

- The employee was discharged by an employer for unsatisfactory performance during an initial employment probationary period. As used in this paragraph, "probationary period" means a period of time set forth in an established probationary plan which applies to all employees or a specific group of employees and does not exceed ninety (90) calendar days from the first day a new employee begins work. The employee must be informed of the probationary period within the first seven (7) work days. There must be conclusive evidence to establish that the individual was separated due to unsatisfactory work performance and not separated because of lack of work due to temporary, seasonal, casual or other similar employment not of regular, permanent and year-round nature.
 - The employee left employment to attend training approved under the Trade Act of 1974 and is allowed unemployment benefits pursuant to Section 2-416 of the Oklahoma Employment Security Act.
 - The employee was separated from employment for compelling family circumstances as defined in Section 2-210 of the Oklahoma Employment Security Act.
- H. If an employer recalls an employee deemed unemployed as defined by the Oklahoma Employment Security Act, and the employee continues to be employed or the employee voluntarily terminates employment or is discharged for misconduct within the benefit year, the employer shall be entitled to have the benefit wage charged against the employer's experience rating for the employee reduced by the ratio of the number of weeks of remaining eligibility of the employee to the total number of weeks of entitlement.
- I. An employer shall not be charged with benefit wages of a laid-off employee if the employer lists as an objection in a statement filed in accordance with subsection B of this section that said employee collecting benefits was hired to replace a United States serviceman or servicewoman called into active duty and laid off upon the return to work by that serviceman or servicewoman. The Unemployment Insurance trust fund shall be charged with the benefit wages of the laid-off employee.
- J. If the Commission receives a notice of amounts paid as benefits by another state under a reciprocal agreement, and the notice is received after three (3) years from the effective date of the underlying benefit claim, no benefit wage charge will be made against the employer identified in the notice, or if a benefit wage charge is made based on such a notice, the employer will be relieved of the charge when the facts are brought to the attention of the Commission (amended by SB 1175, effective November 1, 2009).

Relief from benefit wages charged - addendum (Section 3-106.1, Oklahoma Employment Security Act)

The benefit wages charged to an employer for a given calendar year shall be the total of the benefit wages stated in the notices given to the employer by the Commission. Provided that on and after April 19, 1995, an employer's benefit wages shall not include wages paid by the