

Protest a Claim for Unemployment Benefits

In order to help your company manage its unemployment account and protest unemployment benefit claims, the Indiana Department of Workforce Development (DWD) is implementing a new **Unemployment Insurance Benefit Protest** form (Form 640P).

NOTE: This form CANNOT be emailed. Once this form is completed, a hardcopy must be printed and faxed to UI Adjudications at 317-233-5499. Restrictions on the form prevent it from being saved and transmitted in any other way. [Click here for a copy of the new form.](#) Using only this form to protest benefit claims will help ensure DWD receives the necessary information to quickly and accurately begin the claims protest process.

What to expect when an individual files a claim against your account:

When an individual files an initial claim for unemployment, DWD sends all base period employers (employers who employed that individual over the last 18 months) a notice using the **Separating/Base period Employer Notice** (Form 640R). When an employer receives this notice, they have ten (10) calendar days from the date on the notice to protest the individual's eligibility for benefits using the protest form.

When to use the Unemployment Insurance Benefit Protest form:

Use the protest form when you believe the individual is not entitled to benefits or entitled to a reduced amount of benefits. Indiana law provides that an individual may be ineligible, or eligible for a reduced amount of benefits, if the individual:

- Quit voluntarily (job abandonment, voluntary buy-out);
- Was discharged for just cause (policy violation, absenteeism, incarceration);
- Was discharged for gross misconduct (committing a felony or Class A misdemeanor, intoxicated at work, battery on another employee, fraud, theft or misuse of funds in excess of \$100 value);
- Is entitled to vacation pay, pay in lieu of vacation, "standby pay," or wages in lieu of notice;
- Is receiving or will receive retirement pay; or
- Is otherwise ineligible (did not work for you, is still working for you).

Fax the form within ten (10) calendar days from the date of the **Separating/Base period Employer Notice** (Form 640R) to DWD at: 317-633-7206 (If you receive a transmittal error, please remember resend the entire message.)

What happens next?

Once DWD receives the protest form, the employer and the individual filing for benefits will be contacted for additional information. Please respond as quickly as possible if further information is requested. Use of the protest form is not sufficient to deny a claim. You must provide any additional information requested by DWD in order for an accurate eligibility determination to be made and may face penalties to your account if you fail to provide requested information, even if the individual is later determined ineligible.

Continuing to manage your account:

Each month DWD will send a **Statement of Benefit Charges** (Form 535). This statement will show you which individual's benefits are being charged to your account. Please review this statement each month to make sure the charges are correct. If you have any questions about these charges or other matters regarding your unemployment account, please refer to the employer section of the DWD website at www.in.gov/dwd or contact Customer Service via our [Contact page](#).