



## 19 TIPS

### FOR A BETTER HEARING PROCESS AT THE UNEMPLOYMENT COMPENSATION REVIEW COMMISSION

The unemployment insurance hearing process is intended to be simple. You are not required to have an attorney. The hearing officer will explain the process and question all witnesses.

1

#### **Submit your appeal on time.**

Check the decision notice that you are appealing. It will state the appeal deadline. You can file appeals by U.S. mail, email, or fax, to the address or fax number listed.

2

#### **If your appeal was late, be prepared to explain why.**

If an appeal is late, a separate hearing will be held to determine whether you had good cause for missing the deadline. If you did not have good cause, the original decision will stand.

3

#### **Read the “Notice that an Appeal has been Transferred by the Director to the Review Commission” and the accompanying brochure.**

They include information about exhibits, subpoenas, file copies, and the case issues. Over 99% of hearings are held by telephone. If you wish to request an in-person hearing, you must do so within 10 days of the date on this notice. All in-person hearings are held in Columbus.

4

#### **Begin preparing your case as soon as possible.**

Request a copy of the “director’s file” from the commission. It includes the prior decisions in your case and the information gathered previously by the Ohio Department of Job and Family Services.

5

#### **Read the hearing notice.**

It lists the date, time, and location of the hearing. It also includes critical information about how to register online or by telephone. You must register for your hearing before you receive a call from the hearing officer. If you don’t, your appeal may be dismissed.

6

#### **If you need a postponement, call as soon as possible.**

Be prepared to explain why you’d like to postpone your hearing. Please do not send written requests for postponement.

7

#### **Use subpoenas wisely.**

You will need to provide the names and addresses of any witness who will not voluntarily attend on your behalf. Allow plenty of time for their subpoenas to be issued.

8

#### **Discuss your witness’ testimony prior to the hearing.**

Prepare your witnesses in advance. Make sure that they will be available, that their testimony will be relevant, and that you know what information they will provide.

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#### **Register for the hearing 15 minutes early.**

You must register in advance either by phone or online. If you do not register by 15 minutes after the scheduled hearing time, your appeal could be dismissed.

10

**Understand that the hearing is an administrative procedure.**

Neither party has the burden of proof. The case will be reviewed as if for the first time. The director's file is simply part of the record.

11

**Expect hearsay...**

The formal legal rules of evidence do not apply in commission hearings.

12

**... But try to present the eyewitnesses and/or key documents.**

These are the most compelling types of evidence. You can subpoena both documents and witnesses.

13

**Summarize lengthy written materials.**

You will also need to explain technical terms, acronyms, and trade customs.

14

**Avoid prompting witnesses to change their testimony.**

However, you have the right to impeach your own witness if the testimony is false.

15

**Use cross-examination wisely.**

Focus on the key issues. It's usually better to make your point through your own testimony than to try to get an opposing witness to agree with you.

16

**Do not assume the hearing officer knows every rule or law.**

Hearing officers know Ohio unemployment insurance laws and rules. They may not know other laws or regulations that could affect your case. Be prepared to explain and provide citations.

17

**Avoid relying on other decisions or unusual theories.**

Your case should stand on its own. You may know others in a similar situation who also had hearings. However, different facts in those cases may lead to different decisions.

18

**If you disagree with the hearing officer's decision, you can request a full commission review.**

Check the hearing officer's decision. The deadline and instructions for requesting a full commission review will appear at the bottom.

19

**If you have a complaint, problem, or concern, please contact us as soon as possible.**

Phone: Toll Free 1-866-833-UCRC (8272)

Fax: 1-614-387-3694

Email: UCRC\_FAX@jfs.ohio.gov



**Department of  
Job & Family  
Services**

Unemployment Compensation  
Review Commission

Mike DeWine, Governor  
State of Ohio  
Gregory Gantt, Chairman  
Unemployment Compensation Review Commission