

INSURANCE AND ANNUITIES MANAGEMENT  
UNEMPLOYMENT INSURANCE

CKF  
(LEGAL)

Unemployment benefits are paid through the Texas Workforce Commission (TWC) in accordance with rules adopted by the TWC and are due and payable under the Texas Unemployment Compensation Act, Labor Code Title 4, Subtitle A only to the extent provided by the Act.

"Employer" for purposes of the Texas Unemployment Compensation Act also means a political subdivision of a state, including a college district, or an instrumentality of a political subdivision of a state that is wholly owned by political subdivisions of one or more states.

*Labor Code 201.026, 206.001*

**Unemployment  
Compensation  
Eligibility Exceptions  
Specific to  
Educational  
Institutions**

Benefits are not payable to an individual based on services performed in an instructional, research, or principal administrative capacity for an educational institution, including a college district, for a week beginning during the period between two successive academic years or terms or under an agreement providing for a similar period between two regular but not successive terms if the individual performed the services in the first of the academic years or terms and there is a contract or reasonable assurance that the individual will perform services in that capacity for any educational institution in the second of the academic years or terms.

Benefits are not payable to an individual based on services performed for an educational institution in a capacity other than a capacity described above for a week that begins during a period between two successive academic years or terms if the individual performed the services in the first of the academic years or terms and there is a reasonable assurance that the individual will perform the services in the second of the academic years or terms. However, if benefits are denied to an individual for any week under this provision and the individual is not offered an opportunity to perform services for the educational institution for the second of the academic years or terms, the individual is entitled to a retroactive payment of the benefits for each week that the individual filed a timely claim for benefits and the benefits were denied solely because of this provision.

Benefits are not payable to an individual based on services performed for an educational institution for a week that begins during an established and customary vacation period or holiday recess if the individual performed the services in the period immediately before the vacation period or holiday recess and there is a reasonable assurance that the individual will perform the services in the period immediately following the vacation period or holiday recess.

*Labor Code 207.041(a)-(d)*

**Required Employer  
Payment  
Alternatives**

Contributions

A governmental employer shall pay a contribution, defined as a tax payment under the Texas Unemployment Compensation Act to the compensation fund, in accordance with Labor Code Chapter 204, Subchapter F and rules adopted by the TWC on wages paid for employment during each year or portion of the year in which the governmental employer is subject to the Act. A contribution paid by a governmental employer may not be deducted from the wages of individuals in the employer's employ. *Labor Code 204.101-.102*

Reimbursements

A political subdivision of a state, an instrumentality of a state, or a political subdivision of a state may elect to pay reimbursements for benefits instead of contributions. The election must be made not later than the 45th day after the date on which notice that an employer is subject to the Texas Unemployment Compensation Act is mailed to the employer. The election is effective January 1 of the year in which the employer becomes subject to the Act. An election is effective for at least two calendar years and may be terminated after the minimum period by filing with the commission not later than December 1 a written request for termination. The termination is effective January 1 of the following year. *Labor Code 205.001*

*Group Accounts*

On approval of an application submitted by two or more reimbursing employers, the TWC shall establish a group account for the employers to share the cost of benefits that are attributable to service in the employ of the employers. The application must identify and authorize a group representative to act as the group's agent for the purpose of Labor Code Chapter 205, Subchapter C. The group account takes effect at the beginning of the calendar quarter in which the commission received the application. The TWC shall notify the group's representative of the effective date of the account. *Labor Code 205.021*

**Initial Claim and  
Response**

A person, including a college district, to whom notice is mailed under Labor Code 208.002 shall notify TWC promptly of any facts known to the person that may:

1. Adversely affect the claimant's right to benefits; or
2. Affect a charge to the person's account.

A notification provided by a person, including an initial response to a notice mailed to the person under Section 208.002, must include sufficient factual information to allow the commission to make a determination regarding the claimant's entitlement to benefits.

A person who does not mail or otherwise deliver that notification to the commission within 14 days after the date notice of a claim was mailed to the person by the commission waives all rights in connection with the claim, including rights the person may have under

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Labor Code Subchapter B, Chapter 204, other than rights relating to a clerical or machine error as to the amount of the person's chargeback or maximum potential chargeback in connection with the claim for benefits.

*Labor Code 208.004(a)–(b)*