

**Family Leave Insurance and Unemployment Benefits Examples**  
**Family Leave Taskforce**  
**September 26, 2007**

<b>Business with over 25 workers</b>	<b>Employee</b>	<b>Employer</b>
Agrees to hold job.	Is eligible for UI.	Is charged for benefits.
Does not agree or disputes the existence of an agreement.	Has a reasonable expectation that employer is required to hold the job. Is eligible for UI.	Is charged - unless the employer establishes misconduct connected with the claimant's work.
<b>Businesses with under 25 workers</b>	<b>Employee</b>	<b>Employer</b>
Agrees to hold job.	Is eligible for UI.	Is charged for benefits.
Does not agree to hold job, and fills it.	Is not eligible for UI because leaving work is a voluntary quit.  Possible exception – Employee eligible for UI if he or she established good cause for quit not related to family leave.	Is not charged/no benefits paid.  Is not charged unless the quit is the attributable to the employer.
Does not agree to hold job. The job has not been filled, but the employer does not want to bring the employee back.	Is not eligible for UI because leaving work is a voluntary quit.	Is not charged/no benefits paid.
Employer and employee dispute existence of agreement. ESD must do fact finding.	If the department determines that there was an agreement the claimant is eligible for UI.  If the department determines that there was not an agreement, the employee is not eligible for UI.	Is charged for benefits.  Is not charged/no benefits paid.
<b>Business that hires temporary replacement worker</b>	<b>Temporary Employee</b>	<b>Employer</b>
	May be eligible for benefits if he or she worked at least 680 hours in the past year and meets other eligibility requirements.	Only charged if considered base-year employer at the time of lay-off, which is usually not the case. In some circumstances, employer will be charged.