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*This article is written by Scott G. Wolfe Jr., founding member of Wolfe Law Group and publisher of the Construction Law Monitor. Scott practices law in Washington, Oregon and Louisiana. The article can be found online at this link: <http://www.constructionlawmonitor.com/?p=2539>*

## **How To Challenge An Unemployment Claim in Louisiana**

When an employee is terminated and claims unemployment benefits in Louisiana, the claim is associated with your business' account and will affect your unemployment insurance rates in the future. It's no secret that people can abuse the unemployment benefits system. Unfortunately, the burden really falls on employers to prevent abuses.

In Louisiana, unemployment claims are administered by the [Louisiana Workforce Commission](#). Whenever an employee is terminated, the employee will be entitled to receive benefits unless: (i) The employee was terminated for misconduct that makes them ineligible for benefits; or (ii) The employee voluntarily quit the employment.

[La. R.S. 23:1601](#) explains what qualifies as "misconduct" or "voluntary termination."

Misconduct means "mismanagement of a position of employment by action or inaction, neglect that places in jeopardy the lives or property of others, dishonesty, wrongdoing, violation of a law, or violation of a policy or rule adopted to insure orderly work or the safety of others."

Voluntary termination requires leaving an employment post "without good cause attributable to a substantial change made to the employment by the employer."

If a former employee has applied for unemployment benefits and you contend that the employee does not qualify, you'll need to provide the Louisiana Workforce Commission with sufficient information to justify your position. We've created an Avvo.com Legal Guide on this subject, giving you a step-by-step guide on how to challenge these unemployment claims.

[Read the Avvo Legal Guide here.](#) We've summarized the steps below.

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1. Determine Whether The Unemployment Claim Has Merit: An obvious first step, as there's no use in fighting an unemployment claim that is eligible for benefits.
2. Pay Attention to Deadlines: The deadlines can be super short (10-15 days), and failing to meet a deadline is fatal to opposing a claim.
3. Document Your Position: The more you provide to support your position, the better chance you have. Send your story to the commission in a letter, but also send statements, emails, photos, videos, documentation, payroll records, etc.
4. Consider Hiring Counsel: If the going gets tough, you may want to hire an attorney to help prepare your position.