

## PETITION FOR APPEAL

### IMPORTANT!

#### READ THE INFORMATION ON THE LAST PAGE OF THIS FORM BEFORE FILING AN APPEAL

If you want to appeal the notice of determination, you must file by the last date to appeal as indicated on the determination. You may file an appeal electronically via your account on the PA UC Claims System website at <http://www.uc.pa.gov>. This is the most efficient and preferred method of filing. You may also file the appeal by fax, email or mail by completing the form below and returning this form in accordance with the appeal instructions enclosed with the notice of determination.

#### FOLLOW THE APPEAL INSTRUCTIONS CAREFULLY!

DATE OF DETERMINATION BEING APPEALED \_\_\_\_\_

CLAIMANT'S SOCIAL SECURITY NO. \_\_\_\_\_

DETERMINATION NUMBER: \_\_\_\_\_

CLAIMANT'S TELEPHONE NO. \_\_\_\_\_ EMPLOYER'S TELEPHONE NO. \_\_\_\_\_

CLAIMANT'S NAME AND ADDRESS EMPLOYER'S NAME AND MAILING ADDRESS

_____	_____
_____	_____
_____	_____
_____	_____

COUNTY IN WHICH WORK WAS PERFORMED: (IF  
DIFFERENT FROM EMPLOYER ADDRESS ABOVE)

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

EMPLOYER'S ACCOUNT NO. \_\_\_\_\_

*Auxiliary aids and services are available upon request to individuals with disabilities.  
Equal Opportunity Employer/Program*

REASON(S) FOR DISAGREEING WITH THE DETERMINATION AND FILING THIS APPEAL ARE:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

I certify that all information I have provided in this document is correct and complete. I acknowledge that false statements in this document are punishable pursuant to 18 Pa.C.S. § 4904, relating to unsworn falsification to authorities.

\_\_\_\_\_  
NAME OF PERSON FILING APPEAL

### **AUTHORIZATION OF FEDERAL TAX INFORMATION**

I hereby authorize the disclosure of my federal tax information (FTI), consisting of federal tax returns or return information (and information derived from it) that the Pennsylvania Department of Labor and Industry, Office of Unemployment Compensation (UC) Benefits Policy possesses or controls, for use in the following UC proceedings:

- Appeals from UC Service Center Determinations to a UC Referee
- Appeals from UC Referee Decisions to the UC Board of Review
- Appeals from UC Board of Review Decisions to the PA Commonwealth Court

I understand that my FTI will be used for the sole purpose of addressing the above-referenced UC proceedings. A copy of this authorization shall be as valid as the original. This authorization is effective immediately.

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

DO YOU NEED ASSISTANCE?

¿NECESITA AYUDA?

Any interested party at an appeal hearing before the Unemployment Compensation Board of Review or one of the Board's referees must be able to deal effectively with both written evidence and oral testimony.

If you are a person who:

- Requires assistance because of a disability with hearing, speech and/or vision, or
- Needs an interpreter for your own language other than English,

you must properly notify the Board about this. The Board is responsible to provide an appropriate device or qualified interpreter whose credentials are certified for quasi-judicial proceedings and the Board covers the cost required to provide this assistance.

If you are in either of these situations, please enter the information when you file your appeal online at [uc.pa.gov](http://uc.pa.gov) or TYPE or PRINT to complete the section below and submit it with your appeal form.

☐ I require an interpreter for: \_\_\_\_\_ Spanish

Yo necesito un interprete por: \_\_\_\_\_ Espanol

\_\_\_\_\_ Another spoken language (please specify): \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

☐ I require assistance to participate in the hearing because of disability with:

\_\_\_\_\_ Hearing \_\_\_\_\_ Speech \_\_\_\_\_ Vision \_\_\_\_\_ Other \_\_\_\_\_

☐ I require an interpreter to participate in the hearing for:

\_\_\_\_\_ American Sign Language(ASL) \_\_\_\_\_ Oral \_\_\_\_\_ Signed English  
\_\_\_\_\_ Other (please specify) \_\_\_\_\_

