

Message: FW: list of ALJs to not be present tomorrow

Case Information:

Message Type: Exchange
Message Direction: Internal
Case: IWD Senator Petersen Request - Version 3
Capture Date: 7/10/2014 1:32:00 PM
Item ID: 40860974
Policy Action: Not Specified

Mark History:

No reviewing has been done

Policies:

No Policies attached

✉ FW: list of ALJs to not be present tomorrow

From Lewis, Devon [IWD] **Date** Thursday, June 06, 2013 11:06 AM
To Hillary, Teresa [IWD]
Cc

fyi

From: Lewis, Devon [IWD]
Sent: Thursday, June 06, 2013 11:05 AM
To: Walsh, Joseph [IWD]
Subject: RE: list of ALJs to not be present tomorrow

I'm supposed to be on annual but will attend.

From: Walsh, Joseph [IWD]
Sent: Thursday, June 06, 2013 11:05 AM
To: Ackerman, Susan [IWD]; Donner, Lynette [IWD]; Elder, Julie [IWD]; Hendricksmeier, Bonny [IWD]; Hillary, Teresa [IWD]; Lewis, Devon [IWD]; Mormann, Marlon [IWD]; Nice, Terence [IWD]; Scheetz, Beth [IWD]; Seeck, Vicki [IWD]; Stephenson, Randall [IWD]; Timberland, James [IWD]; Wise, Debra [IWD]; Wise, Steve [IWD]
Subject: list of ALJs to not be present tomorrow

Will each ALJ who cannot be in tomorrow (due to vacation, medical, etc.) please remind me privately with an IM.

Joseph L. Walsh

Chief Administrative Law Judge
Unemployment Insurance Appeals
1000 East Grand Avenue

Message: RE: Section 871 IAC 24.10**Case Information:**

Message Type: Exchange
 Message Direction: External, Outbound
 Case: IWD Senator Petersen Request - Version 3
 Capture Date: 7/10/2014 1:32:29 PM
 Item ID: 40861787
 Policy Action: Not Specified

Mark History:

No reviewing has been done

Policies:

No Policies attached











✉ RE: Section 871 IAC 24.10

From Lewis, Devon [IWD]

Date Friday,
November 22, 2013
5:18 PM

To 'jclark@employersedge.com'

Cc Eklund, David [IWD]; Hillary, Teresa [IWD]; Wise, Steve [IWD]; Wilkinson, Michael [IWD]; West, Ryan [IWD]; Boten, Brenda [IWD]

 [image006.jpg](#) (3 Kb HTML)  [image007.jpg](#) (3 Kb HTML)  [image008.jpg](#) (2 Kb HTML)
 [image009.png](#) (3 Kb HTML)  [image010.png](#) (3 Kb HTML)  [image011.jpg](#) (2 Kb HTML)
 [image012.jpg](#) (7 Kb HTML)  [OP Waiver Penalty Letter to Es and Reps June 2013.pdf](#)
 (84 Kb HTML)  [E participation at FF interview.doc](#) (33 Kb HTML)  [E Participation FF Interview 2-20-2013.Rule.871.24.10.pdf](#) (123 Kb HTML)

Ms. Clark,

I apologize for the delay in getting back to you. The answers to your questions are in the order posed.

- No warning letters are issued for lack of fact-finding participation because notice was given to all employers and their representatives on June 25, 2013. I've attached a pdf of that letter for your reference.
- An appeal from any part of an Appeals Bureau ALJ decision would be made to the Employment Appeal Board according to the instructions on the decision.
- IWD does not track how many employers/representatives participate in fact-finding interviews. The issue is addressed on a case-by-case basis if the employer appeals an allowance of benefits from a Claims fact-finding decision.
I'm not certain I understand the next question. The employer's account may be liable for charges if it does not participate in a fact-finding interview. The definition of participation is set out in Iowa Admin. Code r. 871-24.10. See attached copy. The chargeability in this scenario comes after the protest and after the fact-finding decision and arises only upon an ALJ decision reversing a previous allowance of benefits when

the employer did not participate in the fact-finding interview. The decision is appealable to the EAB as referenced above.

- This is why it is important for the employer to participate in the fact-finding interview by someone with firsthand knowledge of the reason for the separation. I've attached a "tip sheet" developed for employers on the issue of participation.

If you have any other questions, please contact me.

Devon M. Lewis

Administrative Law Judge
Iowa Workforce Development
1000 E Grand Ave
Des Moines IA 50319-0209
515.281.3747
800.532.1483
devon.lewis@iwd.iowa.gov



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From: Eklund, David [IWD]
Sent: Monday, November 18, 2013 4:17 PM
To: 'jclark@employersedge.com'
Subject: FW: Section 871 IAC 24.10

Good Morning Jamie,

I received your inquiry from Connie a week ago. You posed some very good questions. The issue of participation and how it relates to charging of benefits occurs only when a decision that is favorable to the claimant is appealed by the employer and reversed to a denial on appeal.

Based on that fact alone I decided that for you to receive the very best answer to your inquiry, our Appeals bureau should respond to you. I have forwarded your information request to two of IWD's most experienced Administrative Law Judges to formulate a response. They did inform me that due to other commitments they probably would not be able to respond until this week. I should have communicated that back to you. My apologies.

Thank you.
Dave

David Eklund
Regional Operations Manager
UI Benefits Services

Iowa Workforce Development
Ph: 515/281-5792
Cell: 515/229-4482
Fax: 515/281-9033
david eklund@iwd.iowa.gov



From: Jamie Clark [<mailto:jclark@employersedge.com>]
Sent: Friday, November 15, 2013 12:06 PM
To: Dykstra, Connie [IWD]
Subject: RE: Section 871 IAC 24.10

Hi Connie,

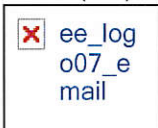
I had emailed you on 11/08/13 and have not heard back from you. I just wanted to take a moment and find out if you were the correct person I should be reaching out to or if you could direct me to someone else on the information requests below?

Pursuant to recent legislation relating to Section 252 of the Trade Adjustment Assistance Extension Act, the failure to provide timely or adequate information in our initial response to an unemployment claim may result in loss of appeal rights, penalties and/or a denial of relief of charges.

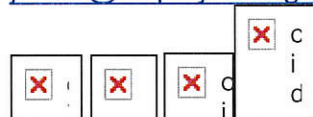
For more detailed information on Section 252 and its impact, please [CLICK HERE](#).

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Jamie Clark
Employers Edge
Business Hours: M-TH 7am-3:00pm (Mountain Time) Friday 7AM-1:00PM
Direct (720) 420-7365 | 877-235-edge (3343) x122 toll free | 720-420-7396 fax



j.clark@employersedge.com



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From: Jamie Clark [<mailto:jclark@employersedge.com>]

Sent: Friday, November 08, 2013 12:21 PM
To: 'connie.dykstra@iwd.iowa.gov'
Subject: Section 871 IAC 24.10

Hi Connie,

I was hoping you could help in assisting us with some questions we have in regards to the newly enforced section 871 IAC 24.10? What we are trying to find out is the following:

When is a warning letter issued and does it go to the vendor or the employer directly? Is a warning letter issued every time we get a decision stating we did not adequately or promptly respond or is after a certain number of occurrences?

If we disagree with only the portion of the Hearing officers (after a hearing has taken place, not just the fact finder) ruling that states we did not adequately or promptly respond, what is the appeal process to appeal that section only?

How many cases to date have we lost due to not participating in the fact finder? We do participate but not by phone, usually written response as we discussed. Is there a way of telling how many tick marks are out there for Employers Edge or our clients?

If we give all the information to the state that has been provided to us by the employer, does the inadequate/untimely response go to the employer or the vendor? How is this determined?

When the employer is charged on an overpayment issue, how do we protest these charges? Is it when the charge statement comes in, when we get the decision, or is there another procedure? Are these overpayment issues protestable? When, how?

In the event the claimant quits, in the fact finder interview the claimant changes the story or brings up something that they did not inform the employer of, how does this affect the employer?

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Jamie Clark

Hearings Coordinator

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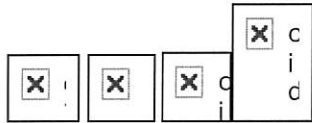
Direct (720) 420-7365 | 877-235-edge (3343) x122 toll free | 720-420-7396 fax

 ee_logo02_email

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EMPLOYER PARTICIPATION AT UNEMPLOYMENT FACT-FINDING INTERVIEWS

Effective July 1, 2013, subsection b of Iowa Code 96.3(7) was enacted and provides that an employer may face charges to its account for failure to participate at a fact-finding interview, even if the employer prevails on appeal in the unemployment hearing.

Personal participation by an employer representative with first-hand knowledge of the reasons for the separation will almost always suffice to prevent charges to the employer's account in that circumstance. *An employer representative who has first-hand knowledge about the issue and provides information to the fact-finder is the most effective form of participation.*

The rule also allows for participation by documentation. The employer must submit detailed factual information that, if not refuted, would be sufficient to allow the employer to win.

Mandatory requirements when participating through documents:

- Employer must provide the name and telephone number of an employee representative with first-hand information who is available to be contacted at the time of the fact finding interview.
- Employer should provide detailed written, signed and dated statements giving dates and circumstances of the discharge incident or reasons for a quit.
- The specific rule or policy relied upon must be submitted for a discharge case.
- For an absenteeism discharge, the statement must include circumstances of all absences relating to the discharge with details about why the absences were considered unexcused. (See tip sheet about absenteeism for further detail.)

What is not considered adequate participation at a fact-finding interview?

- Written or oral statements of general conclusions without supporting detailed factual information are not considered participation.

- Information submitted after the fact-finding is not participation.
-

Image 1

IAC Ch 24, p.1

871—24.10 (96) Employer and employer representative participation in fact-finding interviews.

24.10(1) "Participate," as the term is used for employers in the context of the initial determination

to award benefits pursuant to Iowa Code section 96.6, subsection 2, means submitting detailed factual

information of the quantity and quality that if unrebutted would be sufficient to result in a decision

favorable to the employer. The most effective means to participate is to provide live testimony at the

interview from a witness with firsthand knowledge of the events leading to the separation. If no live

testimony is provided, the employer must provide the name and telephone number of an employee with

firsthand information who may be contacted, if necessary, for rebuttal. A party may also participate

by providing detailed written statements or documents that provide detailed factual information of the

events leading to separation. At a minimum, the information provided by the employer or the employer's

representative must identify the dates and particular circumstances of the incident or incidents, including,

in the case of discharge, the act or omissions of the claimant or, in the event of a voluntary separation, the

stated reason for the quit. The specific rule or policy must be submitted if the claimant was discharged

for violating such rule or policy. In the case of discharge for attendance violations, the

information

must include the circumstances of all incidents the employer or the employer's representative contends

meet the definition of unexcused absences as set forth in 871—subrule 24.32(7). On the other hand,

written or oral statements or general conclusions without supporting detailed factual information and

information submitted after the fact-finding decision has been issued are not considered participation

within the meaning of the statute.

24.10(2) "A continuous pattern of nonparticipation in the initial determination to award benefits,"

pursuant to Iowa Code section 96.6, subsection 2, as the term is used for an entity representing employers,

means on 25 or more occasions in a calendar quarter beginning with the first calendar quarter of 2009,

the entity files appeals after failing to participate. Appeals filed but withdrawn before the day of the

contested case hearing will not be considered in determining if a continuous pattern of nonparticipation

exists. The division administrator shall notify the employer's representative in writing after each such

appeal.

24.10(3) If the division administrator finds that an entity representing employers as defined in Iowa

Code section 96.6, subsection 2, has engaged in a continuous pattern of nonparticipation, the division

administrator shall suspend said representative for a period of up to six months on the first occasion, up

to one year on the second occasion and up to ten years on the third or subsequent occasion. Suspension

by the division administrator constitutes final agency action and may be appealed pursuant to Iowa Code

section 17A.19.

24.10(4) "Fraud or willful misrepresentation by the individual," as the term is used for claimants in

the context of the initial determination to award benefits pursuant to Iowa Code section 96.6, subsection 2,

means providing knowingly false statements or knowingly false denials of material facts for the purpose

of obtaining unemployment insurance benefits. Statements or denials may be either oral or written by the

claimant. Inadvertent misstatements or mistakes made in good faith are not considered fraud or willful

misrepresentation.

This rule is intended to implement Iowa Code section 96.3(7)"b" as amended by 2008 Iowa Acts,

Senate File 2160.

Message: Re: Section 871 IAC 24.10**Case Information:**

Message Type: Exchange
 Message Direction: Internal
 Case: IWD Senator Petersen Request - Version 3
 Capture Date: 7/10/2014 1:32:29 PM
 Item ID: 40861789
 Policy Action: Not Specified

Mark History:

No reviewing has been done

Policies:

No Policies attached

✉ **Re: Section 871 IAC 24.10**

From Lewis, Devon [IWD]

Date Friday,
November 22, 2013
8:58 PM

To Wise, Steve [IWD]

Cc Eklund, David [IWD]; Hillary, Teresa [IWD];
Wilkinson, Michael [IWD]; West, Ryan [IWD];
Boten, Brenda [IWD]

You'll want to let Marlon know.

Dévon

On Nov 22, 2013, at 5:54 PM, "Wise, Steve [IWD]" <Steven.Wise@iwd.iowa.gov> wrote:

Just noticed that **Participation** is misspelled in the title on the Employer Tip Sheet.

From: Lewis, Devon [IWD]

Sent: Friday, November 22, 2013 5:18 PM

To: 'jclark@employersedge.com'

Cc: Eklund, David [IWD]; Hillary, Teresa [IWD]; Wise, Steve [IWD]; Wilkinson, Michael [IWD]; West, Ryan [IWD]; Boten, Brenda [IWD]

Subject: RE: Section 871 IAC 24.10

Ms. Clark,

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I'm not certain I understand the next question. The employer's account may be liable for charges if it does not participate in a fact-finding interview. The definition of participation is set out in Iowa Admin. Code r. 871-24.10. See attached copy. The chargeability in this scenario comes after the protest and after the fact-finding decision and arises only upon an ALJ decision reversing a previous allowance of benefits when the employer did not participate in the fact-finding interview. The decision is appealable to the EAB as referenced above.

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If you have any other questions, please contact me.

Devon M. Lewis

Administrative Law Judge
Iowa Workforce Development
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Des Moines IA 50319-0209
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800.532.1483
devon.lewis@iwd.iowa.gov



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From: Eklund, David [IWD]
Sent: Monday, November 18, 2013 4:17 PM
To: 'jclark@employersedge.com'
Subject: FW: Section 871 IAC 24.10

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Ph: 515/281-5792
Cell: 515/229-4482
Fax: 515/281-9033
david eklund@iwd.iowa.gov

<image001.jpg>

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Sent: Friday, November 15, 2013 12:06 PM
To: Dykstra, Connie [IWD]
Subject: RE: Section 871 IAC 24.10

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For more detailed information on Section 252 and its impact, please [CLICK HERE](#).

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Direct (720) 420-7365 | 877-235-edge (3343) x122 toll free | 720-420-7396 fax
<image002.jpg>
j.clark@employersedge.com
<image003.jpg> <image004.png> <image005.png><image006.jpg>

From: Jamie Clark [<mailto:jclark@employersedge.com>]
Sent: Friday, November 08, 2013 12:21 PM
To: 'connie.dykstra@iwd.iowa.gov'
Subject: Section 871 IAC 24.10

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P.O. Box 351567

Westminster, CO 80035

j.clark@employersedge.com

<image003.jpg> <image004.png> <image005.png><image006.jpg>

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 Policy Action: Not Specified

Mark History:

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Policies:

No Policies attached

✉ Fwd: Section 871 IAC 24.10

From Lewis, Devon [IWD] **Date** Friday, November 22, 2013 9:08 PM
To Mormann, Marlon [IWD]
Cc

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 [image005.png](#) (3 Kb HTML)  [image006.jpg](#) (2 Kb HTML)

FYI

Dévon

Begin forwarded message:

From: "Wise, Steve [IWD]" <Steven.Wise@iwd.iowa.gov>
Date: November 22, 2013 at 5:54:16 PM CST
To: "Lewis, Devon [IWD]" <Devon.Lewis@iwd.iowa.gov>
Cc: "Eklund, David [IWD]" <David.Eklund@iwd.iowa.gov>, "Hillary, Teresa [IWD]" <Teresa.Hillary@iwd.iowa.gov>, "Wilkinson, Michael [IWD]" <Michael.Wilkinson@iwd.iowa.gov>, "West, Ryan [IWD]" <Ryan.West@iwd.iowa.gov>, "Boten, Brenda [IWD]" <Brenda.Boten@iwd.iowa.gov>
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Hi Connie,

I had emailed you on 11/08/13 and have not heard back from you. I just wanted to take a moment and find out if you were the correct person I should be reaching out to or if you could direct me to someone else on the information requests below?

Pursuant to recent legislation relating to Section 252 of the Trade Adjustment Assistance Extension Act, the failure to provide timely or adequate information in our initial response to an unemployment claim may result in loss of appeal rights, penalties and/or a denial of relief of charges.

For more detailed information on Section 252 and its impact, please [CLICK HERE](#).

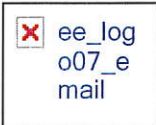
*******PLEASE NOTE WE WILL BE CLOSED ON THURSDAY 11/28/13 & FRIDAY 11/29/13 FOR THE THANKSGIVING HOLIDAY . ALL CLAIMS DUE ON THESE DAYS WILL BE PROCESSED ON OR BEFORE WEDNESDAY 11/27/13. YOUR IMMEDIATE RESPONSE IS GREATLY APPRECIATED.*******

Jamie Clark

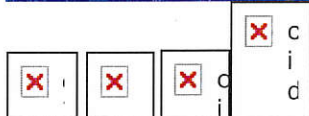
Employers Edge

Business Hours: M-TH 7am-3:00pm (Mountain Time) Friday 7AM-1:00PM

Direct (720) 420-7365 | 877-235-edge (3343) x122 toll free | 720-420-7396 fax



j.clark@employersedge.com



From: Jamie Clark [<mailto:jclark@employersedge.com>]

Sent: Friday, November 08, 2013 12:21 PM

To: 'connie.dykstra@iwd.iowa.gov'

Subject: Section 871 IAC 24.10

Hi Connie,

I was hoping you could help in assisting us with some questions we have in regards to the newly enforced section 871 IAC 24.10? What we are trying to find out is the following:

When is a warning letter issued and does it go to the vendor or the employer directly? Is a warning letter issued every time we get a decision stating we did not adequately or promptly respond or is after a certain number of occurrences?

If we disagree with only the portion of the Hearing officers (after a hearing has taken place, not just the fact finder) ruling that states we did not adequately or promptly respond, what is the appeal process to appeal that section only?

How many cases to date have we lost due to not participating in the fact finder? We do participate but not by phone, usually written response as we discussed. Is there a way of telling how many tick marks are out there for Employers Edge or our clients?

If we give all the information to the state that has been provided to us by the employer, does the inadequate/untimely response go to the employer or the vendor? How is this

determined?

When the employer is charged on an overpayment issue, how do we protest these charges? Is it when the charge statement comes in, when we get the decision, or is there another procedure? Are these overpayment issues protestable? When, how?

In the event the claimant quits, in the fact finder interview the claimant changes the story or brings up something that they did not inform the employer of, how does this affect the employer?

Pursuant to recent legislation relating to Section 252 of the Trade Adjustment Assistance Extension Act, the failure to provide timely or adequate information in our initial response to an unemployment claim may result in loss of appeal rights, penalties and/or a denial of relief of charges.

For more detailed information on Section 252 and its impact, please [CLICK HERE](#).

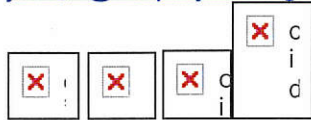
**Jamie Clark
Hearings Coordinator**

Business Hours: M-TH 7am-3:00pm (Mountain Time) Friday 7AM-1:00PM

Direct (720) 420-7365 | 877-235-edge (3343) x122 toll free | 720-420-7396 fax



P.O. Box 351567
Westminster, CO 80035
j.clark@employersedge.com



Confidentiality Notice: This e-mail message and any attachments are intended only for the use of the addressee named above and may contain information that is privileged and confidential. If you are not the intended recipient, any dissemination or copying of this message is strictly prohibited. If you received this message in error, please notify the sender by replying to this e-mail message or by telephone.

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Message: RE: Participation Tip Sheet attached.

