

## ILLINOIS WOMAN WINS UNEMPLOYMENT BENEFITS



The things going on in the workforce today may surprise you. Sharon Smiley had worked for a company for ten years. She worked as a receptionist and did various activities around her work area. Finally, after four years she has been rewarded unemployment benefits. One day when Smiley was working, she clocked out for her lunch but still sat at her desk to complete some paper work. She told officials that she did not plan to eat that day anyways. Smiley had just celebrated her ten year anniversary with this company as well. According to a claim that was filed, Smiley continued to work at her desk, even when she was asked to step away from her desk. However, she confused and continued working. According to the human resource manager from the company Equity Lifestyle Properties Inc., claimed that there has been this rule in the handbook for many years. Each nonexempt employee is required to take a thirty minute lunch break. There have apparently been many discussions about Smiley eating lunch at her desk. Her former employer, Equity Lifestyle Properties Inc., did not return a request for comment. "I knew you couldn't eat lunch at your desk," Smiley told ABC News. "I was under the impression that because I was punched out I could do what I want." Smiley reported that he job was very stressful and has dealt with several medical issues as a result of the stress. Of course, Smiley was provided a lunch break just like Illinois law states. "Nonetheless, Illinois is an employment-at-will state, which means the employer can fire someone for a good reason, no reason, or a bad reason, as long as it is not discriminatory," Michael LeRoy, law professor at the University of Illinois at Urbana-Champaign. There are several reasons as to why a company makes sure the employee is taking lunch breaks. It helps cut down on cost and avoid paying overtime. When Smiley went to apply for unemployment, she was denied because it was due to misconduct. After hearing this news, Smiley decided to appeal the verdict to the Illinois Department of Employment Security. She was denied in her efforts three times. Finally, Smiley received a back pay amount for the months she went without unemployment. Then she was given a check every two weeks until she obtained a new job. It was ruled the Smiley was not wrong in her efforts. Cases like this are happening all over the country. Keep in mind that each state has their own regards in how they can fire an employee. If you decide to take someone to court, you may face the same issues that this lady faced. It may take several different tries before you are able to find a solution to the problem. Smiley eventually won but it took several tries. Make sure to follow your state's procedure for filing for unemployment.

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