☐ I require the following device to participate in the hearing:

\_\_\_\_\_ Assistive listening device (ALD) (please specify) \_\_\_\_\_  
\_\_\_\_\_ Other (please specify) \_\_\_\_\_

☐ I am requesting to participate in the hearing by telephone for the following reason:

\_\_\_\_\_ Distance from site of hearing \_\_\_\_\_ Current employment \_\_\_\_\_ Transportation  
\_\_\_\_\_ Health reason \_\_\_\_\_ Other compelling reasons (please specify) \_\_\_\_\_

Participation by telephone will be decided by the appeals referee and will only be granted for compelling reasons. The following details explain why my request to appear by telephone should be considered compelling:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

## **INFORMATION ABOUT THIS FORM AND THE APPEAL PROCESS**

### **What is the purpose of this form?**

This is an appeal form. If you disagree with the UC Service Center determination and decide to appeal, please read your determination and the appeal instructions for information on where to file your appeal. You may file an appeal electronically via your account on the PA UC Claims System. This is the most efficient and preferred method of filing. Simply log on to [uc.pa.gov](http://uc.pa.gov) to access your claim and click on Unemployment Services > Appeals > Determinations > File Appeal to begin the process. If you wish to file by fax, email or mail, you may use this form to appeal the enclosed notice of determination. If you file an appeal, a copy of the completed form will be sent to all parties.

### **Do I qualify to file an appeal?**

If you are the claimant, you may appeal if the determination denies UC benefits and you think you should be eligible for benefits. If you are the employer, you may appeal if the determination grants benefits and you think the claimant should be ineligible or eligible for fewer benefits, or if the determination denies your request for relief from charges. You must indicate your reason for filing an appeal.

### **What do I do if I have questions?**

**Do not use this form to ask questions about the enclosed determination or UC benefits. This form should be used only to file an appeal.** If you have any questions about UC, call the UC Service Center at 1-888-313-7284. If you would like to ask a question before you decide whether to appeal, call promptly because an appeal must be filed no later than 21 calendar days after the date provided on the notice of determination.

### **What happens if I file an appeal?**

After your appeal is received and processed, an Acknowledgement of UC Appeal will be mailed to you as notification that it has been processed.

If an appeal is filed, a UC referee will conduct a hearing where the parties and their witnesses can give testimony under oath. The parties may arrange for witnesses with firsthand knowledge of the facts to participate in the hearing. Firsthand knowledge refers to something which the witness actually saw or heard, as distinguished from something learned from some other person or source. Information learned secondhand might not, depending on the circumstances, be considered at the hearing.

If the hearing concerns the claimant's separation from employment, and the claimant quit his or her job, the claimant will be ineligible for benefits unless the claimant proves that there was a necessitous and compelling reason to voluntarily leave work. If the employer discharged the claimant, the claimant's separation will not be disqualifying unless the employer proves that the claimant was dismissed for willful misconduct or the claimant's unemployment is his or her fault.

At the hearing, the referee will try to obtain testimony about all the facts relevant to the appeal. The referee will issue a decision after the hearing and mail a copy to the parties.

### **May I have legal representation?**

Whether you are the claimant or the employer, you may file your own appeal and represent yourself throughout the appeal process, or you may have an attorney or any other advocate represent you. If you are the claimant and you qualify, free legal assistance may be available from the legal services organization serving your area, your local bar association, or a law school clinic.



**Should I file claims while an appeal is pending?**

Yes. If the employer appeals a determination granting you benefits, you can receive benefits while the appeal is pending. If you appeal a determination denying benefits and the appeal is decided in your favor, only benefits for weeks that you claimed while the appeal was pending can be paid. Therefore, if you remain partially or fully unemployed while an appeal concerning your eligibility is pending, continue to file claims for benefits. UC claims can be filed by logging in to your account on the PA UC Benefits System website at [uc.pa.gov](http://uc.pa.gov). If you are unable to file, your UC Service Center can assist you by calling 1-888-313-7284.