UI Issues Identification and Reporting
A Handbook/Reference Guide for Reemployment Services Staff
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Table of Contents

1. Review by UI Issue Type per REOS
    a. Refusal Issues (Refusal Either of Job Referral and/or Job Offer)
    b. Barrier Not Removed / Availability Issues
    c. Capability Issues
    d. Inadequate Work Search Issues
    e. Training Related Issues
    f. Miscellaneous Issues:
        - Concealment of Employment Issues
        - Self-Employment Issues
        - Not Totally Unemployed (NTU) Issues
        - Other Issues

2. Sample Completed E-forms
3. REA vs. non-REA reporting

Issue Type: Refusal of Employment

(May be either refusal of a Job Referral or refusal of a Job Offer)

Refusal Issue - Information from an employer or from the claimant, indicating the claimant refused an offer or referral to employment. *Refusal issues may result in a permanent denial of benefits and thus may shorten the duration of a claimant's benefits.*

Required Elements of a Refusal Issue: (All Elements must be present)

1. ***Suitable*** job - work for which the customer is reasonably fitted by training and/or experience. This means that the customer has to look for work while claiming benefits in all of their recent occupations, especially if the prospect of obtaining work in their primary skill area is not good.

   After the first 13 full weeks of benefits are claimed, suitable work will also include any work that the customer is capable of performing whether or not the customer has any experience or training in such work, as long as it pays the prevailing wage for similar work in the locality and pays at least 80% of claimant's base period high quarter wages. The customer must also be willing to travel a reasonable distance to obtain employment. As a general rule, travel of one hour by private transportation or one and one half hours by public transportation is considered reasonable.

Illustration of "Suitable Work"

Suitable Work includes:
(During weeks 1 through 13)

Pays Prevailing wage cut-off (90% of prevailing wage in locality)

Is suitable by training and/or experience

Suitable work includes:
(After 13 weeks of benefits claimed)

Pays Prevailing wage cut-off (90% of prevailing wage in locality)

Is suitable by training and/or experience
And,
Any work that the customer is capable of performing that pays 80% of claimant's base period high quarter wages (provided the customer does not get work through a union hall or have a definite recall date)

2. Pay rate offered meets ***Prevailing Wage Cutoff (90% of the Prevailing Wage)***

   - *Prevailing wage* is the average wage of a particular job for a particular location (region).

- *Prevailing wage cutoff* is the minimal pay rate that the job must meet in order to send a refusal as an issue to the TCC. The prevailing wage cutoff is calculated at 90% of the prevailing wage

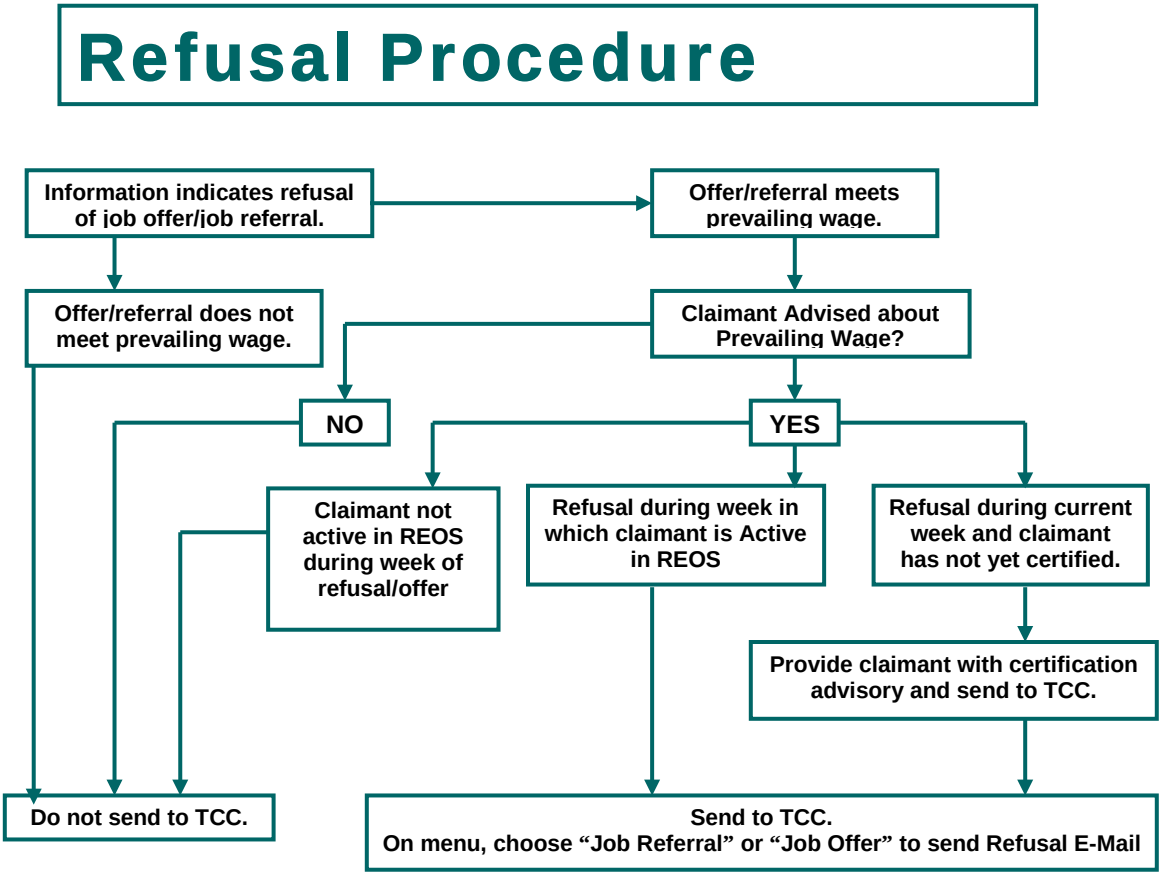
  Prevailing Wage and Cutoff Rates can be accessed from main DOL Internet Page, click on Wages and Hours, then see Prevailing Wages for Unemployment Insurance ***http://www.labor.state.ny.us/workforceindustrydata/uiwages.shtm***

3. Claimant must have been ***advised*** of the Prevailing Wage Cutoff and of the potential consequences of refusing a job referral and/or offer due to the pay rate