Case Information:

Message Type: Exchange
Message Direction: Internal
Case: IWD Senator Petersen Request - Version 3
Capture Date: 7/10/2014 1:32:26 PM
Item ID: 40861698
Policy Action: Not Specified

Mark History:

No reviewing has been done

Policies:

No Policies attached

 **RE: Participation Tip Sheet attached.**

From Mormann, Marlon [IWD] **Date** Friday, October 11, 2013 1:51 PM
To Koonce, Kerry [IWD]; Wahlert, Teresa [IWD]
Cc Hillary, Teresa [IWD]; Lewis, Devon [IWD]; Wise, Steve [IWD]

 [Employer participaiton at fact finding tip.docx](#) (18 Kb HTML)

[Here you go.](#)

Marlon Mormann, Administrative Law Judge
515-265-3512

From: Koonce, Kerry [IWD]
Sent: Friday, October 11, 2013 12:43 PM
To: Wahlert, Teresa [IWD]; Mormann, Marlon [IWD]
Cc: Hillary, Teresa [IWD]; Lewis, Devon [IWD]; Wise, Steve [IWD]
Subject: RE: Participation Tip Sheet attached.

I need the tip sheet.

Kerry Koonce, CPM
Division Administrator, Communications & Labor Market Information
Iowa Workforce Development
1000 East Grand Avenue
Des Moines, IA 50319

T: 515-281-9646
F: 515-281-4698
C: 515-681-2230

From: Wahlert, Teresa [IWD]
Sent: Friday, October 11, 2013 12:18 PM
To: Mormann, Marlon [IWD]; Koonce, Kerry [IWD]
Cc: Hillary, Teresa [IWD]; Lewis, Devon [IWD]; Wise, Steve [IWD]
Subject: Re: Participation Tip Sheet attached.

Kerry - I have also cleared this tip sheet with Wilkinson - it is ready to go- let's get this up on our web pages in the appropriate spots

- Teresa Wahlert

On Oct 10, 2013, at 5:43 AM, "Mormann, Marlon [IWD]" <Marlon.Mormann@iwd.iowa.gov> wrote:

Yes, circulated many times and did a dozen or more changes. So this is a solid final.

Marlon Mormann, Administrative Law Judge
515-265-3512

From: Wahlert, Teresa [IWD]
Sent: Wednesday, October 09, 2013 8:46 PM
To: Mormann, Marlon [IWD]
Subject: Re: Participation Tip Sheet attached.

Did you circulate among your group?

- Teresa Wahlert

On Oct 9, 2013, at 2:37 PM, "Mormann, Marlon [IWD]" <Marlon.Mormann@iwd.iowa.gov> wrote:

Here is the final draft for your approval. What next?

Marlon Mormann, Administrative Law Judge
515-265-3512

<Employer participaiton at fact finding tip.docx>

PARTICIPATION AT FACT FINDING INTERVIEWS

EMPLOYERS' UNEMPLOYMENT TIP SHEET.

Effective July 1, 2013 an employer may face charges to its account for failure to participate at a fact finding interview even if the employer prevails on appeal in the unemployment hearing. See Iowa Code section 96.3(7)b.

Personal participation by an employer representative with firsthand knowledge will almost always suffice to prevent charges to employer's account in the above circumstance. *An employer representative, who has firsthand knowledge about the issue and provides information to the fact-finder, is the best kind of participation.*

The rule also allows for participation by documentation. The employer must submit detailed factual information that if unrefuted would be sufficient to allow employer to win. See Rule 871 IAC 24.10(1).

Mandatory requirements when participating by documents.

- Employer must provide the name and telephone number of a representative with firsthand information who is available to be contacted at the time of the fact finding interview.
- Employer must provide detailed written statements giving dates and circumstances of the discharge incident or reasons for a quit.
- The specific rule or policy relied upon must be submitted for a discharge case.
- For an absenteeism discharge the statement must include circumstances of all absences relating to the discharge with proof that the absences are unexcused under Iowa law.

The following are inadequate participation at fact finding?

- Written or oral statements or general conclusions without supporting detailed factual information are not considered participation.
 - Information submitted after fact finding is over is not participation.
-

Message: FW: tip sheet, employer participation at fact finding.

Case Information:

Message Type: Exchange
Message Direction: Internal
Case: IWD Senator Petersen Request - Version 3
Capture Date: 7/10/2014 1:32:26 PM
Item ID: 40861683
Policy Action: Not Specified

Mark History:

No reviewing has been done

Policies:

No Policies attached

✉ FW: tip sheet, employer participation at fact finding.

From Lewis, Devon [IWD] **Date** Wednesday, October 09, 2013 9:57 AM
To Hillary, Teresa [IWD]
Cc

 [Employer participaiton at fact finding tip.doc](#) (30 Kb HTML)  [image001.gif](#) (12 Kb HTML)

From: Lewis, Devon [IWD]
Sent: Wednesday, October 09, 2013 9:53 AM
To: Mormann, Marlon [IWD]
Subject: RE: tip sheet, employer participation at fact finding.

Marlon,
If I'm not too late... a few proposed changes incorporated...
Thanks so much for drafting this! I think it will be very informative and will hopefully avoid some appeals and the charge issue in the long run.
Dévon

From: Mormann, Marlon [IWD]
Sent: Tuesday, October 08, 2013 9:44 AM
To: Wise, Steve [IWD]; Benson, Joni [IWD]; Ackerman, Susan [IWD]; Donner, Lynette [IWD]; Elder, Julie [IWD]; Hendricksmeier, Bonny [IWD]; Hillary, Teresa [IWD]; Lewis, Devon [IWD]; Nice, Terence [IWD]; Scheetz, Beth [IWD]; Seeck, Vicki [IWD]; Stephenson, Randall [IWD]; Timberland, James [IWD]; Wise, Debra [IWD]
Subject: tip sheet, employer participation at fact finding.

Thanks to all who chipped in to help. Here is the final draft. I will give you till noon to tear it to pieces...

Marlon Mormann, Administrative Law Judge
515-265-3512

EMPLOYER PARTICIPATION AT UNEMPLOYMENT FACT-FINDING INTERVIEWS

Effective July 1, 2013, subsection b of Iowa Code 96.3(7) was enacted and provides that an employer may face charges to its account for failure to participate at a fact-finding interview, even if the employer prevails on appeal in the unemployment hearing.

Personal participation by an employer representative with first-hand knowledge of the reasons for the separation will almost always suffice to prevent charges to the employer's account in that circumstance. *An employer representative who has first-hand knowledge about the issue and provides information to the fact-finder is the most effective form of participation.*

The rule also allows for participation by documentation. The employer must submit detailed factual information that, if not refuted, would be sufficient to allow the employer to win.

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- For an absenteeism discharge, the statement must include circumstances of all absences relating to the discharge with details about why the absences were considered unexcused. (See tip sheet about absenteeism for further detail.)

What is not considered adequate participation at a fact-finding interview?

- Written or oral statements of general conclusions without supporting detailed factual information are not considered participation.

- Information submitted after the fact-finding is not participation.
-

[Preview is not available (conversion excluded for this file type).]

Message: RE: tip sheet, employer participation at fact finding.

Case Information:

Message Type: Exchange
Message Direction: Internal
Case: IWD Senator Petersen Request - Version 3
Capture Date: 7/10/2014 1:32:26 PM
Item ID: 40861685
Policy Action: Not Specified

Mark History:

No reviewing has been done

Policies:

No Policies attached

✉ RE: tip sheet, employer participation at fact finding.

From Lewis, Devon [IWD] **Date** Wednesday, October 09, 2013 10:53 AM
To Mormann, Marlon [IWD]
Cc

 [image001.gif](#) (12 Kb HTML)

Sorry, I didn't set it up that way – you may have to print the two and review side-by-side. No substantive changes – just editorial, consistency of hyphens, etc.

From: Mormann, Marlon [IWD]
Sent: Wednesday, October 09, 2013 10:16 AM
To: Lewis, Devon [IWD]
Subject: RE: tip sheet, employer participation at fact finding.

Can you highlight your changes so I don't miss.

Marlon Mormann, Administrative Law Judge
515-265-3512

From: Lewis, Devon [IWD]
Sent: Wednesday, October 09, 2013 9:53 AM
To: Mormann, Marlon [IWD]
Subject: RE: tip sheet, employer participation at fact finding.

Marlon,

If I'm not too late... a few proposed changes incorporated...
Thanks so much for drafting this! I think it will be very informative and will hopefully avoid some appeals and the charge issue in the long run.

Devon

From: Mormann, Marlon [IWD]

Sent: Tuesday, October 08, 2013 9:44 AM

To: Wise, Steve [IWD]; Benson, Joni [IWD]; Ackerman, Susan [IWD]; Donner, Lynette [IWD]; Elder, Julie [IWD]; Hendricksmeier, Bonny [IWD]; Hillary, Teresa [IWD]; Lewis, Devon [IWD]; Nice, Terence [IWD]; Scheetz, Beth [IWD]; Seeck, Vicki [IWD]; Stephenson, Randall [IWD]; Timberland, James [IWD]; Wise, Debra [IWD]

Subject: tip sheet, employer participation at fact finding.

Thanks to all who chipped in to help. Here is the final draft. I will give you till noon to tear it to pieces...

Marlon Mormann, Administrative Law Judge
515-265-3512

[Preview is not available (conversion excluded for this file type).]

Message: FW: Participation Tip Sheet attached.**Case Information:**

Message Type: Exchange
 Message Direction: Internal
 Case: IWD Senator Petersen Request - Version 3
 Capture Date: 7/10/2014 1:32:26 PM
 Item ID: 40861699
 Policy Action: Not Specified

Mark History:

No reviewing has been done

Policies:

No Policies attached

✉ FW: Participation Tip Sheet attached.

From Lewis, Devon [IWD]

Date
 Friday,
 October 11,
 2013 2:08 PM

To Scheetz, Beth [IWD]; Hendricksmeier, Bonny [IWD]; Wise, Debra [IWD]; Lewis, Devon [IWD]; Timberland, James [IWD]; Elder, Julie [IWD]; Donner, Lynette [IWD]; Mormann, Marlon [IWD]; Stephenson, Randall [IWD]; Wise, Steve [IWD]; Ackerman, Susan [IWD]; Nice, Terence [IWD]; Hillary, Teresa [IWD]; Seeck, Vicki [IWD]

Cc

 [Employer participaiton at fact finding tip.docx](#) (18 Kb HTML)

Marlon has put together a very clear tip sheet explaining the participation issue. If you get questions from the parties, you can refer them to this on the Agency web site or use it to explain it to the parties.
 Thank you, Marlon!

From: Mormann, Marlon [IWD]
Sent: Friday, October 11, 2013 1:51 PM
To: Koonce, Kerry [IWD]; Wahlert, Teresa [IWD]
Cc: Hillary, Teresa [IWD]; Lewis, Devon [IWD]; Wise, Steve [IWD]
Subject: RE: Participation Tip Sheet attached.

[Here you go.](#)

**Marlon Mormann, Administrative Law Judge
515-265-3512**

From: Koonce, Kerry [IWD]
Sent: Friday, October 11, 2013 12:43 PM
To: Wahlert, Teresa [IWD]; Mormann, Marlon [IWD]
Cc: Hillary, Teresa [IWD]; Lewis, Devon [IWD]; Wise, Steve [IWD]
Subject: RE: Participation Tip Sheet attached.

I need the tip sheet.

Kerry Koonce, CPM
Division Administrator, Communications & Labor Market Information
Iowa Workforce Development
1000 East Grand Avenue
Des Moines, IA 50319
T: 515-281-9646
F: 515-281-4698
C: 515-681-2230

From: Wahlert, Teresa [IWD]
Sent: Friday, October 11, 2013 12:18 PM
To: Mormann, Marlon [IWD]; Koonce, Kerry [IWD]
Cc: Hillary, Teresa [IWD]; Lewis, Devon [IWD]; Wise, Steve [IWD]
Subject: Re: Participation Tip Sheet attached.

Kerry - I have also cleared this tip sheet with Wilkinson - it is ready to go- let's get this up on our web pages in the appropriate spots

- Teresa Wahlert

On Oct 10, 2013, at 5:43 AM, "Mormann, Marlon [IWD]" <Marlon.Mormann@iwd.iowa.gov> wrote:

Yes, circulated many times and did a dozen or more changes. So this is a solid final.

**Marlon Mormann, Administrative Law
Judge
515-265-3512**

From: Wahlert, Teresa [IWD]
Sent: Wednesday, October 09, 2013 8:46 PM
To: Mormann, Marlon [IWD]
Subject: Re: Participation Tip Sheet attached.

Did you circulate among your group?

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On Oct 9, 2013, at 2:37 PM, "Mormann, Marlon [IWD]"
<Marlon.Mormann@iwd.iowa.gov> wrote:

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your approval. What next?

Marlon Mormann,
Administrative Law Judge
515-265-3512

<Employer participaiton at fact finding
tip.docx>

PARTICIPATION AT FACT FINDING INTERVIEWS

EMPLOYERS' UNEMPLOYMENT TIP SHEET.

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The following are inadequate participation at fact finding?

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- Information submitted after fact finding is over is not participation.

Message: here's the changes I gave to MM

Case Information:

Message Type: Exchange
Message Direction: Internal
Case: IWD Senator Petersen Request - Version 3
Capture Date: 7/10/2014 1:32:26 PM
Item ID: 40861700
Policy Action: Not Specified

Mark History:

No reviewing has been done

Policies:

No Policies attached

 **here's the changes I gave to MM**

From Lewis, Devon [IWD] **Date** Friday, October 11, 2013 2:10 PM
To Hillary, Teresa [IWD]
Cc

 [Employer participaiton at fact finding tip.doc](#) (30 Kb HTML)

Devon

EMPLOYER PARTICIPATION AT UNEMPLOYMENT FACT-FINDING INTERVIEWS

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What is not considered adequate participation at a fact-finding interview?

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- Information submitted after the fact-finding is not participation.
-

Message: RE: tip sheet, employer participation at fact finding.**Case Information:**

Message Type: Exchange
 Message Direction: Internal
 Case: IWD Senator Petersen Request - Version 3
 Capture Date: 7/10/2014 1:32:26 PM
 Item ID: 40861682
 Policy Action: Not Specified

Mark History:

No reviewing has been done

Policies:

No Policies attached

 **RE: tip sheet, employer participation at fact finding.**

From Lewis, Devon [IWD] **Date** Wednesday, October 09, 2013 9:53 AM
To Mormann, Marlon [IWD]
Cc

 [Employer participaiton at fact finding tip.doc](#) (30 Kb HTML)  [image001.gif](#) (12 Kb HTML)

Marlon,
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Devon

From: Mormann, Marlon [IWD]
Sent: Tuesday, October 08, 2013 9:44 AM
To: Wise, Steve [IWD]; Benson, Joni [IWD]; Ackerman, Susan [IWD]; Donner, Lynette [IWD]; Elder, Julie [IWD]; Hendricksmeier, Bonny [IWD]; Hillary, Teresa [IWD]; Lewis, Devon [IWD]; Nice, Terence [IWD]; Scheetz, Beth [IWD]; Seeck, Vicki [IWD]; Stephenson, Randall [IWD]; Timberland, James [IWD]; Wise, Debra [IWD]
Subject: tip sheet, employer participation at fact finding.

Thanks to all who chipped in to help. Here is the final draft. I will give you till noon to tear it to pieces...

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515-265-3512



EMPLOYER PARTICIPATION AT UNEMPLOYMENT FACT-FINDING INTERVIEWS

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- Information submitted after the fact-finding is not participation.
-

Message: RE: Tip Sheet for Employers, Participaiton at Fact Finding, in line text and attached.

Case Information:

Message Type: Exchange
 Message Direction: Internal
 Case: IWD Senator Petersen Request - Version 3
 Capture Date: 7/10/2014 1:32:25 PM
 Item ID: 40861674
 Policy Action: Not Specified

Mark History:

No reviewing has been done

Policies:

No Policies attached

 **RE: Tip Sheet for Employers, Participaiton at Fact Finding, in line text and attached.**

From Lewis, Devon [IWD]

Date
 Monday,
 October 07,
 2013 10:44
 AM

To Hendricksmeier, Bonny [IWD]; Mormann, Marlon [IWD]; Eklund, David [IWD]; West, Ryan [IWD]; Wilkinson, Michael [IWD]; Ackerman, Susan [IWD]; Donner, Lynette [IWD]; Elder, Julie [IWD]; Hillary, Teresa [IWD]; Nice, Terence [IWD]; Scheetz, Beth [IWD]; Seeck, Vicki [IWD]; Stephenson, Randall [IWD]; Timberland, James [IWD]; Wise, Debra [IWD]; Wise, Steve [IWD]

Cc

 [image002.gif](#) (12 Kb HTML)

My impression is that the first would be non-participation. I have not seen many of these and would need more info about the second scenario to comment. Steve and Marlon, you have both spent more time with it than I have. And other ALJs, how have you handled this?

Thank you, Bonny for raising the question and thanks to everyone for sharing their experiences with the issue.

Devon

From: Hendricksmeier, Bonny [IWD]
Sent: Monday, October 07, 2013 10:39 AM
To: Mormann, Marlon [IWD]; Eklund, David [IWD]; West, Ryan [IWD]; Wilkinson, Michael [IWD]; Ackerman, Susan [IWD]; Donner, Lynette [IWD]; Elder, Julie [IWD]; Hillary, Teresa [IWD]; Lewis, Devon [IWD]; Nice, Terence [IWD]; Scheetz, Beth [IWD]; Seeck, Vicki [IWD]; Stephenson, Randall [IWD]; Timberland, James [IWD]; Wise, Debra [IWD]; Wise, Steve [IWD]
Subject: RE: Tip Sheet for Employers, Participaiton at Fact Finding, in line text and attached.

I just had a couple of hearings where Equifax/TALX sent in the letter stating it would not participate but also gave the phone number of someone to be contacted. In one case the FF called and the "witness" was not available, in the second one the FF did not call. What is the policy on this sort of thing?

From: Mormann, Marlon [IWD]
Sent: Monday, October 07, 2013 10:32 AM
To: Eklund, David [IWD]; West, Ryan [IWD]; Wilkinson, Michael [IWD]; Ackerman, Susan [IWD]; Donner, Lynette [IWD]; Elder, Julie [IWD]; Hendricksmeier, Bonny [IWD]; Hillary, Teresa [IWD]; Lewis, Devon [IWD]; Nice, Terence [IWD]; Scheetz, Beth [IWD]; Seeck, Vicki [IWD]; Stephenson, Randall [IWD]; Timberland, James [IWD]; Wise, Debra [IWD]; Wise, Steve [IWD]
Subject: Tip Sheet for Employers, Participaiton at Fact Finding, in line text and attached.

I would appreciate your comments and criticisms.

EMPLOYER TIP SHEET, PARTICIPATON AT FACT FINDING INTERVIEWS.

Effective July 1, 2013 employers may face charges to its account for failure to participate at a fact finding interview even if the employer prevails on appeal in an unemployment hearing.

Personal participation by an employer representative will almost always suffice to prevent charges to employer's account in the above circumstance. Employer should always have a knowledgeable employee representative appear and participate by telephone in a fact finding interview.

The rule also allows for participation by documentation. The employer must submit detailed factual information that if un-refuted would be sufficient to allow employer to win.

Mandatory requirements when participating by documents.

Employer is required to provide the name and telephone number of an employee representative with firsthand information who may be contacted if necessary.

Employer must provide detailed written statements giving dates and circumstances of the discharge incident or reasons for a quit.

The specific rule or policy relied upon must be submitted for a discharge.

For absenteeism discharges the statement must include circumstances of all absences relating to the discharge with proof that the absences are unexcused under Iowa law.

What is not adequate participation at fact finding?

Written or oral statements or general conclusions without supporting detailed factual information are not considered participation.

Information submitted after fact finding is not participation.

Marlon Mormann, Administrative Law Judge
515-265-3512

Message: Re: Participation Tip Sheet attached.

Case Information:

Message Type: Exchange
Message Direction: Internal
Case: IWD Senator Petersen Request - Version 3
Capture Date: 7/10/2014 1:32:26 PM
Item ID: 40861687
Policy Action: Not Specified

Mark History:

No reviewing has been done

Policies:

No Policies attached

✉ Re: Participation Tip Sheet attached.

From Wahlert, Teresa [IWD] **Date** Wednesday, October 09, 2013 8:46 PM
To Mormann, Marlon [IWD]
Cc

Did you circulate among your group?

