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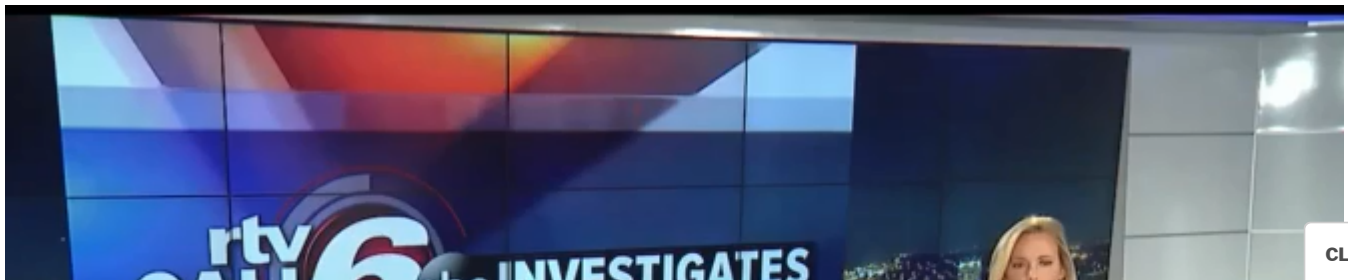
Hiring Hoosiers: GM workers denied unemployment benefits following plant shutdown

Union now looking into the issue

Posted: 10:02 PM, May 21, 2019 **Updated:** 12:08 AM, May 22, 2019



By: Rafael Sánchez



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Hiring Hoosiers is not only about connecting you with jobs; it's also about investigating barriers and issues that impact people on the job. RTV6 is digging into complaints from General Motors workers who were denied hundreds of dollars in unemployment benefits.

MARION -- The United Auto Workers Union is looking into why its members impacted by a plant shutdown at the General Motors Stamping plant in the summer of 2018 did not receive unemployment benefits after following instructions provided through a flier handed out at the facility.

The problem has been brewing for months as employees were denied benefits or forced to pay them back.

“The UAW is certainly looking into this,” Brian Rothenberg, UAW International spokesperson, said. “The document is not on official letterhead at the international, regional or local levels as is customary, which would have meant there was legal review prior to going to members.”

Michael Wright, who has worked at the GM plant for nearly three years, says he doesn't want this to happen to others.

Wright is considered a temporary employee and has no seniority. In February 2018, he says workers were alerted of a pending plant shutdown in the summer. Impacted employees received a flier with the logo of the United Auto Workers

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"I followed the rules," Wright said. "I went step-by-step."

Wright says more than 50 other employees who applied for benefits were denied or received the benefits and were then forced to pay them back. He has paid back more than \$300.

"It was no fault of my own. I feel like it's my money; I worked for it," Wright said.

The Department of Workforce Development manages who gets unemployment. The rules are technical and complex. In the General Motors cases, multiple judges in different cities decided against the workers. That's because under agency rules plant shutdowns can be considered "vacation weeks," which are not eligible for benefits.

Like Wright, Justin Jones received the flier containing the United Auto Workers Union logo and followed its instructions, but was denied benefits.

But unlike his co-workers, Jones asked for a continuance on his appeal and subpoenaed the Labor Relations Manager at the GM plant. That GM employee was able to explain who was impacted by the 2018 summer shutdown and why.

"If I didn't have him there for the hearing it would've just been me making claims that I couldn't back up," Jones said.

The same law used to deny the other workers claims was applied in Justin's case. The judge wrote Justin "was not on vacation week" and "was laid off due to lack of work." The judge also approved Justin's three weeks of unemployment totaling \$639.

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“If one person in the same situation as us wins and gets paid, how can one person win and nobody else win?” Wright asked.

Jones' win is limited to him, because under the law the decision made in his case could not have been used by other GM employees to win their appeal.

Stefanie Price, the Director of Appeals at the Department of Workforce Development, says each case is reviewed individually.

“Every case is decided case-by-case and any small fact could impact a judge’s decision and could change the result of a judge’s ruling,” Price said.

Price says people who are denied an initial claim have 13 days to file an appeal. Cases that go to an administrative judge can be appealed within 18 days to the Review Board. People who don’t like the decision of the Review Board have 30 days to file an appeal with the Indiana Court of Appeals.

People with questions about a claim are encouraged to call the Department of Workforce Development at 1-800-891-6499.

Price added that she hoped employers would reach out to the agency before any major job action so that they develop a plan to assist employees through a potential benefits process.

General Motors declined our request to comment on the story.

“Thank you for providing time for us to research your questions. As this is a UAW flyer, we are referring all questions to Brian Rothenberg, Senior Communications Advisor for the UAW, “ General Motors spokesperson Stephanie Jentgen said.

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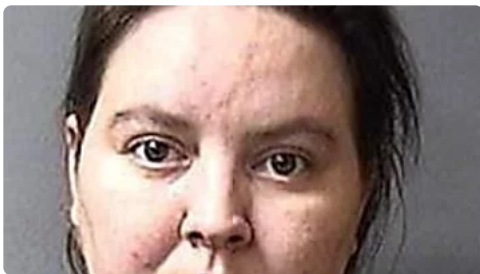
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