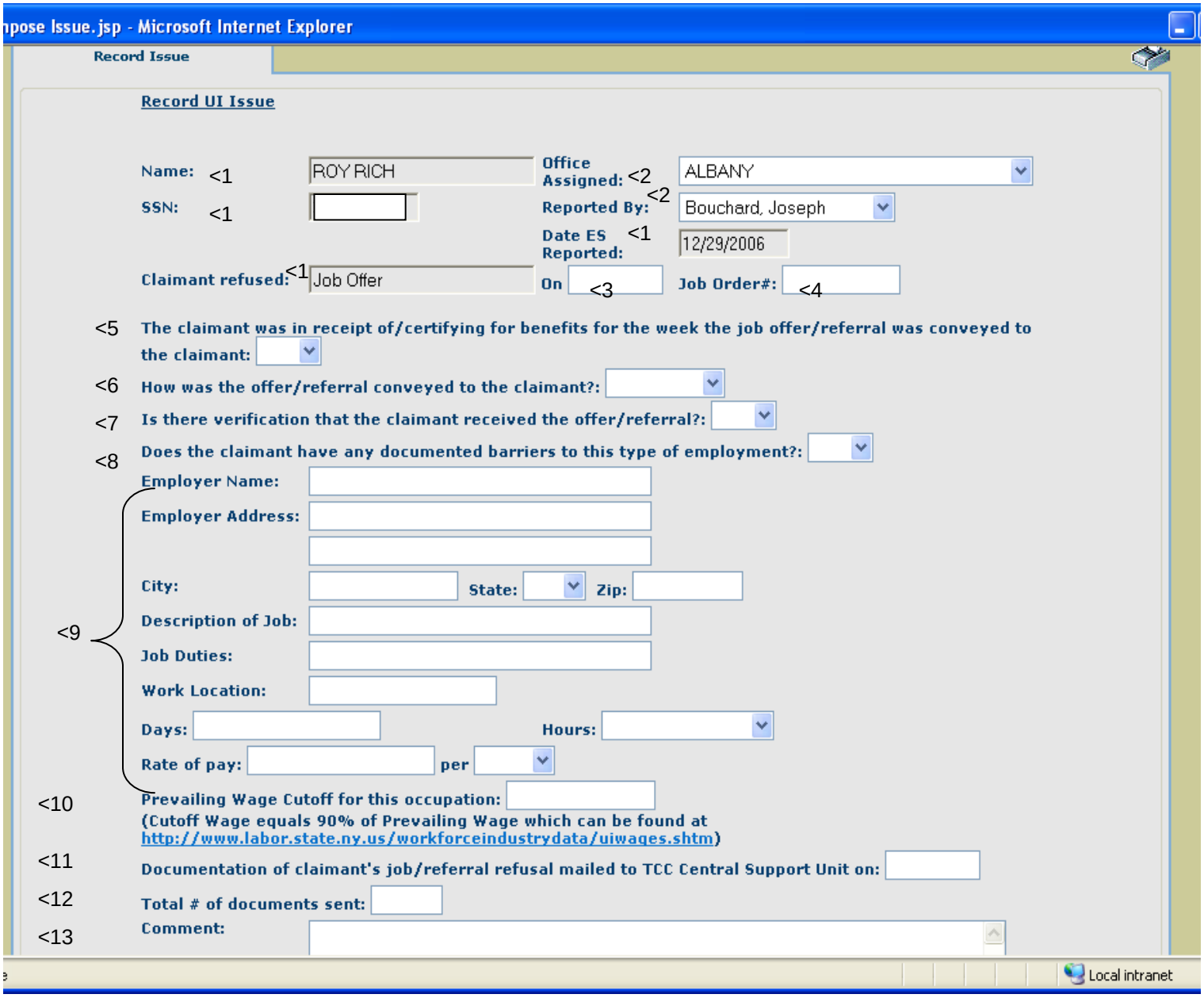
   Advisory must be documented in REOS in order for TCC to make determination. Instructing the claimant on how to access the prevailing wage cutoff information on the Internet is an acceptable Advisory assuming that:
   - The claimant is also clearly advised of the potential consequences of not accepting an offer due to wages if the pay rate meets or exceeds the Prevailing Wage cutoff.
   - When you instruct a claimant on how to access prevailing wage info via the web, the claimant is also provided with a way to obtain assistance if they encounter difficulty in accessing the information for example – the claimant is informed on how/who to contact if they need assistance.

4. The ***claimant is Active in REOS*** (Note: the claimant must have certified for benefits during the week the refusal occurred for it to be an issue. Since REOS does not keep complete history of claimant certifications, staff will check only to insure that the claimant is Active in REOS which indicates that the claimant is continuing to certify for benefits. REOS also provides the last date certified. One Stop staff should not have to look at UI mainframe systems to verify certification.)
   - If claimant inactive in REOS, do not send.
   - If claimant active in REOS, send to TCC.
   - If current week and claimant has not certified yet, advise claimant how to certify correctly and send to TCC.

Illustration of Refusal Requirements



Example of REOS Refusal E-Form:



pose Issue.jsp - Microsoft Internet Explorer

Record Issue

Record UI Issue

Name: <1 ROY RICH

Office Assigned: <2 ALBANY

SSN: <1

Reported By: <2 Bouchard, Joseph

Date ES Reported: <1 12/29/2006

Claimant refused: <1 Job Offer

On <3

Job Order#: <4

<5 The claimant was in receipt of/certifying for benefits for the week the job offer/referral was conveyed to the claimant:

<6 How was the offer/referral conveyed to the claimant?:

<7 Is there verification that the claimant received the offer/referral?:

<8 Does the claimant have any documented barriers to this type of employment?:

<9

Employer Name:

Employer Address:

City: State: Zip:

Description of Job:

Job Duties:

Work Location:

Days: Hours:

Rate of pay: per

<10 Prevailing Wage Cutoff for this occupation:

(Cutoff Wage equals 90% of Prevailing Wage which can be found at http://www.labor.state.ny.us/workforceindustrydata/uiwages.shtm)

<11 Documentation of claimant's job/referral refusal mailed to TCC Central Support Unit on:

<12 Total # of documents sent:

<13 Comment:

Local intranet

Instructions for Completing REOS Refusal E-Form (Referencing example on previous page):

<1: <u>Customer Name, SSN, Date Reported, and Type of Refusal Issue (Refusal of Job Offer or Refusal of Job Referral):</u> These 4 fields are all automatically populated by REOS and cannot be edited on the e-form:

- Customer Name and SSN – from select REOS Customer Detail Record
- Date Reported – based on the current date (the date that the e-form is being completed)
- Type of Refusal Issue – selected by staff from dropdown list on previous REOS screen

<2: <u>Office Assigned and Reported By</u>: These fields are automatically defaulted by REOS based on the REOS user entering the data and the Office Assigned to the REOS user. The fields may be edited by staff on the e-form (this may be needed if clerical staff is entering the data on behalf of another staff person).

