FAQ – Voluntary Quit Changes 10/1/2012

RSA 282-A:32 (An individual shall not be disqualified and benefits shall be paid if)

I(a)(1): an unemployed individual, not under a disqualification, accepts employment which would not have been deemed suitable work and terminates such employment within a period of not more than 12 consecutive weeks of employment with or without good cause;

The only change to this law is to increase the time period from 4 to 12 weeks. This is to be consistent with the change to the definition of chargeable employer per RSA 282-A:12 Most Recent Employer (MRE).

I(a)(2): an individual terminates employment in good faith to accept better employment, which is to begin within a reasonable period.

Language was removed from this law which qualified that the separation from the new employer had to be due to lack of work. By removing this language, the law would now allow an individual who was fired by the new employer for a non-misconduct reason to also be eligible to collect benefits. If the individual quit or was fired from the new employer for misconduct, that separation would be disqualifying on its own merit. This law only applies to the employer from whom the individual separated to accept new better work.

These changes will take effect with any determination of eligibility issued on 10/1/2012 or after.

Question: Which employer will be charged under these sections?

Answer: The Fund will be charged. EXCEPTION: If subsequent employment occurred of more than 12 consecutive weeks and the separation was for non-disqualifying circumstances. .

Question: What is a "reasonable period"?

Answer: This will be determined on a case by case basis. Generally, the new employment is expected to begin within 7 business days. Consideration may be given to relocation or special employment circumstances, however, the individual will not be eligible for benefits unless they meet all eligibility criteria, including ability to and availability for work.

Question: What is "suitable" work?

Answer: Please refer to FAQ – Work Search Requirement and Suitability of Work 10-7-2012 or RSA 282-A:32, I(d)