** The Employment Department is legally obligated to send a notice to all base period employers when an individual files a claim.
- Q** I am the new owner and this person worked for the prior owner, why am I getting this form?
- A** When you purchased this business you may have taken over the unemployment Insurance tax rate of the prior business.
- Q** If this individual worked for the prior owner, how do I fill out the form?
- A** This claim may impact your future tax rate. If you wish to protest the charges for this claim you will need to provide us with the separation information and may need to contact the prior employer for detailed information.
- Q** What should I do if I did not return the form by the response due date?
- A** If the form is late there is no need to return the form. Oregon statute prevents us from reviewing your request to protest if the form is not received by the due date. If you still wish to protest the charges you may send in the form. We may send you an appealable decision denying your request, unless relief has previously been granted.
- Q** Where do you get the wage information on this form?
- A** Wages are from the quarterly payroll tax reports submitted by your company. If this information is incorrect you will need to submit an amended report.
- Q** I know it says “this is not a bill”, are you going to send me a bill in the future?
- A** If you are a tax paying employer you will not be billed directly, however your tax rate may be impacted. If you are a reimbursing employer you may be billed in the future after the claimant has been paid.
- Q** Why would we be charged when we already paid our unemployment tax?
- A** The word “charge” on this form refers to a potential charge to your experience rating, which is used as part of the calculation of your unemployment insurance tax rate.
- Q** The base period does not match the dates of employment?
- A** The base period is not intended to represent the dates of employment. The base period is the 12 month period (usually the first 4 of the previous 5 whole calendar quarters) used to establish the claimant’s monetary eligibility. In some cases we may use fewer than 4 quarters if some wages have been used on a prior claim.
- Q** I already sent in a form with this information, do I need to send this one in too?
- A** There are two forms that are sent to employers when a claim is filed. The “Notice of Claim Filed” and the “Notice of Wages Reported and Possible Charges” you may receive one or both forms depending on when the claimant worked for you. These forms serve different purposes and are reviewed by different departments. If you wish to protest the claim you should return both forms.

Q I already received this form, why am I getting it again?

A If there are any corrections to the reported wages from you or any other employers used on this claim you may receive an amended form. You do not need to respond more than once to the form.

Q I am having problems trying to respond to you online using the SIDES website, what do I do?

A You can get help here: <http://www.oregon.gov/EMPLOY/Businesses/Tax/Pages/Respond-to-Benefit-Claims-with-SIDES.aspx>

Q Am I eligible for relief of charges?

A There are three potential reasons why you may be eligible for relief of charges. They are:

- The claimant was discharged by you for misconduct (you must tell us why they were fired so we can determine if it is misconduct per Employment Department law).
- The claimant voluntarily quit for reasons that are not attributable to you.
- The claimant continues to work for you part time in the same capacity as hired and is eligible for unemployment benefits due to loss of other employment.

You are not eligible for relief of charges if: the claimant was laid off due to a lack of work, is still working reduced hours, was on a temporary layoff and is back to work, has refused an offer of work, was separated from you and then re-hired, was a temporary or seasonal employee, or is on a leave of absence.

The Oregon Employment Department is an equal opportunity employer/program. Auxiliary aids and services are available upon request to individuals with disabilities. Language assistance is available to persons with limited English proficiency at no cost.

El Departamento de Empleo de Oregon es un programa que respeta la igualdad de oportunidades. Disponemos de servicios o ayudas auxiliares, formatos alternos y asistencia de idiomas para personas con discapacidades o conocimiento limitado del inglés, a pedido y sin costo.