<3 <u>Date that the Claimant Refused the Job Referral and/or Offer</u>: Must be completed by staff to reflect the actual date that the refusal took place.

<4 <u>Job Order #</u>: If the job refused is a job order posted in the NYS and/or AJB Job Bank and is assigned a job order # in OSOS, then staff should select the Job Order number on the previous REOS screen at the same time as selecting the type of refusal from the drop down list. The Job Order drop down screen should list any/all job referrals recorded on the customers OSOS record. If the OSOS job order # is selected on the previous REOS screen, REOS will automatically populate all of the e-form fields related to the job info identified in the example as <4 and <9 from the OSOS job bank data on record.

If the refusal is related to a job outside of OSOS, then "N/A" or "Non-OSOS" should be entered in the job order # field and staff would need to manually complete all fields under <9. REOS will prompt staff to make an entry in this field whether or not the Job Order has a number assigned in OSOS.

<5 <u>The claimant was in receipt of /certifying for benefits for the week the job offer/referral was conveyed to the claimant</u>: The claimant must have certified for benefits during the week the refusal occurred for it to be an issue. Since REOS does not keep complete history of claimant certifications, staff will check only to insure that the claimant is Active in REOS which indicates that the claimant is continuing to certify for benefits. REOS also provides the last date certified. (One Stop staff should not have to look at UI mainframe systems to verify certification.)

- If claimant inactive in REOS, do not send as an issue to the TCC
- If claimant is active in REOS, send to TCC.
- If refusal occurred in the current week and the claimant has not yet certified for the week, advise claimant how to certify correctly and send to TCC. The claimant will be asked the following question if certifying on the phone: "Did you refuse any job offer or job referral last week?" or asked this question if certifying on the web "During the week ending _____, did you refuse any job offer or referral?" Therefore, a claimant should respond in the affirmative if they refused an offer or referral to employment.

Instructions for Completing REOS Refusal E-Form (continued)

<6 How was the referral or offer conveyed to the claimant? REOS provides a drop down list for selecting the method of referral: Email, In-Person, Letter, Telephone, or "Other". If "Other" is selected, the comment field at the bottom of the form should further explain the method used to convey the offer. If hard copy documentation exists (in the form of email, letter, etc.), copies should be sent to the TCC and included in the document counts shown in item <12 below.

<7 Is there verification that the claimant received the offer/referral? REOS provides a Yes/No drop down selection box. If Yes is selected, the comment field at the bottom of the form should further explain the documentation available for verification and/or a copy of the verification should be sent to the TCC and included in the document count shown in item <12 below. Examples of potential verification: an email or letter from the employer indicating that the claimant refused an offer; a written response from the claimant indicating that they refused the offer; a copy of the claimants work search record noting that they refused the offer. If the refusal was based on verbal information from the employer and/or claimant; then REOS should detail in Comments the information provided verbally and the REOS comment can serve as supporting documentation of the issue.

<8 Does the claimant have any documented barriers to this type of employment? REOS provides a Yes/No drop down selection box. If Yes is selected, the comment field at the bottom of the form should further explain the documentation available for verification and/or a copy of the verification should be sent to the TCC and included in the document count shown in item <12 below.

<9 Employer Name, Address, City, State, Zip, Description of Job, Job Duties, Work Location, Days, Hours, Rate of Pay: If the refusal is related to an OSOS Job Order #, then the system will automatically populate these fields based on the data available in the OSOS job bank. If the refusal is related to a non-OSOS job order, then staff will need to complete this data manually. Note the following:

- The job description/duties should be *suitable* for the claimant based on training and experience
- If the claimant refused the job referral or offer due to the rate of pay for the job, the rate of pay must be at or above the Prevailing Wage Cutoff (meaning 90% of the Prevailing Wage).
- If the claimant refused a job referral for which no rate of pay was available on the job order posting, the rate of pay should indicate "N/A", and the comment field below should indicate some reason other than rate of pay as the reason for the refusal.

<10 Prevailing Wage Cutoff for the occupation: Must be completed manually by staff from data available on the NYSDOL web site. If rate of pay was the reason for the refusal, there must also be documentation in REOS comments that the claimant was made aware of the specific PW cutoff for this job and/or given instruction as to how to directly access the PW cutoff information using the self-service web site prior to or at the time of referral and/or was made.
Referral to Employment: If pay rate not given by ER on document (eg. Wage offered may depend on experience), then cannot verify pay rate meets prevailing wage cutoff. Staff should not send as an issue.

Instructions for Completing REOS Refusal E-Form (continued)

<11 <u>Date that documents related to refusal issue was mailed to the TCC Central Support Unit and <12 Total Documents sent to the TCC Central Support Unit</u>: Documents providing support for the job order details, the conveyance of the referral/offer, verification of receipt of the referral; and/or documentation of the claimants refusal should be sent separately via mail to the TCC Central Support Unit. The total # of documents is a required field in REOS. If no documents are available, enter 0 in this field. However if any number >0 is entered in the # of documents field, then the date sent field becomes a required field.

<<u>13 Comment</u>: Provide any other relevant detail not otherwise included in the form and/or the documentation to be sent separately. If detail is known as to the claimants stated reason for refusal, please provide. Clarify fields where "Other" is selected. If job order is a non-OSOS job order then provide information on the source of the job order and how conveyed to the claimant. If item <8 indicates that the refusal related to a "barrier to employment", please detail the specifics. Advisory must be documented in REOS for TCC to make a determination.