- Teresa Wahlert

On Oct 9, 2013, at 2:37 PM, "Mormann, Marlon [IWD]" <Marlon.Mormann@iwd.iowa.gov> wrote:

Here is the final draft for your approval. What next?

Marlon Mormann, Administrative Law Judge
515-265-3512

<Employer participaiton at fact finding tip.docx>

Message: Fwd: Participation Tip Sheet attached.

Case Information:

Message Type: Exchange
Message Direction: Internal
Case: IWD Senator Petersen Request - Version 3
Capture Date: 7/10/2014 1:32:26 PM
Item ID: 40861689
Policy Action: Not Specified

Mark History:

No reviewing has been done

Policies:

No Policies attached

 **Fwd: Participation Tip Sheet attached.**

From Wahlert, Teresa [IWD] **Date** Thursday, October 10, 2013 1:29 PM
To Wilkinson, Michael [IWD]; Bervid, Joseph [IWD]
Cc

 [Employer participaiton at fact finding tip.docx](#) (14 Kb HTML)  [ATT00001.htm](#) (1 Kb HTML)

How is this for a tip sheet

- Teresa Wahlert

Begin forwarded message:

From: "Mormann, Marlon [IWD]" <Marlon.Mormann@iwd.iowa.gov>
Date: October 9, 2013 at 2:36:45 PM CDT
To: "Wahlert, Teresa [IWD]" <Teresa.Wahlert@iwd.iowa.gov>
Subject: Participation Tip Sheet attached.

Here is the final draft for your approval. What next?

Marlon Mormann, Administrative Law Judge
515-265-3512

PARTICIPATION AT FACT FINDING INTERVIEWS

EMPLOYERS' UNEMPLOYMENT TIP SHEET.

Effective July 1, 2013 an employer may face charges to its account for failure to participate at a fact finding interview even if the employer prevails on appeal in the unemployment hearing. See Iowa Code section 96.3(7)b.

Personal participation by an employer representative with firsthand knowledge will almost always suffice to prevent charges to employer's account in the above circumstance. *An employer representative, who has firsthand knowledge about the issue and provides information to the fact-finder, is the best kind of participation.*

The rule also allows for participation by documentation. The employer must submit detailed factual information that if unrefuted would be sufficient to allow employer to win. See Rule 871 IAC 24.10(1).

Mandatory requirements when participating by documents.

- Employer must provide the name and telephone number of a representative with firsthand information who is available to be contacted at the time of the fact finding interview.
- Employer must provide detailed written statements giving dates and circumstances of the discharge incident or reasons for a quit.
- The specific rule or policy relied upon must be submitted for a discharge case.
- For an absenteeism discharge the statement must include circumstances of all absences relating to the discharge with proof that the absences are unexcused under Iowa law.

The following are inadequate participation at fact finding?

- Written or oral statements or general conclusions without supporting detailed factual information are not considered participation.
- Information submitted after fact finding is over is not participation.

Message: RE: list of ALJs to not be present tomorrow

Case Information:

Message Type: Exchange
Message Direction: Internal
Case: IWD Senator Petersen Request - Version 3
Capture Date: 7/10/2014 1:32:00 PM
Item ID: 40860973
Policy Action: Not Specified

Mark History:

No reviewing has been done

Policies:

No Policies attached

✉ RE: list of ALJs to not be present tomorrow

From Lewis, Devon [IWD] **Date** Thursday, June 06, 2013 11:06 AM
To Hillary, Teresa [IWD]
Cc

Yep – always the ones that need to be there the most.

From: Hillary, Teresa [IWD]
Sent: Thursday, June 06, 2013 11:06 AM
To: Lewis, Devon [IWD]
Subject: FW: list of ALJs to not be present tomorrow

What do you bet Julie is one of them.

From: Walsh, Joseph [IWD]
Sent: Thursday, June 06, 2013 11:05 AM
To: Ackerman, Susan [IWD]; Donner, Lynette [IWD]; Elder, Julie [IWD]; Hendricksmeier, Bonny [IWD]; Hillary, Teresa [IWD]; Lewis, Devon [IWD]; Mormann, Marlon [IWD]; Nice, Terence [IWD]; Scheetz, Beth [IWD]; Seeck, Vicki [IWD]; Stephenson, Randall [IWD]; Timberland, James [IWD]; Wise, Debra [IWD]; Wise, Steve [IWD]
Subject: list of ALJs to not be present tomorrow

Will each ALJ who cannot be in tomorrow (due to vacation, medical, etc.) please remind me privately with an IM.

Joseph L. Walsh

Chief Administrative Law Judge
Unemployment Insurance Appeals
1000 East Grand Avenue

Des Moines, Iowa 50319
Phone: (515) 281-8119
joseph.walsh@iwd.iowa.gov

Message: FW: IWD Pamphlet Information

Case Information:

Message Type: Exchange
 Message Direction: Internal
 Case: IWD Senator Petersen Request - Version 3
 Capture Date: 7/10/2014 1:31:36 PM
 Item ID: 40860772
 Policy Action: Not Specified

Mark History:

Date	Action Status	Reviewer
7/22/2014 8:45:37 AM	Unreviewed	Koonce, Kerry
7/21/2014 5:23:29 PM	Reviewed	Koonce, Kerry

Policies:

No Policies attached

FW: IWD Pamphlet Information

From Wilkinson, Michael [IWD] **Date** Friday, May 18, 2012 2:31 PM
To Eklund, David [IWD]
Cc Carson, Etha [IWD]; West, Ryan [IWD]

[70-6202 Click Click Brochure 12-03-08.pdf](#) (112 Kb HTML) [68-0057 - Weekly Call In Instructions 08-27-07.pdf](#) (271 Kb HTML) [image002.gif](#) (2 Kb HTML) [Brochure 3-29.pdf](#) (1398 Kb HTML) [image004.png](#) (16 Kb HTML)

I did not see any significant changes. How about you? I am thinking we should dump the "Click Click Brochure" and use the "Brochure 3-29". Thoughts?

From: Wilkinson, Michael [IWD]
Sent: Thursday, May 17, 2012 4:26 PM
To: Eklund, David [IWD]
Cc: West, Ryan [IWD]; Carson, Etha [IWD]
Subject: FW: IWD Pamphlet Information

Please have special claims review the brochures for accuracy tomorrow and let me know if there are suggested changes.

From: Johnson, Brei [IWD]
Sent: Thursday, May 17, 2012 3:28 PM
To: Carson, Etha [IWD]; Wilkinson, Michael [IWD]; Goode, JoAnn [IWD]; Dow, Penny [IWD]
Subject: FW: IWD Pamphlet Information

Just want to communicate to everyone my situation and following up with the team on this request...

In about a week I will be focusing about 95% of my time on a major project and won't have the flexibility to help with these types of requests until about October (which is also about the time I should be due for my maternity leave too!)

Please get back to me asap on a direction we are going with this and even if the team does decide to move forward, at this point I still can't make any promises.

Brei Johnson
 Marketing Communications Specialist
 Communications Bureau

1000 East Grand Avenue
 Des Moines, IA 50319-0209
 515-281-8102 Phone
 515-281-4698 Fax
www.iowaworkforce.org

From: Carson, Etha [IWD]
Sent: Monday, April 30, 2012 10:01 AM
To: Wilkinson, Michael [IWD]
Cc: Johnson, Brei [IWD]; Dow, Penny [IWD]; Goode, JoAnn [IWD]
Subject: FW: IWD Pamphlet Information

Brei is checking on these brochures and whether we still need the update? I indicated I thought we did, but I would check with you.

Thanks,
Etha, Executive Officer
 Unemployment Insurance Services



150 Des Moines Street
Des Moines, Iowa 50306

Etha.Carson@iwd.iowa.gov

Phone: 515 281-9363

Fax: Please label clearly with my name, Thank you

515 242-0498

242-0494

or 281-7695

From: Johnson, Brei [IWD]

Sent: Friday, April 27, 2012 1:14 PM

To: Roovaart, Michelle [IWD]; Dow, Penny [IWD]

Cc: Carson, Etha [IWD]

Subject: RE: IWD Pamphlet Information

This project was on the back burner for me and so now I just want to touch base with everyone to see how to proceed now that this has been reversed. I didn't want to just assume this request isn't needed and so I wanted to check

Also, I found the attached Brochure in our SharePoint library and it is an updated version of the one initially provided to me for this project. Please see the attachment titled Brochure 3-29.

Thanks,

Brei Johnson
Marketing Communications Specialist
Communications Bureau

1000 East Grand Avenue
Des Moines, IA 50319-0209
515-281-8102 Phone
515-281-4698 Fax
www.iowaworkforce.org

From: Roovaart, Michelle [IWD]

Sent: Friday, March 09, 2012 3:19 PM

To: Johnson, Brei [IWD]; Dow, Penny [IWD]; Carson, Etha [IWD]

Subject: IWD Pamphlet Information

Attached is the only thing I could find at this point. We can start with this unless Penny has a hard copy of something that would work better.

Michelle Roovaart, Management Analyst III
Unemployment Insurance Division
150 Des Moines Street, Des Moines, IA 50309-1836
Phone (515) 242-0402 Fax (515) 242-0494

- [Image 1](#)
 - [Image 2](#)
-

Image 1

For general questions, contact:
UIClaimsHelp@iwd.iowa.gov

70-6202 (12-08)

An Equal Employment Opportunity Agency
Auxiliary aids and services are available
Upon request, for people with disabilities.
For deaf and hard of hearing, use Relay 711.

**To locate your closest Workforce
Development Center check your
local telephone directory or visit
our website**

www.iowaworkforce.org

Failure to report your weekly continued-claim
will cause a delay in your payments.

**To Check on the status of your claim or
benefit payment;**

The on-line benefit status information at
<https://www1.iwd.state.ia.us/WeeklyClaims>

is available 24 hrs a day 7 days a week.

Or

The touch tone telephone benefit information
line at (800) 850-5627 (outside of Des Moines)
281-6231 (in Des Moines calling area) is available
Tuesday through Friday from 7:30 a.m. to 4:59
p.m.

Note: If Monday is a holiday, updated information is not available until Wednesday.

**You can file
on-line for
Unemployment
Benefits by
visiting**

www.iowaworkforce.org

Note: You must use a touch-tone

telephone to ensure your calls are correctly recorded by the interactive voice response system.

Receiving Your Benefit Payments:

Most Iowans may receive unemployment for up to 26 weeks and in some cases 39 weeks. After you have filed your unemployment claim, you must confirm your eligibility **each week you are unemployed** using one of the following methods:

Continued Claim Web Reporting

You may file your weekly-continued claim on-line at <https://www1.iwd.state.ia.us/WeeklyClaims>

Important: If you get disconnected or close out this application before the application tells you that your claim has been accepted, you will have to log-in and start again to successfully file your continued claim.

Touch-Tone Telephone Reporting

To file your weekly-continued claim by telephone, just call the continued claims IVR reporting system at **(800) 850-5627 (outside of Des Moines) or 281-6231 (in the Des Moines calling area)**

It is best to make your call during the hours of 10:00 a.m. Saturday to 11:30 p.m. on Sunday. The system is also available Monday through Friday 7:30 a.m. to 4:59 p.m.

The weekly call is a pre-recorded message that will ask you a series of questions and you will use your telephone keypad to enter your responses or respond to the online questions.

Image 2

If you do not meet the criteria to file on-line, you should contact a local Workforce Development Center for additional assistance in filing your unemployment claim.

Even if you do not have a home computer, you can file your unemployment claim on-line from any Internet connected computer, such as those found at the public library, your union hall, or your closest Workforce Development Center.

Eligibility Requirements

The basic eligibility requirements are that you:

- Are totally or partially unemployed.
- Have worked and earned a minimum amount of wages in work covered by unemployment tax during the past 18 months.

- Have lost your job through no fault of your own.
- Are able and available for work.
- Are registered for work at your local Workforce Development Center, unless work search is waived. You can register for work on-line by

using the Employment Registration Services application.

- Are actively seeking work unless work search is waived.

For additional information or to better understand the eligibility requirements please read the **Facts about Unemployment Insurance Guide** on our website at www.iowaworkforce.org

. You

may also get a copy of the guide by visiting your closest Workforce Development Center.

Filing an Unemployment Claim

Iowa Workforce Development wants to help Iowans receive unemployment benefits to which they are entitled. Iowans eligible for this assistance may file a new unemployment claim by using one of the following methods:

On the Internet at www.iowaworkforce.org or by visiting your local Workforce Development Center.

Is filing a claim on-line right for you?

The fastest, most efficient way to apply for unemployment benefits is online. The Internet filing option is available 24 hours a day, seven days a week – it's always open!

To be able to file a claim online you must meet all of the following criteria:

- You must have worked in Iowa during the past 18 months. (earned Iowa wages);
- You must **not** have an existing unemployment claim in any other state with money (benefits) still available;
- You must **not** have an existing Railroad Un-

employment claim with money still available;

- If you served in the U.S. military during the past 18 months, you **MUST** have an Iowa

residence;

- If you have earned wages in more than one state in the past 18 months and you want

those wages added to your claim, you must live in Iowa.

www.iowaworkforce.org

No matter how you file your unemployment benefit claim you will need to have the following information available:

What you will need:

- Your Social Security number;
 - The name, payroll address and telephone number of your most recent employer;
 - The first and last date you worked for that employer;
 - An Alien Registration number if you are NOT a U.S. citizen or permanent refugee.
 - If you served on active duty in the U.S. military during the past 18 months, a DD214 (member copy 4);
 - If you worked for the federal government in the past 18 months, a Standard Form 8, if one was provided to you;
 - The names of any dependents that you can claim as exemptions on your federal income tax return.
 - You may claim your spouse as a dependent if her/his gross wages were \$120 or less in the week prior to filing your claim. Self employment does not count as gross wages for dependent purposes.
-

- [Image 1](#)
 - [Image 2](#)
-

Image 1

You have applied for unemployment insurance benefits and the effective date of your claim will be Sunday, _____. To receive your unemployment insurance benefits each week you MUST call the continued claims reporting system at (800) 850-5627 (toll free outside the Des Moines area) or 281-6231 (within the Des Moines calling area). You may select either the English or the Spanish version of the script. The best hours to call are between 10 a.m., Saturday to 11:30 p.m., Sunday, or Monday through Friday, 7:30 a.m. to 4:59 p.m.

You should make your first call to the automated voice response system on _____, and will be claiming benefits for the period beginning _____ and ending _____. A prerecorded interactive voice response (IVR) system will ask you to certify that you:

- Are unemployed or working reduced hours;
- Are able and available for work;
- Have not refused any job offers or referrals;
- Are actively looking for work (unless waived); and
- Are reporting any pay or pension you may be receiving.

If you had earned wages or were paid vacation or severance pay for the week listed above, failure to report the income will result in delays on your claim and possible overpayment of benefits. All gross wages earned, including supplemental or part time wages, during weeks claimed must be reported when making weekly calls. This call is MANDATORY every week if you want to receive an unemployment insurance payment.

PERSONAL ID NUMBER (PIN)

When you make your continued claims call for the first time, you will be asked to enter a personal identification number (PIN). Be sure to select a PIN that will be easy to remember since you must use the same PIN each time you call to file your weekly claim or call to reactivate an existing claim. Do not use the same numbers in sequence (such as 1111 or 3333) or numbers in sequence (such as 1234). If you forget your PIN or think someone else knows your PIN, contact your local Iowa Workforce Development Center.

WORK SEARCH REQUIREMENTS

If your separation from your employer is permanent, you are required to activate a work registration with Iowa Workforce Development and make a minimum of two job contacts per week. Ask your Iowa Workforce Development representative how to activate your work registration. The same representative can clarify acceptable work search contacts. Keep a written record of your work search contacts in your *Facts About Unemployment Insurance* guide. Keep your record of contacts for work for up to 18 months from the initial filing of your claim.

Your work search requirement is waived if you will be called back to your regular employer.

If you are a union member in good standing, you are required to make a weekly contact to your union hall.

WEEKLY CALL-IN INSTRUCTIONS

68-0057 (08-07)

IOWA

DEVELOPMENT
Smart. Results.

Image 2

FACT FINDING INTERVIEW

On a new unemployment claim, your last employer and all employers you worked for in approximately the last 18

months will receive notice of this claim and may be responsible for paying some of the charges on the claim. If any of the employers notified protest your claim, a fact finding interview may be scheduled to gather information to issue decisions on your eligibility for benefits and potential charges to employer accounts. If you quit or were fired from your most recent job you will be scheduled for a fact finding interview. You and your former employer will receive a *Notice of Unemployment Insurance Fact-finding Interview* containing the scheduled date and time of a telephone interview. Be sure you check your mail carefully so you do not miss a scheduled telephone interview. **It is important to make your weekly call to the continued claims reporting system while unemployed, even during the weeks you are waiting for your scheduled interviews or appeals. It does take several weeks to process your application and determine eligibility.**

To check on the status of your claim or status of your benefit payment, call:

**Outside Des Moines, (800) 850-5627
Des Moines Area 281-6231**

The status information is only available Tuesday through Friday, 7:30 a.m. to 4:59 p.m.

Note: If Monday is a holiday, status information is not available until Wednesday of the week.

MONETARY DETERMINATION

New unemployment insurance applicants will receive a monetary determination form in the mail that includes the name of their last employer, Iowa wages used to set up the claim, number of dependents, the maximum potential payment each week and the maximum total potential payment on the claim. Carefully review the earnings listed and if they are incorrect, contact Iowa Workforce Development immediately. If your claim involves federal/military or out-of-state wages you will receive a second monetary determination after we request and receive the wage information from those departments.

FACTS ABOUT UNEMPLOYMENT INSURANCE GUIDE

New applicants will also receive a booklet, *Facts about Unemployment Insurance* guide. It is your responsibility to read and know the contents of the guide.

Equal Opportunity Employer/Program

Auxiliary aids and services are available upon request to individuals with disabilities.
For deaf and hard of hearing, use Relay 711.

[Preview is not available (conversion excluded for this file type).]

- [Image 1](#)
 - [Image 2](#)
-

Image 1

File Online Unemployment Insurance Benefits: **IowaWORKS**

Receiving UI Benefits

Iowans are typically approved for UI benefits

for up to 26 weeks, and in some cases up to 39 weeks. Once your claim is approved, you will need to confirm your eligibility weekly.

Each week you will be asked to apply for two jobs and confirm that you were able and available for work. You can do this either online or by calling (800) 850-5681 (outside of Des Moines) or (515) 281-6231 (in the Des Moines calling area).

To receive your benefit money on time, you should file your weekly claim anytime between the hours of 10:00 a.m. Saturday through 11:30 p.m. Sunday. However, the system is also available Monday-Friday from 7:30 a.m. – 4:59 p.m.

The weekly pre-recorded message will ask you a series of question and you will use your telephone keypad to enter your responses.

To make sure your calls are correctly recorded by

the interactive voice response system, you should use a touch-tone phone.

Failure to provide updated information weekly will cause a delay in your payments.

To check the status of your claim or your benefit payments, call (800) 850-5627 or (515) 281-6231.

In addition, benefit status information is available Tuesday-Friday from 7:30 a.m. – 5:00 p.m.

NOTE: If Monday is a holiday, this information will not be available until Wednesday.

UI Claims Status Check

To find your local Iowa *WORKS* office or for more information, please visit www.iowaworkforce.org.

For general UI question, e-mail UIClaimsHelp@iwd.iowa.gov.

IowaWORKS

*Equal Opportunity Employer/Program
Auxiliary aids and services are available upon request
to individuals with disabilities.
70-6202 (02-11)*

www.iowaworkforce.org

Image 2

Iowa *WORKS* is committed to assisting Iowans in filing for Unemployment Insurance (UI) benefits in a quick, efficient manner. Iowans who are eligible for UI benefits need to file a claim to receive this assistance.

The fastest, most efficient way is to apply for benefits online is by visiting www.iowaworkforce.org.

Eligibility Requirements

Not everyone will be eligible to receive UI

benefits. In order to receive benefits, you should:

- Be totally or partially unemployed
- Have lost your job through no fault of your own be able and available for work

- Have worked and earned a minimum amount of wages in work covered by UI tax during the past 18 months
- Be actively seeking work and registered for work at your local Iowa *WORKS* office (unless work search is waived). You can register for work online by using the Employment Registration Services application.

