

Office of Human Resources
1903 Unemployment Compensation

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**Georgia Department of Human Services
Human Resources Policy #1903**

Unemployment Compensation

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Refer- O.C.G.A. §34-8-1 et seq. — Employment Security Law
ences: O.C.G.A. §45-9-110 — Authorization for consolidation billing procedure reserve fund investment of funds contracting for services provision of unemployment compensation benefits to certain county employees

Section A: General Information

1. All DHS classified and unclassified employees who separate from employment may file for unemployment compensation benefits. A determination of eligibility will be made by the Georgia Department of Labor (GDOL).
2. The Department of Administrative Services (DOAS) oversees the unemployment compensation process for State agencies.
3. DHS Officials (which includes supervisors and Human Resources Representatives (HRP)) are to provide job-related information regarding separations to GDOL representatives. Unusual circumstances should be discussed with the Office of Human Resources Compliance Management prior to releasing information.

Section B: Separation Notice

1. Immediately following the separation of an employee, regardless of the reason, a Separation Notice (DOL-800) is to be completed. Instructions for completion are included on the reverse side of the Separation Notice. Please see [Attachment #2](#) of DHS Human Resources Policy #1901 — Employment Separation to access the notice.
2. If an employee is separated for any reason other than “lack of work,” please refer to [Attachment #1 — Unemployment Compensation Guidelines](#) of this policy for comments to be added to the Reason for Separation section on the Separation Notice.
 - a. When an employee resigns, or otherwise voluntary leaves employment (e.g., does not return from a leave of absence, stops coming to work), a reason should be provided if known. If the reason for leaving employment is not known, then the statement “No Reason Given” should be included.
 - b. If there is a question regarding what should be entered in the Reason for Separation section of the Separation Notice, contact Compliance Management.
3. The Employer’s Name to be listed on the Separation Notice is the “Georgia Department of

Human Services” and the specific DHS organizational unit. The Address and Employer’s Telephone Number to be listed are: 2 Peachtree Street, NW, Atlanta, Georgia 30303 (Phone) 404.656.6750 (Fax) 404.463.0920.

4. The completed Separation Notice is to be distributed as follows:
 - a. The original is to be given to the employee at the time of separation, when possible. If not possible, the notice must be mailed to the last known address of the separated employee as soon as possible, but no later than five (5) calendar days after the date the separation occurred or became known; and,
 - b. A copy is to be placed in the separated employee’s official personnel file.
5. In the event of a mass separation (25 or more employees), the Mass Separation Notice and Mass Separation Notice Continuation Sheet (DOL-402 and 402A) should be completed and mailed to the nearest GDOL Unemployment Insurance Claims Office. Copies must be provided to OHR at 2 Peachtree to be placed in each affected employee’s official personnel file. Please include on the Mass Separation Notice a telephone number of the DHS official who has knowledge of the separation.

Section C: Notice of Claim Filed

1. When a former employee files a claim for unemployment compensation benefits, a Notice of Claim Filed and the Request for Information may be issued by GDOL. This notice is sent to Compliance Management (CM). CM will forward the notice to the appropriate HRP.
2. The HRP will complete the Notice of Claim Filed and the Request for Information.
 - a. A representative from DOL may contact the HRP directly for additional information. All requested job-related information is to be immediately provided to GDOL.
 - b. The HRP is responsible for ensuring that the completed notice is returned to the GDOL Unemployment Insurance Claims Office on or before the response due date indicated on the notice.

Section D: Fact-Finding Interview

1. A fact-finding interview with the former employee may be scheduled by the GDOL Unemployment Insurance Claims Office.
2. The time and date will be indicated on the Notice of Claim Filed and Request for Information.
3. If additional information or clarification is needed during the fact-finding interview, a representative from GDOL may contact the HRP directly.
4. The HRP, supervisor, or other DHS official is to disclose to all factually accurate job-related information regarding the separation of classified and unclassified employees.
5. An initial claim determination will be issued by the GDOL Unemployment Insurance Claims Office to the HRP.
6. If the initial claim determination grants unemployment compensation benefits to the former employee, GDOL will advise the HRP.

7. If a former employee is granted unemployment compensation benefits after being separated based on *inability to perform assigned duties or lack of work*, no further action will be taken by the Department.

Section E: Appeals

1. If unemployment compensation benefits to an employee separated for any reason other than inability to perform assigned duties or lack of work, the Department may appeal the claim determination.
 - a. If it is determined that an appeal is appropriate, OHR is responsible for filing the appeal.
 - b. Any appeal must be filed by the specified deadline provided by the GDOL Unemployment Insurance Claims Office.
2. The former employee may also appeal the initial claim determination.
3. When a timely appeal is filed by DHS or the former employee, GDOL issues notification that an appeal has been filed and schedules an administrative hearing.
4. Compliance Management is available to consult with DHS officials on material needed for the administrative hearing.
5. A DHS official with first-hand knowledge of the separation must be present at the administrative hearing if testimony is necessary.
6. The GDOL administrative hearing officer will issue a decision either upholding or modifying the initial claim determination.
7. If the decision upholds or grants unemployment compensation benefits to the former employee, GDOL will notify DHS. If it is determined that a further appeal is appropriate, DHS is responsible for filing the appeal.
8. The GDOL administrative hearing officer's decision will include a deadline by which a further appeal may be filed.
9. If a timely appeal is filed by DHS or the former employee, a review will be conducted by a Board of Review. The Board of Review will issue a final decision on the claim determination.