Sample Completed Refusal REOS E-form:

Compose Issue.jsp - Microsoft Internet Explorer

Record UI Issue

Name: JANICE ADAMS
Office Assigned: CENTRAL OFFICES SUPPORT
SSN:
Reported By: REOS, ASO
Date ES Reported: 02/06/2007
Claimant refused: Job Offer
On 02/02/2007
Job Order#:

The claimant was in receipt of/certifying for benefits for the week the job offer/referral was conveyed to the claimant: Yes

How was the offer/referral conveyed to the claimant?: In Person

Is there verification that the claimant received the offer/referral?: Yes

Does the claimant have any documented barriers to this type of employment?: No

Employer Name: ABC Company

Employer Address: 10 Business Drive

City: Albany
State: NY
Zip: 12201

Description of Job: Executive Secretary

Job Duties: secretary to the CEO

Work Location: Albany

Days: Monday through Friday
Hours: First (Day)

Rate of pay: $19.00
per Hour

Prevailing Wage Cutoff for this occupation: $17.65
(Cutoff Wage equals 90% of Prevailing Wage which can be found at http://www.labor.state.ny.us/workforceindustrydata/uiwages.shtm)

Documentation of claimant's job/referral refusal mailed to TCC Central Support Unit on:

Total # of documents sent:

Comment:
Claimant reported today for PEER and indicated she refused employment last Friday because it paid less than she was making at her previous job.

Local intranet

start | IWPM | 4 Internet Explorer | Inbox - Microsoft O... | Microsoft PowerPoi... | Document2 - Micros... | 8:48 AM

Issue Type: Barrier Not Removed/Availability

Barrier Not Removed/Availability Issue – When the claimant identifies a "barrier to employment" which results in the claimant being not ready or willing to seek or accept employment (otherwise known as not *available* for work) and after proper advisement of the need to remove the barrier to employment and the consequences if not; the claimant does not and/or cannot remove the barrier to employment.

- A **Barrier to Employment** is any circumstance that would prevent a claimant from searching for and/or accepting employment. Examples of barriers - lack of childcare, desire for part time work, travel restrictions

- Section 591.2 of the NYS UI Law states: "No benefits shall be payable to any claimant who is not capable of work or who is not **ready, willing** and able **to work in his usual employment or in any other for which he is reasonable fitted by training and experience**".

- A claimant is considered **available for work** if he has no circumstances that prevent him from seeking or accepting employment, is making a diligent effort to obtain work and is prepared to start work without delay upon securing employment.

Required Elements of a Barrier Not Removed / Availability Issue:

1. Information is received that ***the claimant is not ready or willing to seek full time employment*** (in other words, the existence of a barrier to employment is identified)

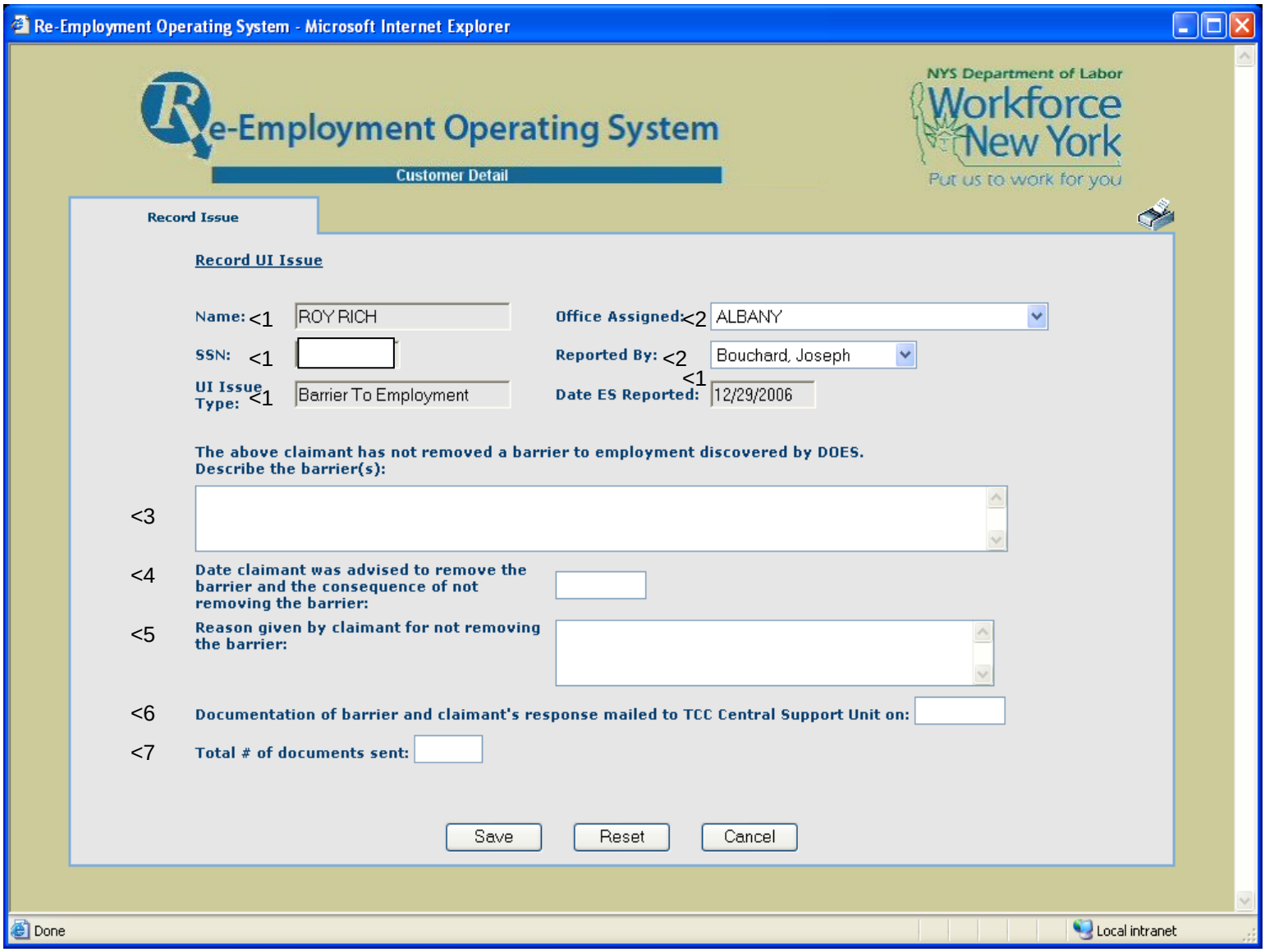
2. Proper ***advisory*** regarding the need to remove the barrier has been given, including the proper consequences of not removing barrier

   The Advisory should *be documented in REOS Comments and* should include:
   - Date claimant advised to remove Barrier.
   - That the claimant was advised of UI requirements.
   - That the claimant was made aware of the consequences of not removing the Barrier.
   - That the claimant was given a chance to remove the Barrier.
   - The claimant's reason for not removing the Barrier.