No matter how you file a UI benefit claim, you will need to have the following information available:

- Your social security number
- Your most recent employer's name, payroll address and telephone number of your recent employer
- The first and last date worked for your previous employer
- An alien registration number if you are
- NOT a U.S. citizen or permanent refugee
- A copy of your DD214, if you've served in the military during the past 18 months
- A Standard Form 8, if you've worked for the federal government in the past 18 months

What You'll Need to File a Claim

In order to file a claim online, you must:

- Not have an existing unemployment claim in any other state with money (benefits) still available
- Not have an existing Railroad UI claim with money still available
- Have an Iowa residence, if you've served in the military in the last 18 months
- live in Iowa if you've earned wages in more than one state in the past 18 months and you want those wages added to your claim
- Names of any dependents that you can

claim as exemptions on your federal income tax return. You may claim your spouse as a dependent if his/her gross wages were \$120 or less in the week prior to filing your claim.

(Self-employment does not count as gross wages for dependent purposes.)

For additional information or to better understand the eligibility requirements, you can read the *"Facts about Unemployment Insurance Guide"* on our website at www.iowaworkforce.org.

You may also get a copy of the guide by visiting your local Iowa *WORKS* office.

If you do not meet the criteria to file online, you can receive additional assistance for filing your claim at your local Iowa *WORKS* office.

Eligibility Requirements for Filing a UI Claim Online

[Preview is not available (conversion excluded for this file type).]

Message: FW: IA FY 2014 SQSP DRAFT Comments

Case Information:

Message Type: Exchange
 Message Direction: External, Outbound
 Case: IWD Senator Petersen Request - Version 3
 Capture Date: 7/10/2014 1:32:16 PM
 Item ID: 40861524
 Policy Action: Not Specified

Mark History:

Date	Action Status	Reviewer
7/22/2014 8:45:37 AM	Unreviewed	Koonce, Kerry
7/21/2014 5:23:29 PM	Reviewed	Koonce, Kerry

Policies:

No Policies attached

FW: IA FY 2014 SQSP DRAFT Comments

From Wilkinson, Michael [IWD] **Date** Tuesday, September 03, 2013 1:35 PM
To Belmonte, Steffanie - ETA
Cc

[FY 2014 SQSP Comments.doc](#) (64 Kb HTML)

Steffanie, I am really struggling with the Program Integrity Section of the comments. First of all, I cannot find the UI Integrity Measure – BYE score of 3.46% anywhere. As well, when I look at the BAM Annual Report data for 2012 by cause, BYE is second and Separation issues are first. The 2012 data is not on the website. I got it from our BAM staff. This plan needs a major overhaul. I will do my best.

From: Belmonte, Steffanie - ETA [mailto:Belmonte.Steffanie@dol.gov]
Sent: Monday, August 26, 2013 11:32 AM
To: Douglas, Jodi [IWD]
Cc: Wilkinson, Michael [IWD]
Subject: IA FY 2014 SQSP DRAFT Comments

We have put together some comments which are in the attached document. The comments provided, like the goals of SQSP, are to develop and implement strategies with continuous improvement. As a reminder, the final FY 2014 SQSP submission is due in the Regional Office by September 6, 2013. A current organizational chart must be submitted along with the transmittal of your completed SQSP. If you have any questions, please do not hesitate to contact me.

Thanks.

Steffanie Belmonte
 U.I. Program Specialist
 U.S. Department of Labor/ETA
 Chicago - Region 5
 (Ph) 312-596-5436 (Fx) 312-596-5401
belmonte.steffanie@dol.gov

U.S. Department of Labor	Employment and Training Administration REGION V <i>John C. Kluczynski Building</i> <i>230 South Dearborn Street, 6th Floor</i> <i>Chicago, IL 60604-1505</i> <i>http://www.doleta.gov/regions/reg05</i>

August 26, 2013

FY 2014 State Quality Service Plan - Iowa**Region V Comments****Narrative**

Overview - Part A: A few of the national priorities were not addressed in the narrative portion of the SQSP. Can the agency provide a brief update on those areas, improper payments, reemployment and worker misclassification? See UIPL 22-13 dated July 2, 2013.

Program Deficiencies – Part D:

It seems there are a number of program deficiencies missing from this section that should be listed.

Bullet No. 1, the agency mentions a separate project that is underway to more quickly identify potential overpayments in the weekly certifications. What is the separate project?

Reporting Deficiencies – Part E: The agency did not provide a narrative for the ar9057 or au9128 as required. Please have the agency provide an explanation as to why these reports were delinquent and what is being done to ensure that these reports will be submitted timely in the future. Please refer to page seven of the FY 2014 SQSP CAP letter issued on July 10, 2013 to the director.

Corrective action plans (CAPS)

General Comment: For those program areas that have a multi-year CAP, the multi-year CAP should provide enough information to explain anticipated progress and results but does not need to provide quarterly targets or milestones.

First Payment Promptness: Much of the summary is verbatim of FY 2013's summary. The summary format should be:

- a. Explain the reason(s) for the deficiency.
- b. A description of the actions/activities which will be undertaken to improve performance.
- c. If a plan was in place the previous fiscal year, an explanation of why the actions contained in that plan were not successful in improving performance, and an explanation of why the actions now specified will be more successful.
- d. A brief description of plans for monitoring and assessing accomplishments of planned actions and for controlling quality after achieving goals.

Based on the agency's quarterly performance levels, are the quarterly performance levels indicated achievable based on the issues identified in the summary?

Non-Monetary Determination Time Lapse:

Correct the Federal Fiscal Year at the top of CAP to – 2014.

Milestone No. 2; task d., which quarter will the policies and procedures be developed for conducting the silent monitoring?

Non-Monetary Determination Quality – Separations:

Correct the Federal Fiscal Year at the top of CAP to – 2014.

Lower Authority Appeals Case Aging-30D:

LAA 30D – 60%:LAA 45D – 80%:

Correct the Federal Fiscal Year at the top of CAP to – 2014 and the multi-year Appeals CAP to – 2015.

IA submitted a multi-year CAP for Case-aging and 30 and 45 day time-lapse. However, the CAP for all three measures show them meeting by the end of FY 2014 so it is not clear why there is a second year?

The summary states that the appeals workload did not decrease with the claims workload (and there is an anticipation of an increase in workload) but does not really address the barriers the agency is facing to meet the current workload requirements – staffing, attendance, training, inefficient processes.....? Has there been any analysis of what the max and minimum workload that should be completed weekly/monthly to address the backlog as well as addressing the potential for increased workload?

The business process analysis is a good start but does the unit do any analysis of reversal rates? Does IA review appeals prior to docketing to determine if a redetermination can be issued? What is the status of the development of the web-based appeal? Are there meetings or discussions between Appeals and Benefits staff to resolve differing legal interpretations? Has there been any analysis of cases over 90 days old? Over 40 days old? In June 2013 approximately 87 cases were over 90 days old. Clearing these old cases can really affect the case-aging measure. (Not all of this may be applicable but should be considered when developing the CAP.)

Milestone 1, task c, – IA is developing recommendations but what about the implementation plan?

Milestone 2, task a, – ETA shows that current caseload for ALJs in IA is 28-32 which is already the upper average for workload. Will there be (or has there already been) any type of analysis of if ALJs can handle an increased workload of hearings and writing quality decisions? In May 2013 according to regional records, IA had 15 ALJs completing 28-32 hearings per week. $15 * 32 * 4.3$ means that at best they should be completing 2064 decisions per month and at worst (with 5 folks out for sick/vacation per week) $10 * 28 * 4.3$ they should be issuing 1204 decisions per month. From January 2012 thru June 2013 IA issued decisions on a monthly average of 1249 – In May and June 2013 over 1300 decisions were issued.

Milestone 2, task b, – will the policy be implemented by the end of quarter ending 12/31? If so, only need a check mark for that quarter.

Milestone 2, task d, – what type of performance stats will also be tracked? Will there be weekly or monthly quality pulls separate from the required quarterly review to identify training needs and skills shortages? Reversal rate analysis?

If it is determined after reviewing the 2014 CAP that this needs to be a multi-year CAP, the 2015 CAP should provide enough information to explain anticipated progress and results but does not need to provide quarterly targets or milestones. It seems the plan is to meet the performance measures by the end of FY 2014 though.

New Employer Status Determination Time Lapse:

Correct the Federal Fiscal Year at the top of CAP to – 2014.

Remove the GPRA criteria from the Measure/Program Area.

The last sentence of the summary beginning with, “Although timeliness of new accounts beyond October 2013 will be timely, the backlog and prior performance will lower the overall measure.” The sentence is unclear. Will this process adversely (lower) affect the measure?

In the milestones, check only the quarter that the task will be completed.

Status Determination – New:

In the milestones, check only the quarter that the task will be completed.

Status Determination – Successor:

In the milestones, check only the quarter that the task will be completed.

Status Determination – Inactivation:

In the milestones, check only the quarter that the task will be completed.

As a milestone, list when the training will be conducted.

Cashiering:

In the milestones, check only the quarter that the task will be completed.

Consider adding controls that will ensure that the new process is delivering the desired effect.

Tax Quality – Collections:

The summary needs to be updated/current. Comments from 2009-2012 should be removed.

In the milestones, check only the quarter that the task will be completed.

Contributory Debits/Billings:

In the milestones, check only the quarter that the task will be completed.

Tax Quality – Reimbursable Billings:

The summary needs to be updated/current. Comments from 2009-2012 should be removed.

In the milestones, check only the quarter that the task will be completed.

Credits/Refunds:

The summary needs to be updated/current. Comments from 2010-2012 should be removed.

In the milestones, check only the quarter that the task will be completed.

Detection of Overpayments

Correct the Federal Fiscal Year at the top of CAP to – 2014 and the multi-year Detection of Overpayment CAP to – 2015.

In the summary, first paragraph with the sentence beginning, "Iowa applied for an SBR in July 2013 and will again in August 2014..." No SBR is offered yet for August 2014. Are the years correct?

Milestones

2. SIDES – Two tasks are identified, please indicate which quarter they will be completed.

3. Automation implementation – three tasks are identified, development is to begin in the 1st quarter but testing of the new application is also beginning in the 1st quarter. Will this be possible given IA's IT challenges? The third task is marked to be completed in all four quarters. Please indicate which quarter the task will be completed.

4. Prosecutions – the milestone was similar to FY 2013, what will the state do differently to meet this milestone? Please indicate which quarter each task will be completed. They are not lined up correctly.

5. Media Exposure – Please indicate which quarter task number 2 will be completed.

6. Deterrence Efforts - Two tasks are identified, please indicate which quarter they will be completed.

UI Integrity Measure – Benefit Year Earnings:

Overall CAP comment; line up the check marks with the task.

The first milestone; task c, please indicate which quarter the task will be completed or is it ongoing.

The second milestone; task d, please indicate which quarter the task will be completed or is it ongoing.

Correct the Federal Fiscal Year on the multi-year Benefit Year Earnings CAP to – 2015.

DATA VALIDATION-Summary Guidance

- a. Explain the reason(s) for the deficiency.
- b. A description of the actions/activities which will be undertaken to improve performance.
- c. If a plan was in place the previous fiscal year, an explanation of why the actions contained in that plan were not successful in improving performance, and an explanation of why the actions now specified will be more successful.
- d. A brief description of plans for monitoring and assessing accomplishments of planned actions and for controlling quality after achieving goals.

Tax DV Populations 2 & 4 CAP:

Correct the Federal Fiscal Year on the CAP to – 2014.

This CAP is the same as last years. The state should provide details as defined above in a., b. and c.

Tax DV Populations 5 CAP: This is a multi-year CAP (FY 2012 and 2014). This CAP must provide detail information as to what was accomplished last year, cause of any delays, etc.

Benefits DV Populations CAP:

Correct the Federal Fiscal Year on the CAP to 2014 and the multi-year Benefits DV CAP to – 2015.

This CAP is the same as last years. The state should provide details as defined above in a., b. and c. If the state has decided to use 6/30/13 as the validation quarter, why aren't any of the populations being submitted until the quarter ending 6/30/14?

Program Integrity Action Plan: Instructions provided in UIPL 22-13, Attachment C

Root Causes: the agency must list the top **three root causes of improper payments** in the state for the most recent IPIA period, however, the agency **must also include the percentage change for each cause compared to the prior year's IPIA rate**. The information can be located at the www.dol.gov website by state. According to the DOL website, Iowa's top three issues are BYE, Separation and Other Issues. The root causes listed in the agency's integrity plan must be corrected.

Example below:

	<u>2012</u>	<u>2011</u>	<u>Change</u>
Benefit Year Earnings	xx%	xx%	+/- xx%
Separation	xx%	xx%	+/- xx%
Other Issues	xx%	xx%	+/- xx%

The agency might want to consider addressing the outcome the Business Process Analysis and possibly include strategies that address improper payments in the program integrity action plan.

The summary should include outreach efforts planned by the agency to inform all UI and workforce staff of the strategic plan to ensure everyone understands the importance of maintaining program integrity. Has the agency conducted outreach efforts to all workforce staff?

Part D. Outcomes from Last Year's Strategies: The agency must include a brief summary of outcomes from last year's strategies, noting whether the strategy implementation was completed, indicating known results, and/or discussing delays or barriers that prevented completion of the strategy implementation. See instructions on page 8.

Strategy No. 1: What resources are being utilized, program staff, IT, etc.?

Strategy No. 5: It appears this strategy is completed. If so, remove from the integrity action plan and incorporate in the summary as an outcome from last year.

Strategies No. 3, 4, and 6: Does the agency have any new actions/activities beyond the 4th quarter 2013? If so, what are the new targets/milestones?

Suggestion, there are several ideas listed in Attachment C that the agency might want to consider for the FY 2014 Integrity Action Plan.

Steffanie Belmonte

belmonte.steffanie@dol.gov

312-596-5436

Message: LMI Budget Analysis

Case Information:

Message Type: Exchange
 Message Direction: Internal
 Case: IWD Senator Petersen Request - Version 3
 Capture Date: 7/10/2014 1:32:39 PM
 Item ID: 40861922
 Policy Action: Not Specified

Mark History:

Date	Action Status	Reviewer
7/22/2014 8:45:37 AM	Unreviewed	Koonce, Kerry
7/21/2014 5:22:28 PM	Reviewed	Koonce, Kerry

Policies:

No Policies attached

 **LMI Budget Analysis**

From Wilcox, Margaret [IWD] **Date** Friday, April 04, 2014 10:02 AM
To Koonce, Kerry [IWD]
Cc Burkett, Donna [IWD]; Murphy, Ryan [IWD]

 [BLS March SFY14.xlsx](#) (164 Kb HTML)

Attached is an updated Budget Analysis for your review and records (as of 04/03/14). Please let me know if you have any questions and/or comments. Thanks...Maggie

Margaret A. Wilcox
 Budget Analyst 3
 Financial Management
 Iowa Workforce Development
 1000 East Grand Avenue
 Des Moines, IA 50319
 515/281-5340 (phone)
 515/281-6046 (fax)
Margaret.Wilcox@iwd.iowa.gov

Wilcox, MargaretWilcox, Margaret:
 ARRA - State Energy Sector PartnerWilcox, MargaretWilcox, Margaret:
 \$2,780.14=SFY10Wilcox, MargaretWilcox, Margaret:
 MLSWilcox, MargaretWilcox, Margaret:
 CESWilcox, MargaretWilcox, Margaret:
 Variance RequestWilcox, MargaretWilcox, Margaret:
 ES-202Wilcox, MargaretWilcox, Margaret:
 Variance RequestWilcox, MargaretWilcox, Margaret:
 Funding EndedWilcox, MargaretWilcox, Margaret:
 \$3,600 Policy Council TravelWilcox, MargaretWilcox, Margaret:
 See Kerry's email dated 03/28/14Wilcox, MargaretWilcox, Margaret:
 UI Compensation/ServicesWilcox, MargaretWilcox, Margaret:
 UI Management (Support)Wilcox, MargaretWilcox, Margaret:
 LAUSWilcox, MargaretWilcox, Margaret:
 Variance RequestWilcox, MargaretWilcox, Margaret:
 OES BLSWilcox, MargaretWilcox, Margaret:
 Variance RequestWilcox, MargaretWilcox, Margaret:
 One Stop LMIWilcox, MargaretWilcox, Margaret:
 Did not use in '12 or '13Wilcox, MargaretWilcox, Margaret:
 North Carolina ALMIS
 Last Payment 11/2013 per Donna's email 8/22/13
 Wilcox, MargaretWilcox, Margaret:
 Wagner PeyserWilcox, MargaretWilcox, Margaret:
 Wagner PeyserWilcox, MargaretWilcox, Margaret:
 Workforce Data Quality Initiative
 Ends 10/31/2013Wilcox, MargaretWilcox, Margaret:
 Labor Market DiscretionaryWilcox, MargaretWilcox, Margaret:
 UI Management (Support)Wilcox, MargaretWilcox, Margaret:
 P & I FundsWilcox, MargaretWilcox, Margaret:
 Labor Survey TeamWilcox, MargaretWilcox, Margaret:
 Education OutcomesWilcox, MargaretWilcox, Margaret:
 Labor ShedWilcox, MargaretWilcox, Margaret:
 G10% Employer ContactsWilcox, MargaretWilcox, Margaret:
 Cost PoolWilcox, MargaretWilcox, Margaret:
 Longitudinal Data SystemsWilcox, MargaretWilcox, Margaret:
 TAA TrainingWilcox, MargaretWilcox, Margaret:
 Budgets may change after receive carryoverLABOR MARKET AND WORKFORCE INFORMATION DIVISION
 EMPLOYMENT STATISTICS
 Notes to Maggie:
 PROGRAM
 COST
 IFAS
 BUDGET
 GRANT
 \$
 PERCENT
 PERCENT
 Percent of
 Data Warehouse Spreadsheet
 NAME
 CENTER
 GRANT #
 AMOUNT
 \$ SPENT
 REMAINING
 SPENT
 REMAINING
 Time Remaining
 SESP - EG10
 SAEG
 PFEG/BREG
 GJ199085R
 11,12,13 plus 10
 MLS - ML13
 SAML
 12, 13, 14
 CES - CE13
 SACE
 \$.13 remaining due to rounding
 12, 13, 14
 ES-202 (QCEW) - ET13
 SAET
 \$24,888.39 of P&I to cover coverage
 12, 13, 14
 AAMC-QCEW - EA13
 SAEA
 12, 13, 14
 ESB - Statewide - Reemploy Connection Initiative- CI14
 SACI
 MI25158MJ0
 12, 13, 14, 15
 CES - CE14
 SACE

12, 13, 14, 15
 ES-202 (QCEW) - ET14
 SAET
 12, 13, 14, 15
 UI-SFY 14
 SAUC
 Unit Specific
 UI-SFY 14-RURAL COUNTY
 SAUM
 Unit Specific
 TOTAL:
 LABOR MARKET and ECONOMIC RESEARCH
 PROGRAM
 COST
 SFY2013
 IFAS
 BUDGET
 GRANT
 \$
 PERCENT
 PERCENT
 Percent of
 NAME
 CENTER
 Carryover
 GRANT #
 AMOUNT
 \$ SPENT
 REMAINING
 SPENT
 REMAINING
 Time Remaining
 LAUS - US13
 LMUS
 \$.14 of P&I to cover rounding
 12, 13, 14
 OES/BLS -EB13
 LMEB
 \$.02 remaining due to rounding
 12, 13, 14
 ONE STOP LMI PY12 - LN12
 LMLN
 ES22996KJ
 12, 13, 14
 ONE STOP LMI PY13 - LN13
 LMLN
 ES24615PK
 12, 13, 14, 15, 16
 LAUS - US14
 LMUS
 12, 13, 14,15
 OES/BLS -EB14
 LMEB
 12, 13, 14,15
 NC ALMIS DATABASE SFY14
 LMNC
 NC13&14 \$137,801
 NCALMIS
 \$157,500 payment 11/15/13
 Unit Specific
 Wagner Peyser
 LMWP
 SFY14
 Unit Specific
 TOTAL:
 Administrative
 PROGRAM
 COST
 SFY2013
 IFAS Grant #
 BUDGET
 GRANT
 \$
 PERCENT
 PERCENT
 Percent of
 NAME
 CENTER
 Carryover
 RECEIPTS
 AMOUNT
 \$ SPENT
 REMAINING
 SPENT
 REMAINING
 Time Remaining
 Wagner Peyser
 LWWP
 Running Over Budget - Discussed with Kerry an Kelly
 Unit Specific
 Workforce Data Quality Initiative - DQ11
 SADQ
 MI21171BW
 11, 12, 13, 14
 Other

