

ACR CULTURE CONSULTING · UI ADVISORY

# The UI Survival Guide

What to Do When Your Unemployment Claim is Denied in Nevada

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A free resource for Nevada workers navigating claim denials, appeals, and the unemployment system — written in plain language by a consultant who's worked inside it.

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**Important:** This guide is for informational and strategic purposes only. ACR Culture Consulting does not provide legal advice or legal representation. For legal representation, consult a licensed attorney in Nevada.

## Why This Guide Exists

The Nevada unemployment system was not designed to be easy to understand — especially if you're an everyday worker trying to navigate it alone. Most people receive a denial notice and have no idea what it means, what they did wrong, or what their rights are.

This guide was created by a consultant who spent years inside the system — adjudicating claims, refereeing appeals, and watching people lose cases they deserved to win, simply because they didn't know the rules.

**Consider this your starting point.**

### What This Guide Covers

- How the Nevada UI claim process works
- The 5 most common reasons claims are denied
- Your appeal rights — and how to use them
- What to say (and what NOT to say) on your claim
- How to gather and organize your documentation
- What happens at an appeal hearing
- When to get professional help

# How the Nevada UI Process Works

Before you can fight a denial, you need to understand the basic flow of the system. Here's how it works — step by step.

1

## You File a Claim

You submit your unemployment claim through Nevada's DETR (Department of Employment, Training and Rehabilitation) portal or by phone. You'll be asked about your separation reason, wage history, and availability for work.

2

## DETR Reviews the Claim

A claims adjudicator reviews the information provided — by both you AND your employer. Your employer is notified and has the opportunity to respond with their version of events.

3

## A Determination is Issued

You receive a written determination: either approved or denied. If denied, the letter must include the reason for denial and your right to appeal.

4

## You Have 11 Days to Appeal

In Nevada, you typically have 11 calendar days from the date on the denial letter to file an appeal. Missing this deadline can waive your right to appeal this determination.

5

## An Appeal Hearing is Scheduled

Your appeal goes to an Appeals Referee — a neutral hearing officer. Both you and your employer will have the opportunity to present evidence and testimony.

6

## The Referee Issues a Decision

The Referee reviews all evidence and issues a written decision. If you disagree, you may be able to appeal further to the Board of Review, and then to district court.

■ **Key  
Deadline**

11 calendar days from the date on your denial letter to file your appeal in Nevada. Count carefully — weekends and holidays count. Do not wait.

# The 5 Most Common Reasons Claims Are Denied in Nevada

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Understanding why claims get denied is the first step to building a successful appeal. Most denials fall into one of these five categories.

## 01 Voluntary Quit Without Good Cause

If you resigned, the state assumes you left without cause — unless you can show that a reasonable person in your situation would also have quit. Hostile work environment, unsafe conditions, significant pay cuts, and relocation are examples of potentially qualifying reasons.

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## 02 Misconduct Connected to Work

This doesn't just mean being fired — it means the reason for termination involved intentional disregard for your employer's interests. Simple performance issues or a single mistake often do NOT meet the legal definition of misconduct. But policy violations, theft, or insubordination might.

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## 03 Insufficient Wages or Work History

UI benefits are calculated based on wages earned in a specific "base period." If you haven't worked enough hours or earned enough in that window, you may not qualify — even if you were legitimately laid off.

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## 04 Failing to Meet Ongoing Requirements

Even after being approved, you can lose benefits if you fail to certify on time, refuse suitable work, aren't actively seeking employment, or don't report earnings accurately.

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## 05 Separation Dispute Between You and Your Employer

This is extremely common. You say you were laid off. They say you quit. Or you say you were forced out; they say it was misconduct. These disputes require documentation, consistency, and — sometimes — professional guidance to navigate.

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# Your Appeal Rights — and How to Use Them

A denial is not the end. In Nevada, you have the right to appeal — and appeals are won more often than most people realize, when they're prepared correctly.

## How to File Your Appeal

- File in writing — mail, fax, or via the DETR online portal
- Reference your claim number and the date of the determination letter
- State clearly that you are appealing and briefly why you disagree
- Keep a copy of everything you submit and note the date/method of filing
- Request a copy of the employer's response if you haven't seen it

## What Happens at the Hearing

Appeal hearings are held by phone or video in Nevada. They are less formal than court but still follow rules of procedure. Here's what to expect:

- The Referee will introduce the case and swear in all parties
- You will have the opportunity to tell your side of the story
- The employer (or their representative) may also testify and ask questions
- You may submit documents as exhibits — but they must be shared before the hearing
- The Referee may ask clarifying questions of both parties
- A written decision will be mailed to you within a few weeks

### ■ What Referees Are Listening For

Consistency between what you told DETR and what you say at the hearing. Credible, specific testimony. Documentation that supports your account. Whether your separation meets the legal definition of the reason listed on your denial.

## Do's and Don'ts at Your Hearing

**DO**

**DON'T**

- ✓ Stick to facts and dates
- ✓ Be calm and professional
- ✓ Bring documentation
- ✓ Listen carefully before responding
- ✓ Tell your story in chronological order

- ✗ Argue or get emotional
- ✗ Guess or exaggerate
- ✗ Interrupt the Referee or employer
- ✗ Change your story from what you told  
DETR
- ✗ Show up unprepared

# Gathering Your Documentation

Your documentation is your evidence. It's what separates a story from a case. Here's what to gather — organized by situation.

| Document   | Why It Matters   |
|--|--|
| Denial / Determination Letter                    | Shows the official reason for denial and your appeal deadline          |
| Any written notice of termination or resignation | Establishes the official separation circumstances in writing           |
| Emails, texts, or written communications         | Often the most powerful evidence — shows what was actually said        |
| Pay stubs / wage records                         | Confirms employment, wages, and work history during the base period    |
| Employee handbook or policies                    | Shows what rules existed — and whether they were consistently enforced |
| Performance reviews or warnings                  | Establishes whether discipline was progressive and documented          |
| Witness contact information                      | Coworkers who witnessed relevant events may support your account       |
| Medical records (if applicable)                  | If a health condition caused or contributed to separation              |

## What to Say (and What Not to Say)

Your words matter — both when you file your initial claim and during an appeal. These common mistakes cost people their benefits:

|  |  |
|--|--|
| <p>■ <b>Saying "I quit" when it's complicated.</b></p> | <p>If you were pushed out, unsafe, underpaid, or given no real choice — that may be a constructive discharge, not a voluntary quit. The language you use shapes how your case is classified.</p> |
| <p>■ <b>Over-explaining or being inconsistent.</b></p> | <p>Say what happened, clearly and factually. Adding emotional detail or changing your account between the initial claim and the hearing is damaging.</p>   |

■ **Assuming the employer will be honest.**

Employers have financial incentive to contest claims — it affects their UI tax rate. Their account of events may not match yours. Document everything.

## When to Get Professional Help

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Not every situation requires outside support — but some do. Consider getting professional guidance if any of the following apply to you:

- Your employer is contesting your claim and has a representative or attorney
- The denial letter cites "misconduct" and you believe the characterization is inaccurate
- You were classified as an independent contractor but believe you were an employee
- You have an appeal hearing scheduled and have never participated in one before
- Your situation involves a complex separation — hostile work environment, disability, retaliation
- You received an overpayment notice for a significant amount
- You've already lost an appeal and are considering further action
- You're an employer trying to understand how to respond to a claim filed against your business

### Ready to Stop Guessing?

Book a UI Strategy Session with ACR Culture Consulting. One hour. One plan. Real answers.

**Sessions start at \$97 for individuals - \$197 for employers**

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