3. The claimant is give an opportunity to remove the barrier, but upon Advisory ***the claimant does not and/or can not remove barrier*** which results in the claimant remaining unavailable for work.

4. The ***claimant is Active in REOS***
   - If claimant inactive in REOS, do not send.
   - If claimant active in REOS, send to TCC.
   - If current week and claimant has not yet, advise claimant how to certify correctly and send to TCC.

Example of Barrier Not Removed/Availability E-Form:



Instructions for Completing REOS Barrier Not Removed/Availability E-Form (Referencing example on previous page):

<1: <u>Customer Name, SSN, UI Issue Type and Date Reported</u>: These 4 fields are all automatically populated by REOS and cannot be edited on the e-form:

- Customer Name and SSN – from select REOS Customer Detail Record
- Date Reported – based on the current date (the date that the e-form is being completed)
- UI Issue Type – selected by staff from dropdown list on previous REOS screen

<2: <u>Office Assigned and Reported By</u>: These fields are automatically defaulted by REOS based on the REOS user entering the data and the Office Assigned to the REOS user. The fields may be edited by staff on the e-form (this may be needed if clerical staff is entering the data on behalf of another staff person)

<3 <u>The above claimant has not removed a barrier to employment discovered by DEWS. Describe the barrier(s):</u> This should provide a *detailed* description of the barrier and how it impacts the claimant's ability to seek/accept employment. Include any/all pertinent facts available based on your interactions with the customer.

<4 <u>Date Claimant was advised to remove the barrier and the consequence of not removing the barrier</u>: This date should be on record and supported by a REOS Comments documenting the advisory.

<5 <u>Reason given by claimant for not removing the barrier</u>: This information should also be documented as part of the supporting REOS Comment documenting the Advisory. This e-form field should provide any pertinent details in addition to providing the claimant's reason for not removing the barrier including an accounting of how the claimant was given an opportunity to remove the barrier after advisement, and how determined that the claimant refused to and/or would not or could not remove the barrier (for example: reference any follow-up appointments scheduled subsequent to the advisement)

<6 <u>Date that documents related to the Barrier not Removed Issue were mailed to the TCC Central Support Unit and <7 Total Documents sent to the TCC Central Support Unit</u>: Documents providing support for the issue should be sent separately via mail to the TCC Central Support Unit. The total # of documents is a required field in REOS. If no documents are available, enter 0 in this field. However if any number >0 is entered in the # of documents field, then the date sent field becomes a required field. Note that only documentation that is not part of REOS need be sent separately. UI staff has access to REOS, so there is no need to copy REOS Comments and/or REOS scheduling history information to send to the TCC; TCC staff can access this information directly.

Sample Completed Barrier not removed/Availability REOS E-form:

Re-Employment Operating System - Microsoft Internet Explorer

Re-Employment Operating System

Customer Detail

NYS Department of Labor Workforce New York

Put us to work for you

Record Issue

Record UI Issue

Name: JANICE ADAMS

Office Assigned: CENTRAL OFFICES SUPPORT

SSN:

Reported By: REOS, ASO

UI Issue Type: Barrier To Employment

Date ES Reported: 02/06/2007

The above claimant has not removed a barrier to employment discovered by DOES.
Describe the barrier(s):

The claimant indicates she will not travel more than 15 minutes to work. She was advised today (advisory documented in REOS comments) about acceptable travel time requirements and the consequences of failing to meet those

Date claimant was advised to remove the barrier and the consequence of not removing the barrier: 02/07/2007

Reason given by claimant for not removing the barrier: She has never had to travel more than 15 minutes to work and doesn't plan on starting now.

Documentation of barrier and claimant's response mailed to TCC Central Support Unit on:

Total # of documents sent:

Save Reset Cancel

Local intranet

start IWPM 4 Internet Explorer Inbox - Microsoft O... Microsoft PowerPoi... Document2 - Micros... 8:41 AM

Issue Type: Capability

Capability Issue – A claimant's inability to seek and perform work.

- Section 591.2 of the NYS UI Law states: "No benefits shall be payable to any claimant who is not **capable of work** or who is not ready, willing and **able to work in his usual employment or in any other for which he is reasonable fitted by training and experience**".

- A claimant is considered available for work if he has no circumstances that prevent him from seeking or accepting employment, is making a diligent effort to obtain work and is prepared to start work without delay upon securing employment.

- A claimant may indicate that he/she is capable of performing work on a restricted basis and is presently seeking work he/she can perform. In this case, do not refer as an issue.

Required Elements of a Capability Issue:

1. Information is received that ***the claimant is not able to work***

   - Capability red flags/potential issues: disability, illness, surgery, injury
   - Examples of Capability Issues:
     - Claimant not able to do **any** work at this time due to a serious illness
     - Claimant not able to search for and/or accept work that he/she is suited to due to an injury (broken leg/back injury)
   - Only capability issues that are of a serious, long term, and/or ongoing nature should be sent to the TCC. Do not send short term illness situations to the TCC**.**

2. The ***claimant is Active in REOS***
   - If claimant inactive in REOS, do not send.
   - If claimant active in REOS, send to TCC.