SAPX-AAPX
 Unit Specific
 TOTAL:
 Performance Management Bureau
 PROGRAM
 COST
 BUDGET
 GRANT
 \$
 PERCENT
 PERCENT
 Percent of
 NAME
 CENTER
 AMOUNT
 \$ SPENT
 REMAINING
 SPENT
 REMAINING
 Time Remaining
 U.I.-SFY14
 ARUM

Unit Specific
 P&I-SFY14
 ARCM
 Unit Specific
 TOTAL:
 SURVEY TEAM
 COMMUNITY WORKFORCE RESEARCH AND DEVELOPMENT UNIT
 PROGRAM
 COST
 SFY2013
 SFY14
 BUDGET
 GRANT
 \$
 PERCENT
 PERCENT
 Percent of
 NAME
 CENTER
 RECEIPTS
 RECEIPTS
 AMOUNT
 \$ SPENT
 REMAINING
 SPENT
 REMAINING
 Time Remaining
 Labor Survey Receipts-SFY14
 AASV & LTSV
 Unit Specific
 Educational Outcomes Receipts-SFY14
 AAREO & LTFO
 Running Over Budget - Receipts - Discussed with Kerry and Kelly
 Unit Specific
 Labor Availability - Statewide - Reemploy Connection Initiative - CI14
 LTCI
 M125158QF0
 Dept of Ed Info and Policy Division - Mandatory Education Reporting
 LTMR
 DED Project-FY2014
 LTPS
 Unit Specific
 Labor Shed-Governor's 10% SFY14
 LTGC
 Unit Specific
 Rapid Response Cost Pool SFY14
 LTCP
 Unit Specific
 Dept of Ed. Outcomes
 LTOU
 Unit Specific
 Trade Act SFY14
 LTTT
 Unit Specific
 TOTAL
 SFY14, 15
 Closed
 SFY10,11,12, 13
 % \$ remaining < % time remaining => run out of funding
 SFY 11,12,13
 SFY14
 Only Pull SFY Data
 SFY13,14

Wilcox, MargaretWilcox, Margaret:
 ARRA - State Energy Sector PartnerWilcox, MargaretWilcox, Margaret:
 UI Compensation/ServicesWilcox, MargaretWilcox, Margaret:
 UI Management (Support)Wilcox, MargaretWilcox, Margaret:
 MLSWilcox, MargaretWilcox, Margaret:
 CESWilcox, MargaretWilcox, Margaret:
 CESWilcox, MargaretWilcox, Margaret:

Aug, 2014
 TOTAL
 Name
 Actual
 Actual
 Actual
 Actual
 Actual
 Actual
 Actual
 Actual
 Actual
 Actual
 UC13
 UC14
 Pers Serv
 In state travel
 Office Supplies
 Other Supplies
 Postage
 Communications
 Utilities
 Outside Serv
 Reim Agency
 ITD Reimbursement
 Other Exp
 TOTAL
 UI Orgn SAUM-F/Y 2014
 Class
 Class
 July -Aug., 2013
 Sept. 2013
 Oct., 2013
 Nov., 2013
 Dec., 2013
 Jan., 2014
 Feb., 2014
 Mar., 2014
 April, 2014
 May, 2014
 June, 2014
 July, 2014
 Aug, 2014
 TOTAL
 Name
 Actual
 Actual
 Actual
 Actual
 Actual
 Actual
 Actual
 Actual
 Actual
 Actual
 Actual
 Actual
 Actual
 Actual
 Actual
 Actual
 UC13
 UC14
 Pers Serv
 Instate travel
 Office Supplies
 Other Supplies
 Postage
 Communications
 Utilities
 Outside Serv
 Reim Agency
 ITD Reimbursement
 Other Exp
 TOTAL
 MLS 91253 Orgn SAML
 Class
 Class
 Oct., 2012
 Nov., 2012
 Dec., 2012
 Jan., 2013
 Feb., 2013
 Mar., 2013
 April, 2013
 May, 2013
 June, 2013
 Aug. 2013
 Sept., 2013
 Oct-Nov-Dec 2013
 TOTAL
 Name
 Actual
 Actual
 Actual
 Actual

Outside Serv
 Reim Agency
 ITD Reimbursement
 Data Processing Non-Inv
 Other Exp
 TOTAL
 DED PROJECT LTPS F/Y 2014
 Class
 Class
 July -Aug., 2013
 Sept. 2013
 Oct., 2013
 Nov., 2013
 Dec., 2013
 Jan., 2014
 Feb., 2014
 Mar., 2014
 April, 2014
 May, 2014
 June, 2014
 July, 2014
 Aug, 2014
 TOTAL
 Name
 Actual
 Actual
 Actual
 Actual
 Actual
 Actual
 Actual
 Actual
 Actual
 Actual
 Actual
 Actual
 Actual
 Actual
 Actual
 Actual
 Actual
 Actual
 PS14
 Pers Serv
 I/S Travel
 Office Supply
 Other Supplies
 Postage
 Communications
 Utilities
 Prof Serv
 Outside Serv
 Reim Agency
 ITD Reimbursement
 Data Processing Non-Inv
 Other Exp
 TOTAL
 Dept of Education Outcomes LTOU F/Y 2014
 Class
 Class
 July -Aug., 2013
 Sept. 2013
 Oct., 2013
 Nov., 2013
 Dec., 2013
 Jan., 2014
 Feb., 2014
 Mar., 2014
 April, 2014
 May, 2014
 June, 2014
 July, 2014
 Aug, 2014
 TOTAL
 Name
 Actual
 Actual
 Actual
 Actual
 Actual
 Actual
 Actual
 Actual
 Actual
 OU14
 OU13
 Month
 Pers Serv
 I/S Travel
 O/S Travel
 Office Supply
 Other Supplies
 Postage
 Communications
 Utilities
 Prof Serv
 Outside Serv
 Reim Agency
 ITD Reimbursement
 Data Processing Non-Inv
 Other Exp
 TOTAL

Dept of Education Mandatory Reporting LTMR F/Y 2014

Class
 Class
 Feb., 2014
 Mar., 2014
 April, 2014
 May, 2014
 June, 2014
 July, 2014
 Aug, 2014
 TOTAL
 Name
 Actual
 Actual
 Actual
 Actual
 Actual
 Actual
 Actual
 MR14
 Month
 Pers Serv
 I/S Travel
 Office Supply
 Other Supplies
 Postage
 Communications
 Utilities
 Prof Serv
 Outside Serv
 Reim Agency
 ITD Reimbursement
 Data Processing Non-Inv
 Other Exp
 TOTAL

Wilcox, Margaret
 Copied from I-3 Financial Document Description
 CDE Transfer from UI 12/10/13TOTAL SFY2012
 13LB2258008
 Carryover
 AAEO - Education Outcomes
 SFY13
 Date
 Document Number
 Amount
 Description
 INV# IATLEO-32
 KB12235003
 INV # IALTEO-33
 13LB2240009
 Western Iowa Tech CC - #0374990
 INV# IATLEO-34
 INV#IALTEO-36
 KB1233013
 INV # IALTEO-41
 INV#IATLEO-50
 KB13065013
 INV#ALTEO-52
 13CD3067001
 Bemis Co-#55570-2-21-13
 13CD3067001
 Hawkeye CC-#1157829-2-28-13-Professional Contract Svcs
 13CD3071002
 DMACC-#00556456-3-6-13
 13CD3077009
 NE Ia Comm College-#1145944-2-28-13
 13CD3085012
 UNI-#727354-1-28-13/Ed. Outcomes Research Report
 13CD3093008
 SE Comm College-#319198-3-18-13-Professional Services
 13CD3108009
 Univ. of Dubuque-#228744-2-6-13-IALTEO-44
 1310613282001
 INV#IATLEO-36 Electronic Records Using UI Wage Records
 13CD3140022
 Snyder & Assoc-#096674-5-9-13
 KB13168005
 IWD Inv #IALTEO-59 6/5/13
 13CD3213004
 Western Ia Tech-#0380235-7-19-13-Research
 Total SFY13
 14LB3259002
 Carryover from FY13 to FY14
 SFY14
 14CD3269006
 Wartburg College-#236078-9-12-13-Inv #Q062-461
 William Penn University Check #085908
 INV#IATLEO-62 Electronic Records using UI Wage Records
 14CD3352001
 DMACC-#00568396-12-11-13
 KB13357006
 Iowa WorkForce Dev Inv #IALTEO-67 12/20/13
 14CD4062002
 Central College-#255463-2-20-14-Inv #Q062471

14CD4083004
 Ia Valley CC-#315043-3-11-14
 1310614083001
 INV# IATLEO-73 Electronic Records using UI Wage Records
 KB14090001
 Iowa Workforce Inv # IALTEO-74 3/26/14
 Total SFY14

SFY14
 \$37,500/payment for a total of \$150,000

Date
 Document Number
 Amount
 Description
 1st Payment 3/31/14
 2nd Payment 6/30/14
 Total SFY2014

SFY15
 Date
 Document Number
 Amount
 Description
 1st Payment 9/30/14
 2nd Payment 12/31/14
 Total SFY2015

SFY2012
 AANC - North Carolina ALMIS

Date
 Document Number
 Amount
 Description
 11LE1257005
 Carryforward from SFY11
 12LB122012
 #4630511
 12LB1286008
 #4653390
 12LB1299010
 #4659047
 12LB1354009
 #4681205
 12LB2101017
 12LB2129009
 #4735227

TOTAL SFY2012

SFY13
 Date
 Document Number
 Amount
 Description
 13LB2258008
 Carryforward from SFY12
 13LB2290007
 #4781040
 13LB2338008
 #4789649
 13CD3156007
 St of Mn.-#52611080-5-13-13 Deed Admin
 13CD3163011
 St of Mn.#52619874-5-15-13-Deed Admin

Total SFY13
 13LB2258008
 Carryover from FY12 to FY13
 14LB3259002
 Carryover from FY13 to FY14

SFY14
 14CD3323005
 St of Mn.-#53185856-10-29-13-Deed Admin
 14CD3323005
 St of Mn.-#53195344-11-1-13-Deed Admin-Reim Travel for S. Siakhasone & D. Brown
 14BA4014003
 State of Minnesota - Ck #53294915
 Total SFY14

AAOU

SFY13
 Date
 Document Number
 Amount
 Description
 042213ML024
 CT008813 IA Workforce Development #1
 071913SH002
 CT008813 IA Workforce Development #2
 13LB3255002
 Transfer P&I to cover OUI3 expense
 091013SH005
 CT 008813 Invoice 3 June SFY 2013 Educational Outcomes Grant
 091713SH005
 CT 008813 Invoice 4 June SFY Final 2013 Educational Outcomes Grant
 Total
 SFY14
 102213SH009
 CT 015114 IA Workforce Development Invoice 1

102913SH007
 CT 015114 IA Workforce Development Invoice 2
 120313SH008
 CT 015114 IA Workforce Development Invoice 3
 121713SH003
 CT 015114 IA Workforce Development Invoice 4
 012714SH011
 CT 015114 IA Workforce Development Invoice 5
 022414SH006
 CT 015114 IA Workforce Development Invoice 6
 Total

SFY14
 14BP3275004
 Jul-Sep SFY14 Labor Shed DED Fund Draw
 14BP3346002
 Oct-Nov SFY14 Labor Shed DED Fund Draw
 14BP4080008
 Dec-Mar SFY14 Labor Shed DED Fund Draw
 Total

TOTAL SFY2011
 AASV - Labor Survey Team
 TOTAL SFY2012
 SFY12 Carryforward = \$136,190.62
 SFY13
 Date
 Document Number
 Amount
 Description
 13LB2222010
 Johnston Economic Development Corporation - #1595 - 8/6/12 - Inv#Q062407
 13LB2222010
 MidAmerican Energy Company - #436070 - 8/2/12 - Inv #Q062411
 13LB2230011
 Eastern Polk Regional Dev Inc - #3965 - 8/3/12 - Inv Q062-404
 13LB2230011
 Urbandale Development Association - #1151 - 8/8/12
 13LB2230011
 Washington Economic Development Group - #2647 - 8/14/12
 13LB2241010
 City of Des Moines - #000354329 - 8/14/12 - Laborshed Stud #Q062-403
 13LB2241010
 Monona County Economic Development - #2565 - 8/15/12 - Labor Shed Study Q062-414
 12LB2241030
 move AASV funds for refund - overpayment by Western Iowa Tech CC
 13LB2244009
 MEDIC Marshall Economic Development Impact Committee - #5879 - 8/20/12
 13LB2249008
 City of Ankeny - #184925 - 8/20/12 - 2012 Labor Shed Survey
 13LB2251007
 MidAmerican Energy Company - #445169 - 8/27/12
 13LB2257009
 Jones County Economic Development Commission #1050-9/5/12-InvQ062-412
 13LB2264008
 DCDC-First Central State Bank Counter Check 9/10/12
 13LB2269008
 Greater Dallas County Develop Alliance - #3636-Inv#Q062-408
 13LB2270006
 Jones County Economic Development Commission #1055-9/19/12-InvQ062-423
 13LB2278007
 The Siouxland Initiative-#5899-9/24/12-Inv#Q062-422
 13LB2286009
 MidAmerican Energy Company - #457443 - 10/3/12 -Inv#Q062424
 13LB2286009
 MidAmerican Energy Company - #457444 - 10/3/12 - Inv#Q062425
 13LB2289006
 Greater Dubuque Development Corp - #5567 - 9/30/12
 13LB2325012
 Region XII Council of Governments Inc - #78559 - 11/9/12 - AASV
 13LB2342013
 MidAmerican Energy Company - \$477131 - 11/29/12
 13LB2353008
 MidAmerican Energy Company - #480857 -12/1/12 - Inv #Q062429
 13LB2353008
 MidAmerican Energy Company - #480857 -12/1/12 - Inv #Q062430
 13LB2362008
 Central Iowa Power Cooperative - #94367 - 12/20/12
 13LB2362008
 Washington Economic Development Group - #2663- 12/7/12
 3095113363001
 Iowa Lakes Corridor Dev. #291463
 30951133363002
 Greater Des Moines Partnership #297142
 3095113001001
 Quad Cities Chamber of Commerce #509742
 13LB3015008
 Buchanan County Economic Development - #4239-1/2/13
 13LB3015008
 Jasper County Economic Development Corp - #2525-1/3/13
 13LB3016010
 DMACC - #00554156 - 1/9/13
 13LB3016010
 Kirkwood CC - #1394710 - 1/11/13
 13LB3018011

Iowa County Economic Development Commission - #1063-1/10/13-Inv #Q062-437
13LB3023010
Cedar Rapids Metro Economic Alliance - #38092 - 1/17/13
13LB3023010
Washington Economic Development Group - #2667 - 1/9/13
13LB3025008
Iowa City Area Development group Inc. - #1017 - 1/18/13
13CD3037009
Greater Council Bluffs Region/#1049/1-22-13Partnership Funding
13CD3042008
City of Tipton-#051110-1-30-13/Laborshed study payment
13CD3044007
Alliant Energy Corp-#1000082585-1-18-13/Laborshed
13CD3059008
Buchanan Cty Eco Dev.-#4092-2-18-13-Laborshed Study 2011
13CD3085012
Area XV RPC-#16663-3-21-13/Fringe Benefit Analysis
13CD3085012
Area XV RPC-#16663-3-21-13/Laborshed
13CD3085012
Clinton Regional Dev Corp-#7443-3-12-13/Laborshed Analysis
13CD3108004
Kirkwood Comm College-#1405912-4-12-13-Misc Exp.
13CD3108009
Univ of Ok.#106536053-4-9-13-Econ Dev
13CD3113012
Benton Dev #6072/4-10-13 Laborshed Study
13CD3140022
Area XV RPC-#6732-5-8-13
13CD3140022
Kirkwood CC-#1407318-5-10-13
13CD3155011
Mid-Ia Growth Partnership-#1266-5-23-13
13BP3199001
Agricultural Worker Survey
13CD3200003
Benton Dev Group-#6087-7-9-13
13CD3203005
Indian Hills CC-#00329253-6-26-13-AASV
13CD3213003
Buchanan Cty Economic-#4120-7-22-13-Promo & Marketing
13CD3213003
Grimes Chamber & Economic-#452-7-12-13-Laborshed
13CD3213003
Region XII-Council-#80014-7-19-13-Contracted Services
13LB3227008
City of New Hampton - #37624 - 8/6/13 - Inv #Q062-350 - Laborshed Study for Chickaway Co
Total SFY2013
14LB3259002
Carryforward from SFY13 to SFY14
SFY14
14LB3246003
Ames Economic Development Commission - #009261 - 8/16/13 - Inv Q-62-459 Laborshed Survey
14LB3246003
Tama County Auditor - #331362 - 8/19/13 - Inv Q-62-460 Laborshed Survey
14CD3254003
Buchanan Cty Economic Dev-#4124-8-23-13-Promo & Marketing
14CD3287004
Buchanan Cty Eco Dev-#4246-9-20-13-External Consulting
14CD3323007
Buchanan Cty Eco Dev-#4254-10-22-13-Laborshed Study 2011
14CD3323007
MidAmerican-#590125-11-8-13-Laborshed Study
14CD3350005
Univ of Ok-#106769466-12-4-13-Nissen Fall 2013-Claim #0000363128
14LB3357014
Southeast Iowa Regional Planning Commission check that received in 2010; Kelly: use SV14 instead of reopening SV10; was a UI check
14CD3357003
Cass Atlantic Dev Corp-#3161-12-13-13-Laborshed Survey
14CD4006005
MidAmerican Energy-#605873-12-18-13-Laborshed Study of Western Iowa
14CD4021003
Greater Muscatine Chamber of Commerce-#16762-1-9-14-Ref #Q062-462
14CD4040003
BH Iowa Gas Utility Co LLC-#0000715095-12-18-13-AASV
14CD4062002
Mid-American-#626315-2-24-14-Research & Analysis
14CD4076002
SWCC-#249714-3-7-14-Laborshed
Total SFY2014

Message: FW: FY2012 Tripartite BTQ Review in San Francisco**Case Information:**

Message Type: Exchange
 Message Direction: Internal
 Case: IWD Senator Petersen Request - Version 3
 Capture Date: 7/10/2014 1:31:37 PM
 Item ID: 40860796
 Policy Action: Not Specified

Mark History:

Date	Action Status	Reviewer
7/22/2014 8:45:37 AM	Unreviewed	Koonce, Kerry
7/21/2014 5:23:29 PM	Reviewed	Koonce, Kerry

Policies:

No Policies attached

✉ FW: FY2012 Tripartite BTQ Review in San Francisco

From Wilkinson, Michael [IWD] **Date** Tuesday, June 05, 2012 5:43 PM
To Andre, Michele [IWD]
Cc

[San Francisco Review.doc](#) (149 Kb HTML)

From: Fiore, Lidia - ETA [mailto:fiore.lidia@dol.gov]
Sent: Tuesday, June 05, 2012 4:57 PM
To: Shenk, Jim [IWD]; Prado, Manuel; Carol Robinson; Lepper, Janet; LeAnn Raymond
Cc: Wilkinson, Michael [IWD]; DeMore, Frank; ArwoodS@michigan.gov; Backer, Gracia; Sara.Hall-Phillips@jfs.ohio.gov
Subject: FY2012 Tripartite BTQ Review in San Francisco

State BTQ Coordinators,

As you are aware, the BTQ Cross Regional Review will be held in San Francisco the week of August 6, 2012. Attached is detailed information concerning the review. Please share this information with appropriate staff. Also, please submit to me by July 6, 2012, the names, email addresses, and telephone numbers of the staff selected to participate in the review.

Please let me know if you have any questions.

Best regards,

Lidia Fiore
 Unemployment Insurance Program Specialist
 U.S. Department of Labor
 Employment & Training Administration
 Region 5- Chicago
 230 S. Dearborn St., 6th Floor
 Chicago, IL 60604
 312.596.5432
fiore.lidia@dol.gov

<i>U.S. Department of Labor</i>	<i>Employment and Training Administration</i>
	<i>REGION V</i>
	<i>John C. Kluczynski Building</i>
	<i>230 South Dearborn Street, 6th Floor</i>
	<i>Chicago, IL 60604-1505</i>
	<i>http://www.doleta.gov/regions/reg05</i>

June 5, 2012

TO: REGION V STATE BTQ COORDINATORS:

Iowa: Jim Shenk

Illinois: Manuel Prado

Michigan: Carol Robinson

Missouri: Janet Lepper

Ohio: LeAnn Raymond

SUBJECT: FY 2012 TRIPARTITE BENEFITS TIMELINESS AND QUALITY REVIEW

1. **Purpose.** To announce the San Francisco Cross-Regional 2012 Tripartite Benefits Timeliness and Quality (BTQ) Review for the quarter ending June 30, 2012.