For additional information or assistance, please contact your local Human Resource Office, or email DHS-Policies@dhs.ga.gov.

1903 A1 Unemployment Compensation Guidelines



Georgia Department of Human Services
Human Resources Policy #1903 A1

Comments to be Listed on the Separation Notice (DOL-800).

1. Reason for Separation — Classified Employee Dismissal or Separation

- a. **Adverse Actions** (dismissals) involving reasons listed in State Personnel Board **Rule 15** of the such as misconduct, chronic absenteeism, negligence in performing assigned duties, etc. should have comments similar to the following added to the Separation Notice:

Example: Dismissed from a classified position due to misconduct, chronic absenteeism, and negligence in performing assigned duties.

- b. **Voluntary Separations** based on State Personnel Board **Rule 12**, such as failure to return from a leave of absence, should have comments similar to the following added to the Separation Notice:

Example: Voluntary separation from a classified position due to failure to return from a leave of absence.

- c. **Involuntary Separations** based on the **Employees' Retirement System Law** should be based on reasons cited in the law such as malingering, neglect of duty, etc. and should have comments similar to the following added to the Separation Notice:

Example: Separated from a classified position due to malingering and neglect of duty.

- d. **Dismissal Actions Involving Drug Testing** (State Personnel Board **Rules 9, 15 and 25**) should have comments similar to the following added to the Separation Notice:

Example: Dismissed from a classified position due to drug testing.

- e. **Working Test** separation from a classified position (with less than 5 years of continuous service) involving **Interdepartmental Transfer** should have a comment similar to the following added to the Separation Notice:

Example: Separated while on working test.

2. Reason for Separation — Unclassified Employee Separation or Release

NOTE

The Rules of the State Personnel Board should not be referenced in any document since unclassified employees are not covered by Board Rules.

- a. **Separation Actions** for **disciplinary** reasons other than those listed in Items 2(b) or 2(c) below, should have a comment similar to the following added to the Separation Notice. No reasons are to be given.

Example: Separated from an unclassified position.

- b. **Separation Actions Involving Drug Testing** should have a comment similar to the following added to the Separation Notice:

Example: Separated from an unclassified position due to drug testing.

- c. **Involuntary Separations** based on the **Employees' Retirement System Law** should be based on reasons cited in the law such as malingering, neglect of duty, etc. and should have comments similar to the following added to the Separation Notice:

Example: Separated from an unclassified position due to malingering and neglect of duty.

- d. **Releases** from employment when employees **do not return from leaves of absence** should have comments similar to the following added to the Separation Notice:

Example: Released from an unclassified position due to failure to return from a leave of absence.

- e. **Releases** from employment that do not involve performance deficiencies or inappropriate conduct, and are **no fault of the employee**, should have comments similar to the following added to the Separation Notice:

Examples: Released from an unclassified position at the expiration of a time-limited appointment.

Released from an unclassified position due to one of the following: budgetary constraints, downsizing, reorganization, or termination of program.

3. Employer's Name, Address & Telephone Number on the Separation Notice

- a. The Employer's Name to be listed on the Separation Notice is:

Georgia Department of Human Services & the specific organizational unit.

- b. The Address and Employer's Telephone Number to be listed are:

**Office of Human Resources
2 Peachtree Street NW
Atlanta, GA 30303
Phone: 404.656.6750
Fax: 404.463.0920**

Information that may be Disclosed Regarding Separation Actions

1. **Classified employees** not on working test may be advised of the factually accurate, job-related reasons for dismissal/separation.
2. No reasons for separation are to be given to **unclassified employees** who are separated for **disciplinary** reasons, except as indicated in Reason for Separation —Separation of Unclassified Employees, Items 2(b) and 2(c) on page 2 of this document.

Reasons for separation may be provided to unclassified employees who are released for not returning at the end of a leave of absence or for reasons other than performance deficiencies or inappropriate conduct that are no fault of their own (e.g., staff reduction, expiration of a time-limited appointment, etc.).

3. All factually accurate, job-related information regarding separations is to be provided to the Georgia Department of Labor Representatives.

Example: Employee refused to carry out assignment, theft, patient abuse.

Unusual circumstances should be discussed with the Office of Human Resources Compliance Management prior to releasing information to the Georgia Department of Labor.