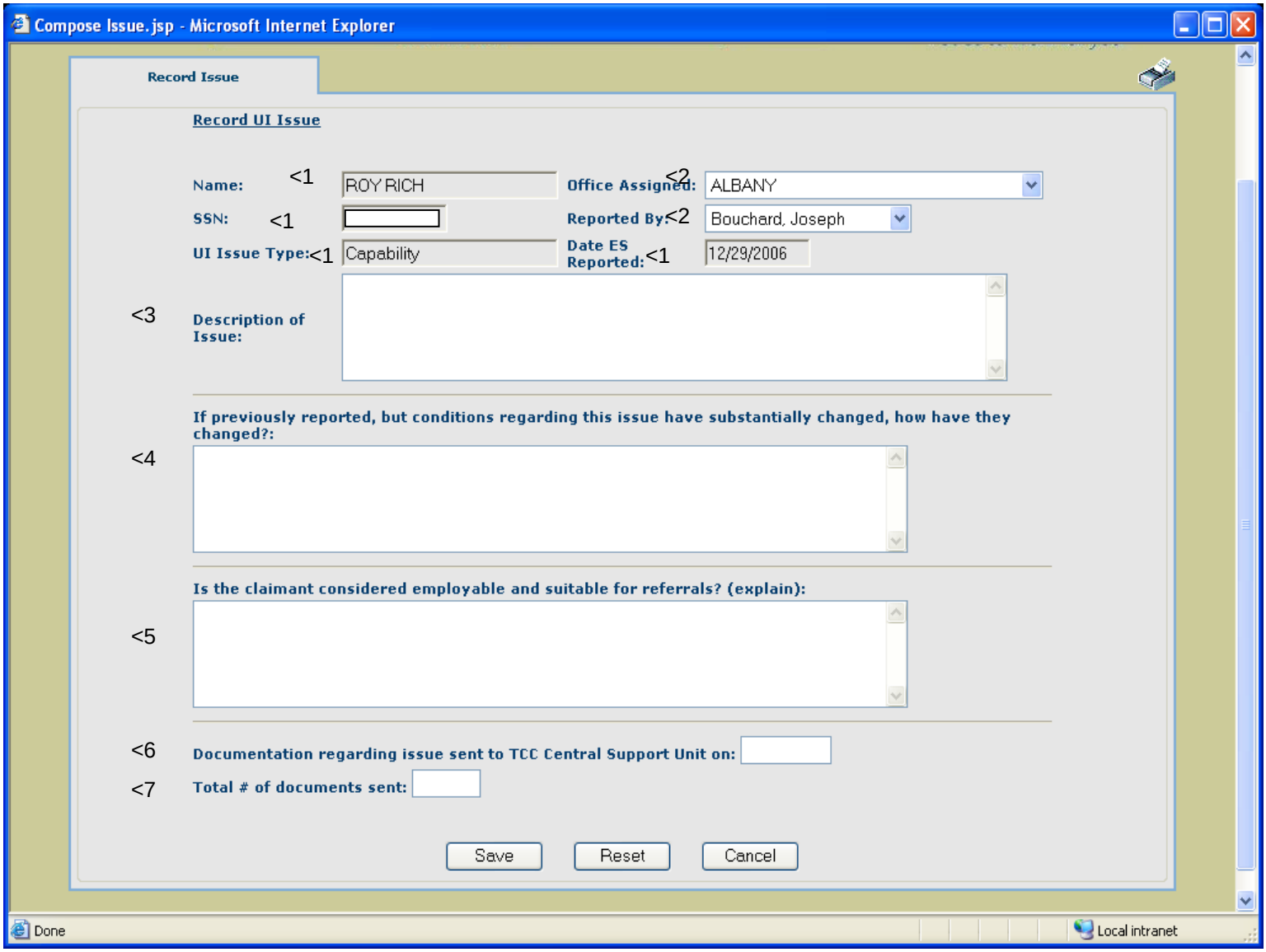
NOTE: Difference between "Availability" vs. "Capability" Issues:

- Capability - deals with the claimant's ability to work
- Capability – does not require claimant advisory

- Availability - deals with readiness and/or willingness to work
- Availability – requires claimant advisory and opportunity for the claimant to remove the barrier to employment

Example: If a claimant indicates he is caring for a sick relative, this is not a "capability" issue since the claimant is capable of working. However, the claimant may not be "ready and willing" to work in this situation which could result in an Availability issue if the claimant is unable or unwilling to remove this barrier to employment following proper advisory.

Example of REOS Capability E-Form:



Instructions for Completing REOS Capability E-Form (Referencing example on previous page):

<1: <u>Customer Name, SSN, UI Issue Type and Date Reported</u>: These 4 fields are all automatically populated by REOS and cannot be edited on the e-form:

- Customer Name and SSN – from select REOS Customer Detail Record
- Date Reported – based on the current date (the date that the e-form is being completed)
- UI Issue Type – selected by staff from dropdown list on previous REOS screen

<2: <u>Office Assigned and Reported By</u>: These fields are automatically defaulted by REOS based on the REOS user entering the data and the Office Assigned to the REOS user. The fields may be edited by staff on the e-form (this may be needed if clerical staff is entering the data on behalf of another staff person).

<3 <u>Description of Issue</u>: Provide a description (with as much detail as known) of the issue including an explanation of how/why it impacts the claimant's ability to seek/accept work. If dates of when the issue began and/or how long it is expected to last are available, include that information in the description.

<4 <u>If previously reported, but conditions regarding this issue have substantially changed, how have they changed?</u> This field only needs to be completed if reporting a change in circumstance and/or new information related to an issue which was previously reported to the TCC by DEWS and/or which the TCC was previously made aware of by the claimant but for which circumstances have subsequently changed.

<5 <u>Is the claimant considered employable and suitable for referrals? (Explain):</u> Based on claimant's voluntary statement and Reemployment staffs' judgment provide a brief explanation as to why claimant is not considered employable and suitable for referrals.

<6 <u>Date that documents related to the Barrier not Removed Issue were mailed to the TCC Central Support Unit and <7 Total Documents sent to the TCC Central Support Unit</u>: Documents providing support for the issue should be sent separately via mail to the TCC Central Support Unit. The total # of documents is a required field in REOS. If no documents are available, enter 0 in this field. However if any number >0 is entered in the # of documents field, then the date sent field becomes a required field. Note that only documentation that is not part of REOS need be sent separately. UI staff has access to REOS, so there is no need to copy REOS Comments and/or REOS scheduling history information to send to the TCC; TCC staff can access this information directly.

Sample Completed Capability REOS E-form:

Compose Issue.jsp - Microsoft Internet Explorer

Customer Detail

Put us to work for you

Record Issue

Record UI Issue

Name:	JANICE ADAMS	**Office Assigned:**	CENTRAL OFFICES SUPPORT
SSN:	178-30-3897	**Reported By:**	REOS, ASO
UI Issue Type:	Capability	**Date ES Reported:**	02/06/2007

Description of Issue:

Claimant's family responded to PEER letter that claimant can not report to the office as claimant is in the hospital recovering from heart surgery on January 3rd. Claimant is active in REOS.

If previously reported, but conditions regarding this issue have substantially changed, how have they changed?:

Issue not previously reported.