2. **Background.** ET Handbook No. 301 mandates quarterly nonmonetary determinations quality reviews. Annually, the Regional Office participates in one of each State's quarterly nonmonetary review through a multi-State review. This multi-State review allows participants to observe other State Workforce Agencies' (SWAs) UI nonmonetary determination adjudication process, identify best practices, and satisfy review requirements.

The Regional review team, comprised of up to two SWA staff from each State, along with ETA - Regional and National Office staff, will utilize the review methodology prescribed in Employment and Training Administration (ETA) Handbook 301, Fifth Edition. Review participants will analyze nonmonetary determinations for adequacy of fact-finding and rebuttal, application of law and policy, and quality of the written determination. Accordingly, individuals participating in the review must have a thorough knowledge of the nonmonetary determination adjudication process and the Quality Program Initiative. Participants in this review are afforded a unique opportunity to observe other state's unemployment insurance nonmonetary determination, and adjudication process in great detail. This exposure can be a useful experience in staff training and development.

3. **Travel Costs.** Funds will be allocated for all travel for up to two SWA staff from each state in connection with this BTQ review.

4. **Logistics.**

Review Dates: The review will be conducted during the week of August 6, 2012. **The review will start at 11:00 a.m., Monday, August 6, 2012 and conclude at noon on Friday, August 10, 2012.**

Review Location: The review will take place in the Conference Center (basement level) of the San Francisco Federal Building at 90 Seventh Street, Rooms B020 – B040, San Francisco, CA 94103.

Accommodations: Participants are responsible for making their own hotel reservations. The government rate for the San Francisco area is \$155.00 per night, plus 15% tax.

Please check with the hotel about their cancellation policy.

Ground Transportation: Taxi and airport shuttle services are available from Oakland and San Francisco airports. Taxi fees range from \$50 to \$60 one way, depending on the airport. Airport shuttle fees (www.supershuttle.com) range from \$17 to \$25 one way and may require longer travel time than taxi transportation.

5. **Case Submission.** SWAs will select their normal quarterly sample for the quarter ending **June 30, 2012**. An initial review of each sample case must be completed prior to arrival in San Francisco.

Participants should bring ETA Handbook 301, Fifth Edition, two completed copies of the check list (attached to this memorandum), the

randomly selected cases, additional Data Collection Instruments (DCIs) (attached to this memorandum), sample copies of automated correspondence, the computer run used for sample selection, and a copy of your State’s UI laws and policies.

Each case selected for review must be assembled into a case file. The case file, depending on the issue adjudicated, should contain a copy of, but not limited to

- Initial/additional claim, if applicable.
- Separation notice, if applicable.
- The formal written determination.
- Fact finding documentation and other relevant documentation such as a medical certificate, notice of refusal of suitable work or referral to work from either the Employment Service or an employer, pension information, alien verification documentation from INS, etc.
- Printout of claim history records with items highlighted on the printouts that are pertinent to the data collection and quality review.
- Two state agency calendars.
- Bring completed score sheets from the first in-house review, with the DCI initialed by the first reviewer in a separate file.
- The case selection printout used to validate the quality sample and information on the DCI.

States who will be mailing their cases to the review site in advance should use a mail service that includes a **tracking number** to ensure proper and timely delivery. Please plan to have your cases arrive by **August 3, 2012**. Materials should be sent to the following address:

Marie Brillante

U.S. Department of Labor, ETA
90 Seventh Street, Suite 17300
San Francisco, CA 94103

Please make sure if you are shipping packages that they are labeled properly.

I am also attaching the BTQ Scoring Summary Sheet. At the end of the San Francisco review, I will need the form completed and returned to me.

6. Action. The state BTQ Coordinators are requested to share this information with appropriate staff and to submit the names, email addresses, and telephone numbers of the staff selected to participate in the review to Lidia Fiore on or before **July 6, 2012**.

7. Contact. Please direct questions or comments about the BTQ review to Lidia Fiore, (312)596-5432, fiore.lidia@dol.gov.

Attachment

Check list for BTQ Cross-Regional Tripartite Reviews

Initial/additional claim, if applicable;
Separation notice, if applicable;
The formal written determination;
Fact finding documentation, and other relevant documentation such as doctor’s certificate, notice of refusal of suitable work or referral to work from either the
Employment Service (ES) or an employer, pension information, alien verification documentation from INS, etc.;
First and second score sheets for each case completed with the skeletal fields?
Printout of claim history records, including monetary history with items <u>highlighted</u> on the printouts that are pertinent to the data collection and quality review;
The score sheet from the first review. (First reviewer should initial DCI for use in discussion of the case, if it becomes necessary);
Remove first review score sheets from case file; and keep in separate file.
Bring at least 2 calendars from your agency.
Generic (sample) Copies of automated notices/letters;

Appeal Information that may be referred to on the determination;
Claimant Handbook;
Copy of BRI information;
Additional Score sheets;
Completed attachment #3
Appeal Precedent
State law and written policy
Sample Selection Computer Run

State _____

ELIGIBILITY AND DISQUALIFICATION PROVISIONS

1. When is a written determination to employers required?
2. If the employer response with separation information is not received on time, what affect does this have upon the information?
3. What is the policy regarding use of phone and mail to obtain additional information?
4. If protest is returned by the employer representative (agent) rather than the employer, does this preclude subsequent direct contact with the employer?
5. In separation cases not clearly voluntary leaving or discharge for misconduct, is the moving party concept used?
6. Explain how the reasonable and prudent person standard is used in separation cases, e.g. was it necessary to know if the claimant exhausted all available alternatives prior to quitting.
7. Is the disqualification based on separation from the most recent employment only?
8. If yes, what is considered the most recent employment?
9. Is the disqualification based on separation from all employers within the specified period?
10. Is disqualification based on all employers who would be charged?
11. What is the law or policy covering reporting requirements for claimants?

DISCHARGE FOR MISCONDUCT

1. What is the disqualification period?
 2. Is there a more severe disqualification for gross misconduct?
- Period of disqualification-
3. What is the policy regarding failure to comply with union requirements?

ABLE AND AVAILABLE

1. What is State law and policy regarding claimants being able and available for work?
2. Does law require actively seeking work?
3. What is law and policy regarding temporary illness or disability?
4. Explain special policy provisions for:
 - a. Physically able? (reduced benefits, majority of claim week)

- b. Mentally able?
- c. Availability in specific geographical areas?
- d. Availability under special conditions?
 - i. Attending school –
 - ii. Death in family
 - iii. Funerals
 - iv. Work search in other areas
 - v. Out of town on visit and seeking work
 - vi. Jury duty
 - vii. Working on on-call basis
 - viii. Fulfilling military obligations (National Guard, Reserves)
- e. Availability when?
 - i. Involuntarily retired -
 - ii. Temporary layoff -
 - iii. Involuntary vacation –
 - iv. Vacation shutdown –

VOLUNTARY QUIT

1. What is your policy on the following voluntary quits?

Marital?

Domestic?

To accompany spouse?

To seek other work?

To accept other work?

To enter armed forces?

To enter self employment?

Mandatory retirement?

Voluntary retirement?

Medical reasons?

To go to school?

2. Do any of the above require payment or denial of benefits under all circumstances, without exception? Indicate which ones.
3. Indicate any other State policies not listed above which also require a specific result, without exception?
4. Is good or just cause related to the work or can good cause be related to personal circumstances?
5. What is policy on recall to regular employer?
6. What is policy on separation during leave of absence?
7. Are disqualifications for:
 - a. Indefinite period (such as period of the employment)?
 - b. Fixed number of weeks?
 - c. Variable number of weeks?
 - d. Benefits reduced?
 - e. Receipt of OASI
 - f. special conditions?
 - i. Shift work –
 - ii. Prisoner in penal institution –
 - iii. On bona fide vacation –
 - iv. Marital obligations-

REFUSAL OF WORK

1. State any criteria used in addition to mandatory Federal standards regarding suitability of work.
 - a. Wages –
 - b. Distance –

- c. Type of work and conditions
- d. Hours –
- e. Offered work previously separated from or refused –

2. Is there any specified point of time during the claim series when the criteria change for any of the above? Explain.
3. Is a job refusal prior to filing a new claim an issue?

Period of disqualification –

4. What is State policy when the reason for refusing also suggests unavailability because of a restriction that substantially reduces claimant’s employability, i.e. wages, travel, hours? Does the State impose a separate disqualification under A&A also?

NONMONETARY DETERMINATIONS QUALITY DATA COLLECTION INSTRUMENT			
1. IDENTIFICATION # 00000 (5-digit sample sequence) (skeleton field)			
2. ISSUE CODE (2-digit code) (skeleton field)			
3. CASE MATERIAL FOUND? (Y/N) (If "N", remaining elements are left blank)			
4. DATE ON DETERMINATION: (mmddyyyy) (skeleton field)			
5. CORRECT DATE ON DETERMINATION? (Y/N)			
6. CORRECTED DATE ON DETERMINATION: (mmddyyyy)			
7. CORRECT ISSUE CODE? (Y/N) (If "Y", then item 8 is blank)			
8. IF ITEM 7 IS "N", ENTER THE CORRECT CODE FROM BELOW. (If no issue existed, enter "00"; if a nonmonetary redetermination, enter "01")			
SEPARATION	NON-SEPARATIONS		MULTI-CLAIMANT
10 Quit	30 Able/Available	80 School Employee	90 Labor Dispute
20 Discharge (MC)	31 Reporting Requirements	81 Alien	99 Multi-Claimant (Other)
	40 Work Search	82 Athlete	
	50 Disq/Ded. Income	83 Unemployment Status	
	60 Refusal of Work; Failure to Apply/Accept Referral	84 Seasonality	
	70 JS Registration	85 Removal of DQ	
	73 Profiling	86 Fraud Administrative Penalty	
9. INTRASTATE CLAIM? (Y/N)			
10. PROGRAM TYPE: UI UCFE UCX			
11. NONMONETARY DETERMINATION OUTCOME: <u>A</u> LLOWED <u>D</u> ENIED			
12. OUTCOME REPORTED CORRECTLY? (Y/N)			
13. SWA USE ONLY			
14. W/E DATE OF FIRST WEEK AFFECTED BY DETERMINATION: (mmddyyyy) (skeleton field)			
15. CORRECT WEEK ENDING DATE? (Y/N)			
16. CORRECTED WEEK ENDING DATE (blank if item 15 is "Y"): (mmddyyyy)			
17. ISSUE DETECTION DATE: (mmddyyyy)			
18. CORRECT ISSUE DETECTION DATE? (Y/N)			
19. CORRECTED ISSUE DETECTION DATE (blank if item 18 is "Y"): (mmddyyyy)			
20. CLAIMANT INFORMATION: <u>A</u> dequate=15, <u>I</u> nadequate=10, <u>N</u> ot Obtained=0			
21. EMPLOYER INFORMATION: <u>A</u> dequate=15, <u>I</u> nadequate=10, <u>N</u> ot Obtained=0, <u>NA</u> (<u>X</u>)=15			
22. INFO/FACTS FROM OTHERS: <u>A</u> dequate=15, <u>I</u> nadequate=10, <u>N</u> ot Obtained=0, <u>NA</u> (<u>X</u>)=15			
23. LAW/POLICY: <u>M</u> eets=45, <u>Q</u> uestionable=30, <u>D</u> oes not meet (W)=0			
24. WRITTEN DETERMINATION: <u>A</u> dequate=10, <u>I</u> nadequate=5, <u>W</u> rong (W)=0 (If "W" then #23 cannot be "M")			

COMMENTS**

Claimant Information	Adequate/15	Inadequate/10	Not Obtained/0	Not Applicable/15
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Comments:

Employer Information	Adequate/15	Inadequate/10	Not Obtained/0	Not Applicable/15
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Comments:

Facts From Others	Adequate/15	Inadequate/10	Not Obtained/0	Not Applicable/15
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Comments:

Law & Policy	Meets/45	Questionable/30	Does Not Meet/0
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Comments:

Written Determination	Adequate/10	Inadequate/5	Wrong/0
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Comments:

BTQ Scoring Summary		
Review for Quarter Ending: _____		
State: _____ Sample Size _____		
	State Review Score <i>(Before BTQ Review)</i>	Cross Regional Review—Final Score <i>(After BTQ Review)</i>
Total Separations Passing		
Total Separations Failing		
Total Invalid Separations		
Incorrect Issue Detection Dates		
SEP Score % <small><i>(total SEPs passing/total SEPS passing and failing)</i></small>		
Case ID	Explanation of Score Change (pass to fail <i>or</i> fail to pass)	
	State Review Score <i>(Before BTQ Review)</i>	Cross Regional Review—Final Score <i>(After BTQ Review)</i>
Total Non-Separations Passing		
Total Non-Separations Failing		
Total Invalid Non-Separations		
Incorrect Issue Detection Dates		
Non SEPS Score % <small><i>(total nonSEPs passing/total nonSEPS passing and failing)</i></small>		

Message: FW: PPN of vacation pay & overpayment cases due to scanning backlog, re CLT Trevor Bulten, #01505 & 01506.jt**Case Information:**

Message Type: Exchange
 Message Direction: Internal
 Case: IWD Senator Petersen Request - Version 3
 Capture Date: 7/10/2014 1:32:43 PM
 Item ID: 40862011
 Policy Action: Not Specified

Mark History:

No reviewing has been done

Policies:

No Policies attached

✉ FW: PPN of vacation pay & overpayment cases due to scanning backlog, re CLT Trevor Bulten, #01505 & 01506.jt

From Wilkinson, Michael [IWD] **Date** Monday, March 03, 2014 12:10 PM
To Boten, Brenda [IWD]; Eklund, David [IWD]; West, Ryan [IWD]
Cc

Do we have temps that are not very busy? I can use them in scanning.

From: Hillary, Teresa [IWD]
Sent: Monday, March 03, 2014 11:20 AM
To: Wilkinson, Michael [IWD]
Cc: Wahlert, Teresa [IWD]; Timberland, James [IWD]
Subject: FW: PPN of vacation pay & overpayment cases due to scanning backlog, re CLT Trevor Bulten, #01505 & 01506.jt

Mike,

How goes the scanning backlog. As you can see below, appeals continue to have have ALJs who cannot hear and decide a case due to missing documents. Can you give me any ETA on scanning catch up so I can pass that information on the ALJs?

Thank you,
 Teresa H

From: Timberland, James [IWD]
Sent: Monday, March 03, 2014 11:18 AM
To: Benson, Joni [IWD]
Cc: Hillary, Teresa [IWD]
Subject: PPN of vacation pay & overpayment cases due to scanning backlog, re CLT Trevor Bulten, #01505 & 01506.jt

Joni,

Please reschedule and send new notice. The 30-day deadline is 3/13/14. The 45-day deadline is 3/28/14.

These cases were set for 11 and 11:05 today.

The need for the reschedule is based exclusively on the backlog in scanning supporting documents onto the agency's server. The issue in the first case deductibility of vacation pay. I cannot decide that type of case without the supp docs, since the info the employer provided at the lower level, and timeliness of that information, are factors the law requires me to consider when deciding the case. The second case is the related overpayment. The outcome of the second case hinges on what happens with the first.

Thanks.

James

Message: Reply to the Iowa Benefit Payment Control response dated 12-23-13

Case Information:

Message Type: Exchange
Message Direction: External, Outbound
Case: IWD Senator Petersen Request - Version 3
Capture Date: 7/10/2014 1:32:20 PM
Item ID: 40861608
Policy Action: Not Specified

Mark History:

No reviewing has been done

Policies:

No Policies attached

 **Reply to the Iowa Benefit Payment Control response dated 12-23-13**

From Wilkinson, Michael [IWD] **Date** Thursday, January 23, 2014 6:50 PM
To oss.etar5@dol.gov
Cc Belmonte, Steffanie - ETA; Eklund, David [IWD]

 [COMPLIANCE FINDINGS 9-13.docx](#) (28 Kb HTML)

Steffanie, we should probably talk more about timelines as we will not be able to satisfy the findings immediately.

COMPLIANCE FINDINGS

Finding #1: ETA 9016 Report – Reporting Errors and Validity of Data

(Part II – Detection of Overpayments)

The ETA 9016 Alien Claims Activities Report is designed so ETA and the state can monitor an alien's immigration status that will allow them to determine the alien's eligibility for unemployment compensation. To facilitate the required verification, the Immigration and Naturalization Service (INS), developed the Systematic Alien Verification for Entitlement (SAVE) system. The information provided on the report assesses the magnitude of alien claims and issues affecting eligibility; make decisions as to the appropriateness and value of state use of the SAVE system; and determine whether a state's administrative costs associated with SAVE are reasonable.

The data on the ETA 9016 Reports submitted was incorrect and does not accurately reflect the information obtained from SAVE about an alien's immigration status that will allow the determination of the alien's eligibility for unemployment compensation. The reporting issues identified were:

Line 2, Number of Claimants Whose Alien Status was Verified through the INS Primary System, the state is not verifying every new and additional claims filed during the quarter where the claimant indicated or was otherwise discovered not to be a citizen of the United States through the SAVE system.

Required Action: The state must verify alien status of every new and additional claim through the SAVE system. The state must ensure all data is corrected and resubmitted as required in the ET Handbook No. 401, Unemployment Insurance Reports Handbook. The state should also assess whether internal policies or procedures need to be updated, and whether training is needed to ensure this requirement is fulfilled on a consistent basis.

Response: The Unemployment Insurance Service Center (UISC) has identified and trained a workforce advisor to query SAVE, follow-up with the claimant on discrepancies, and disqualify the claimant if warranted. The person was trained in early September and started conducting verification approximately September 18, 2013. Going forward 100% of all new and additional claims will be verified.

DOL-ETA Response of 12-23-13: The corrective plan outlined in the IWD's response is acceptable. The finding will be fully resolved when the IWD amends the quarterly reports for 2011, 2012, and the first three quarters of 2012 and submits the corrected data on the ETA 9016 Alien Claims Activities Report.

IWD Response of 1-23-14: IWD will pursue one of two strategies to address this request; 1) IWD will attempt to secure an experienced IWD retiree on a temporary basis or hire and train some other temporary employee, or 2) pull staff from current activities starting March 2014. Michael Wilkinson, Division Administrator will keep the DOL-ETA Regional Office staff informed on which course of action will be employed and when they should expect the amended reports.

Finding #2: Immediate Deposit and Withdrawal Standards

(Part V – Prosecutions)

Claimants prosecuted for UI fraud are ordered to make restitution via wage garnishment facilitated through the 99 county sheriffs' offices. The sheriffs' offices will hold the garnished wages until the full amount requested is recovered or the maximum amount is garnished for the calendar year under Iowa law. The sheriffs' offices then forward the funds to IWD. There is no uniform system by which these 99 county sheriff's offices submit restitution payments to the state; the process varies from county to county. Under this process, the payments are not forwarded to the state in a timely manner. Withholding of moneys destined for the state is contrary to the mandates put forward in the Unemployment Insurance Program Letter (UIPL) No. 22-96 The Immediate Deposit and Withdrawal Standards.

The Unemployment Insurance Program Letter (UIPL) No. 22-96 The Immediate Deposit and Withdrawal Standards clearly delineates the responsibility of state agencies to deposit moneys designated for the Unemployment Trust Fund (UTF) to be deposited in a timely manner. The UIPL indicates in part..." Section 3304(a)(3), FUTA, requires as a condition of

employers in a State receiving credit against the Federal unemployment tax, that:

All money received in the unemployment fund shall...immediately upon such receipt be paid over to the Secretary of Treasury to the credit of the Unemployment Trust Fund established by Section 904 of the Social Security Act.

This "immediate deposit" requirement is also found in Section 303(a)(4), SSA, as a condition for a State receiving administrative grants. The UIPL continues:

When Moneys Become Part of a State's Unemployment Fund. Moneys need not be in any of the three main parts to be in the fund. The exact time moneys become part of the State's unemployment fund is statutorily controlled by the immediate deposit requirement which requires the payment by the State of "all money received in the unemployment fund...immediately upon such receipt" to the Secretary of Treasury to the credit of the UTF.

The Department interprets the phrase "received in the unemployment fund" to mean that any money received for purpose of the trust (i.e., the payment of UC) is "in" the State's unemployment fund at the instant of its receipt by the State or its agent. This interpretation assures that transfers of moneys in a State's possession are not delayed, thereby giving effect to the immediate deposit requirement that all moneys be immediately paid over to the UTF and assuring the beneficiary has forwarded moneys to the trustee for investment.

