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Social Security Board, Washington, February, 1940.
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Joseph A. Todd

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Book Note

UNEMPLOYMENT COMPENSATION INTERPRETATION SERVICE (BENEFIT SERIES) Vol. 3, No. 2. Federal Security Agency, Social Security Board, Washington, February, 1940. Pp. vii, 290. \$0.50.

Decisions and opinions to be included in this Interpretation Service are selected by the Bureau of Employment Security from the multitude of such materials filed by the fifty-one jurisdictions which administer unemployment insurance acts. The texts of those decisions, opinions, and administrative determinations which lay down new principles or which modify or reverse previously reported rulings are published without comment.

The current issue reports decisions from thirty-five states, as handed down during the period from June 29, 1939 to October 17, 1939. None of the 175 rulings are court decisions, which indicates clearly the importance of the opinions of these quasi judicial bodies. Individual claimants seeking benefits can do so only for a limited period and will seldom continue the fight in the ordinary courts against an adverse ruling of a Claims Deputy supported by the Appeal Authorities. In only twenty cases were all the administrative remedies exhausted. The decision of an intermediate tribunal was accepted in the remaining 155 instances.

Aside from determining whether or not the procedural requirements of the particular agency have been satisfied, the principal questions with which these Appeal Tribunals deal concern the eligibility of claimants as determined by:

1. Present employment status, i.e., whether the unemployment is total, part-total, or partial
2. Reason for separation
 - a. Discharged for misconduct
 - b. Voluntarily quit, and whether good cause existed
 - c. Whether due to a labor dispute still in progress in which the claimant has an interest
3. Ability to work
4. Availability for suitable work, and
5. Determination of suitability of work offered and refused
6. Determination of matters involving allowance of credit for wages earned but not reported.

One of the most important decisions reported here was the ruling of the Iowa Commission, on final administrative appeal,

that a stoppage of work was not due to a labor dispute when the employer closes his plant on advice of counsel pending a court decision involving possible violation of the Fair Labor Standards Act.¹ It was also ruled by the Board of Review of the Mississippi Agency that farming was a year-round occupation and a farmer previously engaged in industrial work is not eligible for benefits during the "lay by" period of the year, even though he performs no services.²

Anyone using this Interpretation Service should be careful to compare the law of the state in which application of a rule is being sought to the law of the state in which the rule was laid down. The text of the decisions as reported does not give sufficient information on this point.

JOSEPH A. TODD*

1. U.C.I.S. 2705-Ind.R., pp. 95-97, State Code No. 39-LDR-1A, September 26, 1939.

2. U.C.I.S. 2781-Miss.R., pp. 201-203, State Code No. 7-BR-39, August 11, 1939.

* Field Representative, Mississippi Unemployment Compensation Commission.