Required Action: The state must put in place policy and procedures with the county sheriffs' offices to facilitate the return of UI moneys to the UTF.

Response: As a point of clarification, garnishments are not used for prosecutions. Restitution is a condition of the settlement and paid immediately to IWD. Garnishments were used in fraud and non-fraud overpayments that were not subject to prosecution.

As well it should be pointed out that the Sheriff's office is not an agent of IWD. Garnishments are sent through the county clerk of court, who in turn uses the county sheriff to deliver the notice. Garnishments can only be released to IWD through an order of the court.

In early September 2013, IWD made the decisions to temporarily cease garnishments, request the outstanding collections from the respective clerk of court, and balance the debt in preparation for sending a request for recovery through the Treasury Offset Program (TOP). As we are limited in the amount we can recover annually from an individual through garnishments, we will wait to evaluate the efficacy of garnishments following our recovery efforts through TOP and State income tax (I-Tax). There are a small number of counties that will immediately turn over garnishments, however the vast majority retain the garnishment until the order is fulfilled. There is no policy/procedure we can make with the sheriff's office, or individual county courthouses. The funds are released to us only after we file an "Application to Condemn Funds" with the respective court, and that court files an order granting our Application. No policy or procedure with the sheriff's office, nor the individual county courts will alter this. It is required by law, as is what specifically has to be stated in the Application and what notices need to have been given.

DOL-ETA Response 12-23-13: Resolved

Finding #3: ETA 227 Report - Reporting Errors and Validity of Data

(Part VIII – Maintenance and Evaluation of Administration Data)

The ETA 227 Overpayment Detection and Recovery Activities Report is designed so ETA and the state can monitor the integrity of the benefit payment processes in the UI system. The principal detection areas of benefit payment control are shown on the report. Data are provided for the establishment of overpayments, recoveries of overpayments, criminal and civil actions involving overpayments obtained fraudulently, and an aging schedule of outstanding benefit overpayment account. The recorded data is reviewed to assure that the state's system is operating in an efficient and cost effective manner and meets the requirements in accordance with Section 303(a)(6), SSA, requires:

"the making of such reports, in such form and containing such information, as the Secretary of Labor may from time to time require, and compliance with such provisions as the Secretary of Labor may from time to time find necessary to assure the correctness and verification of such reports"

The data on the ETA 227 Report submitted was incorrect and does not accurately reflect the activities that the state is undertaking to establish and recover overpayments. Because the state has not programmed the updated version of the ETA 227 Report in accordance with UIPL No. 08-12 Consolidation of the Employment and Training Administration (ETA) 9000 and ETA 227 Reports issued on January 11, 2012, the coding issues identified were:

- Section A. Overpayments Established – Causes; Line 112, High Dollar Fraud Overpayments, the line is not populated to report those fraud cases and dollar amounts of overpayments to an individual that exceeds \$5,000 for a single payment or for cumulative payments made during or prior to the reporting quarter.
- Section A. Overpayments Established – Causes; Line 113, High Dollar Non-fraud Overpayments, the line is not populated to report those non-fraud cases and dollar amounts of overpayments to an individual that exceeds \$5,000 for a single payment or for cumulative payments made during or prior to the reporting quarter.
- Section B. Overpayments Established – Methods of Detection; Line 204, State Directory of New Hire (SDNH), the line is not populated with the total cases investigated and established through the use of the SDNH. The SDNH cases are combined with Line 210, National Directory of New Hires.
- Section D. Criminal/Civil Actions; Line 404, Number of Convictions Obtained, in Calendar Year (CY) 2012 the line item indicates 277 convictions obtained, however, in reviewing the number of fraud cases only 13 were referred for prosecution. It was determined during discussions with the state it was a typographical error.
- Section D. Criminal/Civil Actions; Line 405, Number of Cases Referred for Civil Action, in CY 2012 the state decreased their activity and referred one case for civil action when compared to previous years the referral rate was approximately 16-18 cases.
- Section D. Criminal/Civil Actions; Line 406, Number of Civil Actions Obtained, in CY 2012 because the state decreased their activity only one case received civil action.

Required Action: The state must program the updated version of the ETA 227 Report in accordance with UIPL No. 08-12, review the report for accuracy and ensure all data is corrected and resubmitted as required in the ET Handbook No. 401, Unemployment Insurance Reports Handbook.

Response: IWD is nearly complete developing the updated version of the ETA 227 report. At the time of the audit the new format was in development and is currently being tested. The third quarter 2013 ETA 227 report will be submitted in the new format by October 31, 2013.

DOL-ETA Response 12-23-13: *The corrective action plan outlined in the IWD's response is acceptable. The finding will be fully resolved when the IWD amends the quarterly reports for June 30, 2012 through June 30, 2013 and submits the corrected data on the ETA 227 Overpayment Detection and Recovery Report.*

IWD Response of 1-23-14: We have been informed by our IT Bureau that developing and submitting the amended reports will not be possible. We only have back-ups for June, September, and December 2013.

Finding #4: Determination Timeliness

(Part XI – Case Review)

Ten of the 20 overpayment cases reviewed took two to six months to establish an overpayment determination from the receipt of the wage verification from both the employer and the claimant.

Section 303(a)(1), of the Social Security Act (SSA), requires, as a condition for a State to receive administrative grants for the Unemployment Compensation program, that a State law include provision for:

“Such methods of administration ... as are found by the Secretary of Labor to be reasonably calculated to insure full payment of unemployment compensation when due.”

20 CFR 640.1(2) Standard for Benefit Payment Promptness-Unemployment Compensation, “adequate performance is contingent upon the prompt determination of eligibility by the State as a condition for payment or denial of benefits. Accordingly, implicit in prompt performance with respect to benefit payment is the corresponding need for promptness by the State in making determinations of eligibility.”

In accordance with UIPL No. 11-45, in 1971, the Supreme Court issued its decision in California Department of Human

Resource Development v. Java, 402 U.S. 121 (1971), Procedures for Implementing the Java Decision's Requirements, Attachment to UIPL No. 11-45 Promptness of Determination and Payment.

The state has lost experienced staff through attrition and has been unable to fill vacancies to effectively investigate and make timely determinations on all overpayment cases. When a BPC unit is not properly staffed the impact on program integrity can ultimately affect the state's performance.

Required Action: The state must take immediate corrective action to address the back log of cases and establish overpayments promptly and prior to a determination of an individual's right to benefits, such facts pertaining thereto as will be sufficient reasonably to ensure the payment of benefits when due.

Response: IWD is committed to ensuring that all potential overpayments are promptly investigated. On September 13, 2013, a significant reorganization provided an opportunity to reassign more of the NDNH matches and cross-match audits for two weeks or less of earnings to fact finding interviewers. This will provide more time for the Fraud Investigator to address cross match audits with three weeks or more of earnings. As well, IWD Director Teresa Wahlert and the Division Administrator, Michael Wilkinson, have discussed the addition of Fraud Investigators, however this has been delayed in light of the federal shut down and resulting furloughs at IWD. The process will resume following the resolution of the federal budget.

DOL-ETA Response 12-23-13: *The corrective action plan outlined in the IWD's response is acceptable. The finding will be fully resolved when the IWD verifies to the ETA that the backlog no longer exists.*

IWD Response 1-23-14: In the absence of a timeliness measure for NDNH/SDNH and Cross Match audits, it is the goal of the IWD Investigations and Recovery Unit to complete all such investigations within the quarter they are submitted. NDNH and SDNH investigations come in and are assigned daily therefore there is an expectation that they will be resolved much faster. Cross Match audits are generated at the beginning of each quarter in bulk and assigned to investigators or other staff (as appropriate) for investigation. As discussed in the last response, three additional investigator positions have been added and posted for recruitment. It is anticipated that the investigators will be hired and trained during the first quarter of 2014.

Area of Concern #1: Collections Activity

(Part XI – Case Review)

Fifteen of the 20 overpayment cases reviewed recovery was not obtained. The UI overpayment recovery measure that is addressed in UIPL No. 09-13 is based on the ETA 227 and ETA 227 EUC data for the Improper Payments Information Act (IPIA), period July 1, 2012 to June 30, 2013. A state that fails to meet the Acceptable Levels of Performance for the 2013 IPIA reporting period will be expected to develop a CAP as part of the FY 2015 SQSP.

Suggestion: ETA recommends that the state direct additional resources to the recovery of UI overpayments so the state meets the UI overpayment recovery measure that will take effect in FY 2015.

Message: FW: US Treasury Trust Fund available for benefits 2/4/14

Case Information:

Message Type: Exchange
 Message Direction: Internal
 Case: IWD Senator Petersen Request - Version 3
 Capture Date: 7/10/2014 1:32:20 PM
 Item ID: 40861617
 Policy Action: Not Specified

Mark History:

No reviewing has been done

Policies:

No Policies attached

 **FW: US Treasury Trust Fund available for benefits 2/4/14**

From Wilkinson, Michael [IWD] **Date** Tuesday, February 04, 2014 3:08 PM
To Wahlert, Teresa [IWD]
Cc

FYI, at the same time last year we had a balance of \$689 Million; an increase of approximately \$137 million over the same period last year. As you may recall, there is normally about 120 million between tax tables. We will want to watch this carefully. I will work with Pat on preliminary estimates in mid-May.

From: Windust, Stephanie [IWD]
Sent: Tuesday, February 04, 2014 2:42 PM
To: Bervid, Joseph [IWD]; Koonce, Kerry [IWD]; Mauro, Michael [IWD]; Robinson, Jeffery [LEGIS]; Roederer, David [IDOM]; Wahlert, Teresa [IWD]; Wallace, Edward [IWD]; Wilkinson, Michael [IWD]; Winters, Tammy [IDOM]
Cc: Brown, Lisa [IWD]
Subject: US Treasury Trust Fund available for benefits 2/4/14

UI Contribution in Trust Fund	\$ 821,102,066.81
Add Combined Wage Claim Payments From Other States	<u>33,725.05</u>
	\$ 821,135,791.86
Deposit 02/04/14	\$ 6,100,602.69
Less Benefit Payment Withdrawal	<u>298,000.00</u>
Net Deposit / (Withdrawal)	<u>\$ 5,802,602.69</u>
Trust Fund available for Benefits	\$ 826,938,394.55

Stephanie Windust
 Financial Management
 Iowa Workforce Development
 Phone 515-281-7294
 Fax 515-281-6046
stephanie.windust@iwd.iowa.gov

Message: RE: Iowa \$500 Million Special Distribution**Case Information:**

Message Type: Exchange
Message Direction: External, Outbound
Case: IWD Senator Petersen Request - Version 3
Capture Date: 7/10/2014 1:32:18 PM
Item ID: 40861581
Policy Action: Not Specified

Mark History:

No reviewing has been done

Policies:

No Policies attached

 **RE: Iowa \$500 Million Special Distribution**

From Wilkinson, Michael [IWD] **Date** Tuesday, December 10, 2013 8:10 PM
To 'Belmonte, Steffanie - ETA'
Cc

 [ARRA Special Distribution update 12-10-13.docx](#) (22 Kb HTML)

Steffanie, please find attached the requested update. Let me know if you have questions. For the most part, we are still on target.

From: Belmonte, Steffanie - ETA [mailto:Belmonte.Steffanie@dol.gov]
Sent: Wednesday, December 04, 2013 7:51 AM
To: Wilkinson, Michael [IWD]
Subject: Iowa \$500 Million Special Distribution

Hi Mike,

In June, 2013 you provided ETA a summary of Iowa's plan to expend the remaining \$500 Million Special Distribution of ARRA funds (Attachment 3). Please provide me with an update of Attachment 3? For example, is Iowa still on track with the areas identified in the plan, are contracts in place, etc.?

Please provide this information by c.o.b. Thursday, December 12, 2013.

Thanks.

Steffanie Belmonte

U.I. Program Specialist
U.S. Department of Labor/ETA
Chicago - Region 5
(Ph) 312-596-5436 (Fx) 312-596-5401
belmonte.steffanie@dol.gov

ARRA Special Distribution – UI Modernization

Iowa will have spent approximately \$1,475,000 of the ARRA Special Distribution by June 30, 2013. While a couple projects had to be delayed due to Sequestration, we have established and implemented a budget for July 1, 2013 through June 30, 2014 that will expend the balance in a similar manner as described below (original proposal). All funds are currently obligated.

Iowa's plan for the ARRA Special Distribution (aka UI Modernization funds) is to dedicate those resources towards

1. Supplement system redesign of both the Benefits and Tax systems.
2. Addressing serious backlogs in our UI Benefits, investigations, recovery, and tax bureaus as the result of current system changes and planned and system redesigns;
3. Accommodate a major service delivery shift in the UI Benefits operations involving investments in communications, software, hardware, and training.

System Redesigns: **Competed or obligated by September 30, 2013.**

1. Core functionality is nearly complete for the new UI Tax system called My Iowa UI (MIUI). However a majority of the development has been completed by contract staff that will leave or be redeployed to other projects by February 2013. The IWD CIO has identified three staff that will be responsible for the maintenance and on-going change requests. They will begin training immediately and prepared to take over the MIUI.
 - a. **Update: This is nearly complete. MIUI core functionality will be complete by October 1 and IT staff have already started taking over some of the support functions but will continue their training.**
 - b. **Update 12-10-13: All core functionality is complete and staff are being trained in "Field Audit" the last function developed.**
2. IWD will invest in staff time and contractors to rewrite the Internet claim application. It is our plan to rely almost exclusively on this application for all types of claims. The agency has already tested our ability to "auto process" initial Iowa claims without staff intervention, resulting in nearly 45% of all claims filed over the Internet automatically processing which contributes significantly to timely first payments. This project will require an investment of at least 4 staff years to complete and integrate in the Benefits Redesign model.
 - a. **Update: Design and requirements will be complete by July 11, 2013 and developers will begin work with a target implementation of October 14, 2014.**
 - b. **Enhancements to capture separation information from the claimant at the time of filing are underway.**
 - c. **Update 12-10-13: the initial claim application is in the final stages of development. Testing is anticipated to begin in the first quarter of 2014. Full implementation is still on schedule for October 2014. Requirements and design underway for translation in other languages and how to auto process a higher percentage of claims.**
3. IWD will invest in staff time and contractors to create secure claimant "profiles" on the internet that will allow the claimant to access information and documents retained on the IWD data base. Benefits Redesign in Iowa is focused on reducing our reliance on US Postal Service for routine communications. This project aligned with SIDES and E-Response is significant to increasing performance measures for timely first payments and reducing staff costs.
 - a. **Update: The first phase of developing a common portal is complete**
 - b. **Phase two requirements that will include authentication and electronic correspondence is in process. Requirements to be complete August 1, 2013 and implementation in October 2013.**
 - c. **Update 12-10-13: The Profile portal is behind schedule and is being tested in December 2013. Electronic correspondence with claimants is on schedule for August 2014. Requirements for Identity authentication are complete and integrated with the Profile portal and initial claim application. Implementation will occur simultaneously with the roll out of the initial claim application.**
4. IWD will invest in Customer Relations Management software; this software will allow a single view of detail of the 75,000 employers in the state of Iowa doing business with IWD. Specifically, the person in the business responsible for specific functions, tax rates, job orders placed, claims filed and outcomes, etc.
 - a. **this project is in the design stage with requirements to be complete this fall and implementation in the spring**

of 2014.

- b. Update 12-10-13: This project is still on target for completion June 30, 2014.

Backlogs: As a result of the increased workloads during the recession as the result of current system changes and planned and system redesigns, serious backlogs of work have occurred. It is our belief that with targeted overtime projects, Iowa can eliminate the majority of this workload before **June 30, 2013**. This will have a significant impact on UI Integrity, timeliness and TPS performance standards.

Update: We have made a significant impact on backlogs, however continue to have backlog in tax and benefit payment control. Will continue to focus our efforts and ARRA funds on these activities.

UI Benefits Operations: Historically, Iowa has supported UI operations in the field offices. Budget reductions, retirement, and concerns over the quality of customer service, UI operations in Iowa will be transitioned to a centralized system in Des Moines. This will require increasing staff levels at our Des Moines UI Service Center while we transition staff out of the field offices. We anticipate completing this transition no later than **June 30, 2014**. Test data strongly supports this approach, as we will be able to serve more employers and claimants faster by telephone and e-mail. As well, training and oversight will increase efficiency, accuracy, and response time.

Update: Still on target.

Message: Re: Fwd: SSA Preliminary BI Investigation - Additional Information Needed for PATRICIA LYNN HENRICH**Case Information:**

Message Type: Exchange
 Message Direction: Internal
 Case: IWD Senator Petersen Request - Version 3
 Capture Date: 7/10/2014 1:32:20 PM
 Item ID: 40861598
 Policy Action: Not Specified

Mark History:

No reviewing has been done

Policies:

No Policies attached

 **Re: Fwd: SSA Preliminary BI Investigation - Additional Information Needed for PATRICIA LYNN HENRICH**

From Wilkinson, Michael [IWD] **Date** Tuesday, January 07, 2014 12:08 PM
To Wahlert, Teresa [IWD]
Cc

Actually Lori's but I'm not sure why Pat would need this. I will work through it with Lori.

From: Wahlert, Teresa [IWD]
Sent: Tuesday, January 07, 2014 12:06 PM
To: Wilkinson, Michael [IWD]
Subject: Fwd: SSA Preliminary BI Investigation - Additional Information Needed for PATRICIA LYNN HENRICH

Yours?

- Teresa Wahlert

Begin forwarded message:

From: "Otto, Clayton HQ DCHR" <Clayton.Otto@ssa.gov>
Date: January 7, 2014 at 11:46:06 AM CST
To: "Wahlert, Teresa [IWD]" <Teresa.Wahlert@iwd.iowa.gov>
Cc: "Barcelles, Cindy" <Cindy.Barcelles@ssa.gov>, "Day, Erica" <Erica.Day@ssa.gov>, ^ENSuitability <ensuitability@ssa.gov>
Subject: **SSA Preliminary BI Investigation - Additional Information Needed for PATRICIA LYNN HENRICH**

Contract # SS00-12-E1655

Please have applicant **Patricia Lynn Henrich** provide you with the following information concerning the applicant's eQip submission of the Questionnaire for Non-Sensitive Positions (form 85). Please provide this information within **3 days** of this notification.

Please be advised the following corrections are required in order to submit to OPM. Security cannot close out the case without this information:

NEW SIGNATURE/CERTIFICATION, AND RELEASE PAGES ARE REQUIRED: The ones that were submitted had the dates crossed out and written over. OPM will not accept them in this condition. I have new copies available that can be scanned and emailed to you for completion if needed.

Section 5: Maiden name is required to be listed along with dates used (from and to, month and year) and marked as "Nee". Also, any other names used from birth to present are required to be listed with dates used (from and to, month and year).

Section 10: A supervisor with complete contact information including telephone number is required for each listed employment(US Census Bureau).

Information can be provided via email.

Thanks,

Clayton Otto
 USIS (Contractor)

Personnel Security Specialist for the
Social Security Administration
Room 1260, Dunleavy
Phone 410-965-8477
(410) 597-0614 Fax
Clayton.Otto@ssa.gov

Message: FW: Pre-TOP letter**Case Information:**

Message Type: Exchange
 Message Direction: Internal
 Case: IWD Senator Petersen Request - Version 3
 Capture Date: 7/10/2014 1:32:18 PM
 Item ID: 40861575
 Policy Action: Not Specified

Mark History:

No reviewing has been done

Policies:

No Policies attached



✉ FW: Pre-TOP letter

From Wilkinson, Michael [IWD]

Date Friday, November 22, 2013
10:59 AM

To Wahlert, Teresa [IWD]; Koonce, Kerry [IWD]; Adams, Lori [IWD];
Wallace, Edward [IWD]

Cc

 [NOI 11-21-13.pdf](#) (154 Kb HTML)  [image001.jpg](#) (3 Kb HTML)

We are "easing" into the Treasury Offset Program as you can see below. While I was not aware they were going out this soon, I am supportive of the strategy. Over the next 2 weeks approximately 3500 letters will go out. These are all going to persons with Fraud Overpayments. Our intent is to send more in January and February to increase the offset. I will then be contracting with an outside vendor (using a special grant) to perform collection activities throughout 2014.

From: Eklund, David [IWD]
Sent: Friday, November 22, 2013 10:36 AM
To: Gomez, Carmen [IWD]
Cc: West, Ryan [IWD]; Boten, Brenda [IWD]; Wood, Kirsten [IWD]; Wilkinson, Michael [IWD]
Subject: Pre-TOP letter

Carmen,

Attached is a copy of one of the NOI (Notice of Intent) or "Pre-TOP" letters that are being mailed to 1,460 claimants today, 11/22/2013. Please provide a copy to all of your CSR's and ensure that they read and understand the entire letter.

Nowhere on the letter is a phone number provided, there is nothing that can be handled over the telephone. Any claimants that do call should be instructed to follow the guidance provided in the letter.

It is extremely important to note the **bold** portion of the letter. Being in a repayment agreement will not stop their Federal Tax return from being intercepted. The only way to stop the intercept is to pay the debt in full. They may remit payment via the mail by detaching the top portion of the letter and mailing it to the address provided. They can also now pay on-line with a debit/credit card by following the instructions in paragraph 5.

IWD does not have to "prove" to any claimant that the OP is valid. This is not a new opportunity to dispute. A proper response to a request to "prove the debt is owed" would be:

This debt has become final. Any opportunity to dispute the debt ended long ago. We will not reproduce evidence that has already been provided.

Paragraph 3 outlines the only known examples of evidence that IWD will accept and examine to determine if the debt is legitimately owed. That evidence must be provided in writing by the claimant.

Paragraph 4 outlines the steps that the spouse of a claimant must take in order to preserve their portion of the refund.

There is a unique e-mail address provided that claimants may e-mail inquiries to if they have questions or concerns. We have to have these inquiries in writing, so again, no phone calls. E-mails will be responded to.

We will be mailing another batch of around 2,000 letters in early December. All 3,500 of these individuals have overpayments that were deemed fraudulent. So, holding the "hard line" is appropriate. No non-frauds were included in these two mailings.

Best advice to anyone who does call:
[Follow the instructions in the letter.](#)

I can come up at any time and speak to your group if you would like. Thank you very much!

Dave

David Eklund
Regional Operations Manager
UI Benefits Services
Iowa Workforce Development
Ph: 515/281-5792
Cell: 515/229-4482
Fax: 515/281-9033
david.eklund@iwd.iowa.gov



Image 1

PO BOX 10332

Des Moines, Iowa 50306-0332

SOCIAL SECURITY NO. XXX-XX-0018

DATE OF NOTICE 11/20/13

AMOUNT TO BE CERTIFIED \$7,570.00

CARI A BILYEU
918 E ELM ST APT 5

ALGONA, IA 50511-1752

Return Top Portion With Your Payment

Notice of Intent to Intercept Federal Income Tax Refund

Our records indicate that you owe Iowa Workforce Development (The Division) the sum shown above for overpaid unemployment insurance benefits and/or penalties. Failure to satisfy this debt within sixty days of this notice will result in your debt being referred to the United States Department of Treasury (the Treasury) for collection through the Treasury Offset Program (TOP) pursuant 26 U.S.C 6402.

Through the TOP, the Treasury is authorized to offset your Federal income tax refund to repay this debt. If this debt is referred to collection through the TOP, you will also be charged an administrative collection fee. To avoid offset of your Federal income tax refund and the additional fee, you must pay your debt in full within sixty days of this notice. **The interception of your Federal Income Tax refund could occur regardless if you are in repayment status.**

The Division has established this debt is legally enforceable on your unemployment claim. However, you do have the right to present evidence within sixty days of the date of this notice that all or part of this debt is not legally enforceable and should not be subject to offset. Examples of evidence would include proof that this debt was discharged in bankruptcy, proof that this debt has previously been paid, or proof that you are not the person identified as the debtor in this notice. The Division will consider all evidence presented and will determine if the debt will be referred to the Treasury.

If you and your spouse file a joint Federal income tax return, your spouse may be entitled to a portion of the Federal income tax refund. Your spouse should obtain IRS Form 8379, Injured Spouse Claim and Allocation, if applicable. The instructions accompanying Form 8379 will explain the steps your spouse must take. This form is online at www.irs.gov/form8379.

If you do not remit payment in full or take any action in response to this notice within the sixty day deadline, the debt will be referred to the Treasury. Please mail in your payment along with the top portion of this letter. Make your check or money order payable to Iowa Workforce Development. You can also pay this debt online using a

credit or debit card at www.iowaworkforcedevelopment.gov by clicking "Resolve Overpayment". If you pay with a credit or debit card, you will be charged a processing fee, in addition to the amount of your payment.

If you have any questions, please email uitop@iwd.iowa.gov

Send all payments and correspondence to: Iowa Workforce Development
UISC/TOP
PO BOX 10332
Des Moines, Iowa 50306-0332

Message: RE: US Treasury Trust Fund available for benefits 11/20/13

Case Information:

Message Type: Exchange
 Message Direction: Internal
 Case: IWD Senator Petersen Request - Version 3
 Capture Date: 7/10/2014 1:32:18 PM
 Item ID: 40861574
 Policy Action: Not Specified

Mark History:

No reviewing has been done

Policies:

No Policies attached

✉ RE: US Treasury Trust Fund available for benefits 11/20/13

From Wilkinson, Michael [IWD] **Date** Wednesday, November 20, 2013 2:43 PM
To Windust, Stephanie [IWD]; Bervid, Joseph [IWD]; Koonce, Kerry [IWD]; Wahlert, Teresa [IWD]; Wallace, Edward [IWD]
Cc Schieffer, Tom [IWD]; Brown, Lisa [IWD]

Tom/Stephanie, I think there is a math error.....

From: Windust, Stephanie [IWD]
Sent: Wednesday, November 20, 2013 12:56 PM
To: Bervid, Joseph [IWD]; Koonce, Kerry [IWD]; Mauro, Michael [IWD]; Robinson, Jeffery [LEGIS]; Roederer, David [IDOM]; Wahlert, Teresa [IWD]; Wallace, Edward [IWD]; Wilkinson, Michael [IWD]; Winters, Tammy [IDOM]
Cc: Schieffer, Tom [IWD]; Brown, Lisa [IWD]
Subject: US Treasury Trust Fund available for benefits 11/20/13

UI Contribution in Trust Fund		\$ 895,731,494.55
Deposit 11/20/13	\$ 450,000.00	
Less Benefit Payment Withdrawal	<u>617,000.00</u>	
Net Deposit / (Withdrawal)		\$ <u>(167,000.00)</u>
Trust Fund available for Benefits		\$ 795,564,494.55

Stephanie Windust
 Financial Management
 Iowa Workforce Development
 Phone 515-281-7294
 Fax 515-281-6046
stephanie.windust@iwd.iowa.gov

Message: Mike's presentation

Case Information:


Message Type: Exchange
Message Direction: Internal
Case: IWD Senator Petersen Request - Version 3
Capture Date: 7/10/2014 1:32:27 PM
Item ID: 40861733
Policy Action: Not Specified

Mark History:

Date	Action Status	Reviewer
7/22/2014 8:45:37 AM	Unreviewed	Koonce, Kerry
7/21/2014 5:24:38 PM	Reviewed	Koonce, Kerry

Policies:

No Policies attached

 **Mike's presentation**

From Wilkinson, Michael [IWD] **Date** Monday, November 04, 2013 9:30 AM
To Wise, Steve [IWD]
Cc

 [UI Tax and Benefits Presentation - ECI 10-13.pptm](#) (1140 Kb HTML)

This is one I used on Halloween day in Ottumwa. It seemed to be well received and facilitated questions.

◦ **Unemployment Insurance Law and Policy**

◦ **For:**

◦ **Employers Council of Iowa, Southern Iowa**

Michael Wilkinson

Division Administrator

Michael.wilkinson@iwd.iowa.gov

(515) 281-4986

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Report

Sightings

To

Her Mother

Public

ServiceAlert!!!

2

- **Law and Policy Changes**
- **Basics of Unemployment Insurance**
- **Mike's Top 10**
- **Reasons for Disqualification**
- **Case Studies**
- **Calculating the Cost**

Agenda

- **15% Penalty for Fraud Overpayments**

- **Primary Source – Unreported wages**
- **Interface National Directory of New Hires**
- **Wage Cross Match**
- **Administrative Penalties and Prosecutions**

Federal Conformity – Law Change

3

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- **Lack of participation creates
overpayments**
- **Required participation at first level fact**

finding

◦ **No relief of charges if reversed upon**

appeal

◦ **Statement of Charges**

◦ **See attached Tip Sheet**

Federal Conformity – Fact Finding

Participation

4

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◦ **Initial claims completed on line**

- . **Electronic Response by business**
- . **Electronic correspondence**
- o **Weekly Continued Claims on-line**
 - . **NDNH cross match**
 - . **Job contact verification**

On-line Reporting for Claims

5

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- o **Effective September 20, 2013**
 - . **Quarterly Contribution and Payroll**

Reports must be submitted electronically

. New employer registrations must be

submitted online at www.MyIowaUI.org

Administrative Rule Change

6

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- **Unemployment insurance is paid entirely by employers who are covered by the Iowa Employment Security Law. Unemployment insurance is not welfare and is not based on need. It provides temporary benefits for people who are:**
 - **Unemployed or working reduced hours through no fault of their own**
 - **Able to work and available for work**
 - **Actively looking for work (unless waived)**

What is unemployment insurance?

The intent is to pay benefits to eligible claimants during periods of unemployment when suitable work is not available. Claimants must meet certain eligibility requirements.

7

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- **If a claim is determined monetarily eligible, a Notice of Claim is sent to the individual's most recent employer and to all employers in the individual's base period. All Base Period Employers may be charged.**
- **Upon receiving the Notice of Claim**
 - **Employer may protest payment of benefits**
 - **Indicate if an individual has or will be receiving**
 - **Vacation, Severance, Dismissal pay, Separation allowance, Holiday pay**
- **Response to the Notice of Claim -postmarked no later than 10 days from the date the notice was mailed.**

Notice to employers

8

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- **Base Period: First four of the last five completed calendar quarters**
- **Lag quarter – quarter immediately preceding the quarter in**

which the claim is filed.

- The wages in the Lag Quarter are not used in calculating the benefit amount
- May be used on a subsequent claim.
- Example: Claim filed October 31, 2013
 - Based Period is July 1, 2012 through June 30, 2013
 - Lag quarter wages are 7/1/13 through separation.
 - Claim filed after January 1, 2015 would not be liable.

What is a Base Period

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Base
period
chart

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- If disqualified – must earn 10 times their weekly benefit amount to re-qualify
 - Charges are transferred to the “Balance Account”; no employer charged
- If allowed – Employer account is charged up to 1/3 of their base

period wages not to exceed 26 weeks of the Weekly Benefit.

- Exception: business closing – calculated at $\frac{1}{2}$
- Subsequent Benefit Year charges (Lag wages)

Who gets Charged?

10

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10 Tips to consider

Preparation starts at hire

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◦ **Attendance – reporting absence**

◦ **Dress Code – Safety Equipment**

◦ **Harassment**

- **Tolerance for “foul” language**
- **Use of Alcohol**
- **Use of Sick leave/FMLA**
- **PTO, Vacation**
- **Social Media, Internet use**
- **General behavior on and off work**
- 1. Signed written policies and procedures**

12

- **Thoroughly investigate – secure witness**

statements

- **Timeliness depends on the nature of the complaint or infraction**
- **Provide employee opportunity to respond to the complaint**
- **Document responses**

2. Investigate and act quickly

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- **Verbal warnings that are documented**

- **Written Warnings**

- **Reason, infraction, remedy, consequence**

- **Signed and or witnessed**

- **Follow through in a timely manner**

- **WARNINGS ARE IMPORTANT BUT THE**

FINAL “ACT” DETERMINES DISCHARGE

FOR MISCONDUCT

3. Provide Written Warnings

14

- **Inconsistency/exceptions in how policies or rules are applied can weaken a case**
- **Example: Rule says employee is to call in their absence, but instead sends an e-mail.**

4. Follow your policies and be consistent

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- **Supervisor notes, dates & observations, conversations with employee**
- **Warnings and reprimands**

- **Disciplinary action**
- **Sign-off on policies and policy changes**
 - . **E-mail vs. signed**

5. Document, Document, Document

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- **Initial Fact Finding and appeal hearing**
 - . **First hand testimony best**
 - . **Written Statements and documentation of warnings, termination letter, other**

relevant documents

- **Provide rebuttal**
- **Make notes during Fact Finding and hearing and offer rebuttal.**

6. Participate

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- **...may be admissible, but can be easily challenged**
- **Preponderance of evidence**

- . Hearsay may provide credibility to an witness statement
- . Hearsay is “second hand” information
- . “While I did not see him do it, data suggests that he is the only one with access”.

7. Hearsay....

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- ...if you disagree with the decision.

- . Fact Finding – Gathering of facts and initial determination**

- . Appeal – Sworn testimony in front of the Administrative law Judge**

- . Employment Appeal Board – Review of the file**

- . District Court**

8. Appeal

19

- Evaluate probationary employees early
- 1/3 of all wages could be charged to the UI Tax account.

9. Evaluate Performance early

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- UI law can be complex in certain cases;

Call an expert

• Michael Wilkinson, (515) 281-4986

• David Eklund (515) 281-5792

. Ryan West (515) 725-3732

10. Ask questions

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- **A claimant may be disqualified from receiving benefits for any of the following reasons:**
 - **Voluntarily quitting a job without cause attributable to the employer**
 - **Refusal of suitable work or recall by a former employer**
 - **Discharge for misconduct in connection with the work**
 - **Discharge for gross misconduct**
 - **Failure to adequately search for a job**
 - **Physically unable to work**

Unemployment insurance adjudication

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- **Misconduct in connection with their employment;**
- **Current Act and final incident is misconduct**

- **Deliberate acts or omissions; repeated acts of carelessness or negligence**
 - **Poor performance?**
- **Employer has the Burden of Proof**

Discharge

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- **Excessive and unexcused**
 - **Matters of “personal responsibility”**
- **Absent due to illness and other excused reasons**
- **Timely notification**
- **Employer policies for reporting absence**
- **Misconduct if Multiple unexcused and final incident due to illness?**
- **Misconduct if multiple absences due to illness and final is unexcused?**

Attendance

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-
- **Insubordination – failure to follow reasonable instructions**
 - **Refusing OT with only 5 minutes notice**
 - **Profanity; Offensive or threatening language**
 - **Written Policy? Workplace practice?**
 - **Fighting – On premises or off premises**
 - **Evidence of negative impact at the work place**
 - **Off-duty Conduct – is it work related?**
 - **Carelessness/negligence**

Discharge issues

Carelessness – violation of policy after being warned.

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- **Claimant has the burden of proof**
- **Establish separation was for good cause**
attributable to the employer.

- **Prior notice if for medical reasons:**

- **Notify employer of condition**

- **Could quit if not corrected**

- **Allow opportunity to correct**

Quit

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- **Change in “contract” of hire**

- **Unsafe working conditions**

- **Illegal or intolerable working conditions**

- **Forced Resignation**

- **Sexual Harassment**

- **Work related illness or injury**
 - . **Left on the advise of doctor**

 - . **Notified employer immediately**

 - . **Attempt to return upon recovery**

Quit with Cause

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- **Lack of transportation**

- **Absence without contact for 3 consecutive days in violation of company policy.**
- **Lack of childcare***
- **After being reprimanded**
- **Inability to work with supervisors or co-workers.**
- **Accept other employment**

Quit without cause

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- Sleeping at his desk: Supervisor woke him
- No prior warning or No explanation for sleeping or medication issues
- Set watch alarm to wake him
- Told supv after the fact that meds knocked him out
- Did not participate in FF

Claimant

- He was on break
- Taking meds for anxiety and dosage changed
- Prior warning for going on break w/o telling co-workers
- “Employer knew he was medicated”
- Asked for FMLA paperwork when walked out.

Case Studies - #1

Sleeping on the Job

29

Employer

- Did not participate

Claimant

- 1st shift employee transferred to 3rd shift
- Single parent – unable to work 3rd shift
- Transferred due to low seniority
- HR said to report for shift or quit
- Supervisor could not guarantee shift would be temp or perm

Case Study #2

Quit, Change in contract of hire

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Employer

- Prior warnings for attendance issues 3 months prior
- Applied progressive discipline
- Final incident – failure to clock out for a W/C appt or clock back in.
- Participated in FF with written statements only

Claimant

- Refuted employer statement by stating he did clock out and

back in.

- Time card was not presented
- Claims he has an excuse from W/C doctor.

Case Study #3

Failure to follow instructions

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Employer

- Warned for low productivity 4 mo. Prior to termination
- No other warning
- 3 consecutive days of safety violations
 - Forklift seat belt
 - Safety shoes
 - Bumped other equip with forklift – no damage
- Did not participate in FF

Claimant

- Refuted each allegation of safety violation
- No record of attendance problems

- No letter of termination
- Some things getting harder to do, due to arthritis

Case Study #4

Safety Violation

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Calculating the cost of a claim

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- Two factors involved in calculation
 - Five-year average annual benefit payment
 - Five-year annual taxable payroll
- Rate calculation date is July 1st
- Resulting percentage (%) of taxable payroll is compared to every other employer's benefit ratio
- If annual taxable payroll expands and benefits are constant or decrease, the rate tends to decline

Employer's Benefit Ratio

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Rate Table

Benefit Ratio Rank	Approximate Cumulative Taxable Payroll Limit	Contribution Rates Table							
		1	2	3	4	5	6	7	8
1	4.8%	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
2	9.5%	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
3	14.3%	0.1	0.1	0.1	0.1	0.1	0.0	0.0	0.0
4	19.0%	0.4	0.3	0.3	0.2	0.1	0.1	0.1	0.1
5	23.8%	0.6	0.5	0.4	0.3	0.3	0.2	0.1	0.1
6	28.6%	0.9	0.8	0.6	0.5	0.4	0.3	0.2	0.1
7	33.3%	1.2	1.0	0.8	0.6	0.5	0.4	0.3	0.2
8	38.1%	1.5	1.3	1.0	0.8	0.6	0.5	0.3	0.2
9	42.8%	1.9	1.5	1.2	0.9	0.7	0.6	0.4	0.3
10	47.6%	2.1	1.8	1.4	1.1	0.8	0.6	0.5	0.3
11	52.4%	2.5	2.0	1.6	1.3	1.0	0.7	0.5	0.3
12	57.1%	3.0	2.4	1.9	1.5	1.1	0.9	0.6	0.4
13	61.9%	3.6	2.9	2.4	1.8	1.4	1.1	0.8	0.5
14	66.6%	4.4	3.6	2.9	2.2	1.7	1.3	1.0	0.6
15	71.4%	5.3	4.3	3.5	2.7	2.0	1.6	1.1	0.7
16	76.2%	6.3	5.2	4.1	3.2	2.4	1.9	1.4	0.9
17	80.9%	7.0	6.4	5.2	4.0	3.0	2.3	1.7	1.1
18	85.7%	7.5	7.5	7.0	5.4	4.1	3.1	2.3	1.5
19	90.4%	8.0	8.0	8.0	7.3	5.6	4.2	3.1	2.0
20	95.2%	8.5	8.5	8.5	8.0	7.6	5.8	4.3	2.8
21	100.0%	9.0	9.0	9.0	9.0	8.5	8.0	7.5	7.0

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◦ **\$0 Five Year Average Benefit Charges**

\$250,000 Five Year Average Taxable Wages

◦ **$0/250,000 = 0$, this would put the**

employer in Rank 1

◦ **Rate would be 0.000% on all contributions**

◦ **43% of all employers have a zero rate;**

53% with 1% or less

EXAMPLES OF HOW Benefits affect your UI

Account rate

Using this formula, below are some examples of how an increase in benefit charges can significantly affect your tax rate.

- **2000/250,000 = .8 (Benefit Ratio),**
 - **Rank 12 Rate is 1.10%**
 - **One person laid off; Annual Cost = \$2,750**
- **4,000/250,000 = 1.6 (Benefit Ratio)**
 - **Rank 16 Rate is 2.4%**
 - **Two people laid off; Annual Cost = \$6,000**

Calculated rates and costs

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- **8,000/1,500,000 = .53 Benefit ratio**
 - **Rank 9 Rate is .700%**
 - **Four people laid off; Annual Cost = \$10,500**
- **20,000/1,500,000 = 1.3 Benefit ratio**
 - **Rank 15 Rate is 2.0%**
 - **10 people laid off; Annual Cost = \$30,000**

Calculated rates and costs

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Questions ?

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Thank You

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