Is the claimant considered employable and suitable for referrals? (explain):

No the claimant is in the hospital.

Documentation regarding issue sent to TCC Central Support Unit on:

Total # of documents sent:

Save Reset Cancel

Done Local intranet

Issue Type: Inadequate Work Search

Inadequate Work Search Issue – A claimant must be actively seeking employment in order to maintain eligibility for Unemployment Insurance Benefits. An inadequate work search indicates the claimant is not actively seeking employment.

The UI Claimant Handbook advises claimants that to be eligible for benefits, the claimant must be available for work and demonstrate that availability by actively seeking employment while claiming benefits. Claimants are required to maintain a written record of efforts to find employment and to advised that they may asked to produce their written work search record as part of an evaluation of their work search efforts as related to their continued eligibility for benefits. The claimant handbook provides a form that can be used by the claimant to assist them in maintaining a work search record (see sample on next page), however the record may be maintained using alternative formats that meet the intent of the requirement.

General Work Search rules:

- Claimants must search for and be willing to accept suitable work; work for which they are suited by training and experience. This means that claimants must look for work in any/all recent occupations; this is important in cases where the prospects of obtaining work in their primary skill area is not good.
- Search for self employment only does not satisfy the search for work requirement *(unless the claimant has been approved by UI for the UI Self Employment Program)*
- Claimants must be willing to travel a reasonable distance for work. As a general rule, travel of one hour by private transportation or one and one-half hours by public transportation is considered reasonable.
- How claimants search for work depends on the type of work being sought, however claimants are expected to use reasonable methods of identifying job openings.

Required Elements of an Inadequate Work Search Issue:

If/when it is identified that the claimant is not seeking work and/or the number or frequency of work search efforts is inadequate, then the following steps would need to take place/be documented in order to send an Inadequate Work Search Issue to the TCC for adjudication:

1. Develop a written work search plan that the claimant agrees to follow and advise the claimant of the consequences of non-compliance.
2. Set up a follow-up appointment in 2 weeks to monitor compliance with the agreed upon plan
3. At that point, send a copy of the work search plan along with an Inadequate Work Search Issue e-form to the TCC with the first box checked. This requests that the claimant's benefits be put on hold for the week ***prior to*** the follow-up appointment.
4. After the 2 week follow-up appointment, need to send a 2nd Inadequate Work Search Issue e-form to the TCC identifying either compliance or non-compliance with the work search plan.

    a. If the claimant has demonstrated compliance with the plan, the e-form would request that the benefit hold be removed.
    b. If the claimant is not compliant, the e-form must clearly indicate the basis for determining that the claimant's work search efforts are inadequate
5. Supporting Information for the TCC that must accompany an Inadequate Work Search Issue
    a. Signed and dated copy of the Work Search Agreement
        i. Must include clear and measurable expectations for the customer.
    b. Evidence the claimant has been provided with advisories and assistance and has received instruction to record work search efforts for proof upon inquiry.
    c. Record of inadequate work search efforts
        i. Must clearly show why work search is inadequate.

Sample Work Search Record (Per UI Claimant Handbook)

WORK SEARCH RECORD

Name: _____ Soc. Sec. No.:_____

List all the employers and labor unions you contact each week while claiming unemployment benefits. You will be asked to present this list to evaluate your work search efforts when you are called in for a PEER interview (see page 9). Remember, you must contact several different employers each week in person unless otherwise instructed. If you run out of space on these sheets, you should continue your list on separate sheets of paper.

Date of Contact	Employer's Name, Address & Phone Number	Method of Contact*	Name of Person Contacted	Position Applied for	Was Application Taken?	Result of Contact

* T = Telephone; P = In Person; R = Resume.

Example of REOS Inadequate Work Search E-Form:

Compose Issue.jsp - Microsoft Internet Explorer

Record Issue

Record UI Issue

Name: <1 ROY RICH

Office Assigned: <2 ALBANY

SSN: <1

Reported By: <2 Bouchard, Joseph

UI Issue Type: Inadequate Work Search

Date ES Reported: <1 12/29/2006

Check one:

<3 ☐ To report the development of a WSA with request to hold UI payments pending follow-up in two weeks:

<4 As a result of inadequate work search, a formal Work Search Agreement was developed with the above claimant, and the claimant was advised of the consequences of non-compliance on _____.

<5 The Claimant has been scheduled for a two-week follow-up on _____.

<6 Payment for the W/E _____ should be held pending compliance with the Work Agreement.

<7 ☐ To report compliance with WSA:

<8 The claimant's work search efforts were reviewed on _____ and s/he was in compliance with the WSA. I recommend that UI benefit payment should continue/resume.

<9 ☐ To report noncompliance with WSA:

<10 The Claimant was interviewed on _____ and was found to be in noncompliance with the Work

<11 Search Agreement of _____ for the following reasons:

<12 A copy of the WSA and record of Inadequate Work Search efforts was mailed to TCC Central Support

<13 Unit on: _____. Total # of documents sent: _____ (if none enter zero).

Done

Local intranet

Instructions for Completing REOS Inadequate Work Search E-Form (Referencing example on previous page):

<1: <u>Customer Name, SSN, UI Issue Type and Date Reported</u>: These 4 fields are all automatically populated by REOS and cannot be edited on the e-form:

- Customer Name and SSN – from select REOS Customer Detail Record
- Date Reported – based on the current date (the date that the e-form is being completed)
- UI Issue Type – selected by staff from dropdown list on previous REOS screen

<2: <u>Office Assigned and Reported By</u>: These fields are automatically defaulted by REOS based on the REOS user entering the data and the Office Assigned to the REOS user. The fields may be edited by staff on the e-form (this may be needed if clerical staff is entering the data on behalf of another staff person)

<3 <u>To report the development of a WSA with request to hold UI payments pending follow-up in two-weeks</u>:

<4 <u>As a result of inadequate work search, a formal Work Search Agreement was developed with the above claimant, and the claimant was advised of the consequences of non-compliance on:</u>

<5 <u>The Claimant has been scheduled for a two-week follow-up on</u>

<6 <u>Payment for the W/E should be held pending compliance with the Work Search Agreement</u>:

<7 <u>To report compliance with WSA</u>:

<8 <u>The claimant's work search efforts were reviewed on _____ and s/he was in compliance with the WSA. I recommend that UI benefit payment should continue/resume</u>:

<9 <u>To report noncompliance with WSA</u>:

<10 <u>The Claimant was interviewed on ____ and was found to be in noncompliance</u>:

<11 <u>With the Work Search Agreement of ____ for the following reason</u>:

<12 <u>A copy of the WSA and record of Inadequate Work Search efforts was mailed to TCC Central Support Unit on</u>:

<13 <u>Total # of documents sent</u>:

Sample completed Inadequate Work Search REOS E-form:

Compose Issue.jsp - Microsoft Internet Explorer

Customer Detail

Put us to work for you

Record Issue

Record UI Issue

Name: JANICE ADAMS

Office Assigned: CENTRAL OFFICES SUPPORT

SSN:

Reported By: REOS, ASO

UI Issue Type: Inadequate Work Search

Date ES Reported: 02/06/2007

Check one:

☑ To report the development of a WSA with request to hold UI payments pending follow-up in two weeks:

As a result of inadequate work search, a formal Work Search Agreement was developed with the above claimant, and the claimant was advised of the consequences of non-compliance on 02/06/2007.

The Claimant has been scheduled for a two-week follow-up on 02/21/2007.

Payment for the W/E 02/25/2007 should be held pending compliance with the Work Agreement.

☐ To report compliance with WSA:

The claimant's work search efforts were reviewed on _____ and s/he was in compliance with the WSA. I recommend that UI benefit payment should continue/resume.

☐ To report noncompliance with WSA:

The Claimant was interviewed on _____ and was found to be in noncompliance with the Work Search Agreement of _____ for the following reasons:

A copy of the WSA and record of Inadequate Work Search efforts was mailed to TCC Central Support

Done

Inbox - Microsoft Outlook

Local intranet

Issue Type: Training Related

Training Related Issue – information is received that a claimant is attending school or in training while collecting unemployment benefits which impacts the claimant's availability for work.

Required Elements of Training Related Issues:

1. The claimant's attendance of school and/or training ***impacts their availability to search for and/or accept employment.***

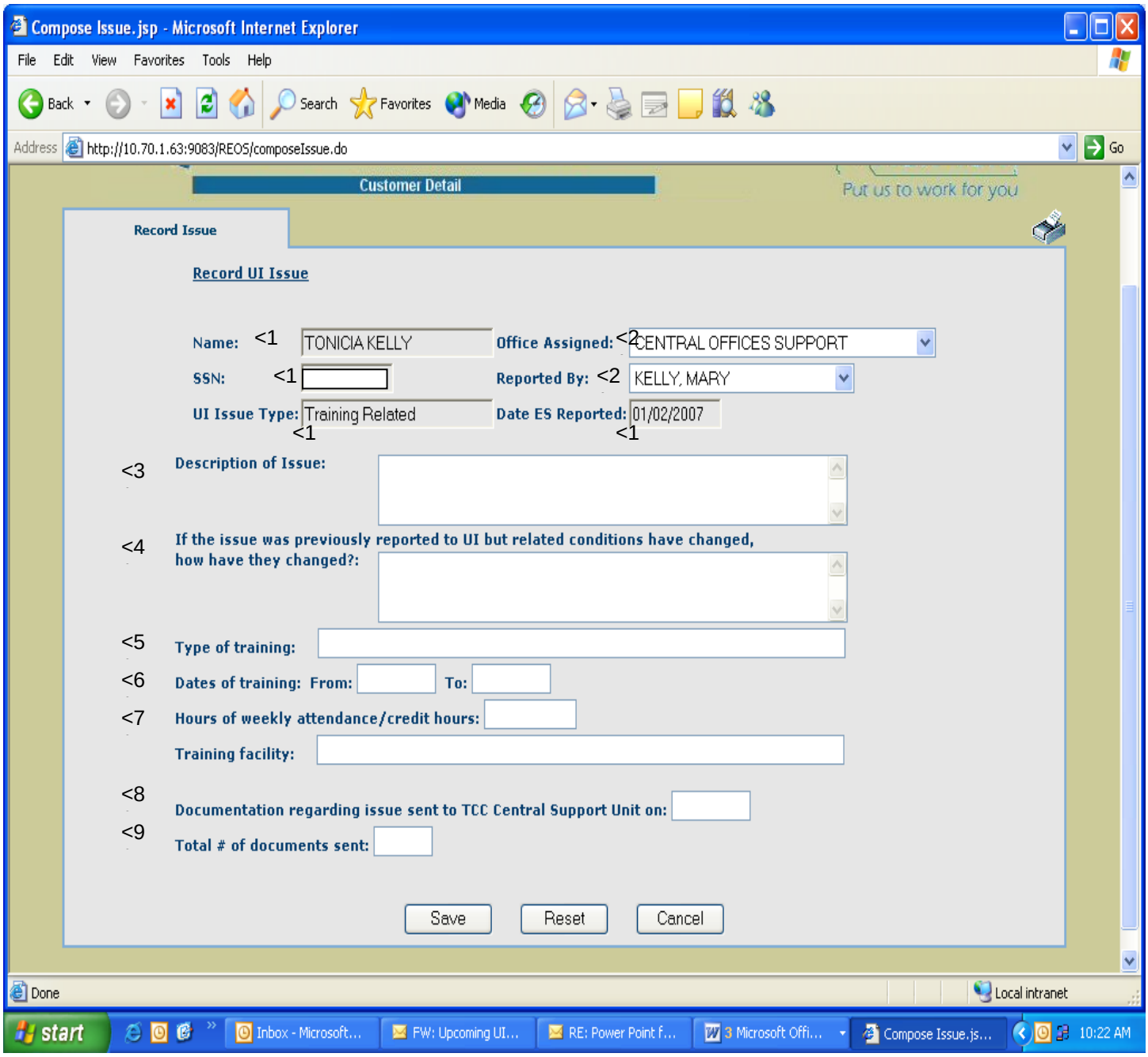
2. The ***claimant has not been approved by UI for 599***. Section 599 of the Labor Law allows claimants to continue to collect benefits while attending approved training. Claimants approved for 599 are exempt from UI work search requirements while in approved training, therefore if approved for 599 no UI Issue exists. *(REOS identifies claimants approved for 599 training).*

   Note: If the claimant has been disapproved for 599 or if their application for 599 is still pending, *it is appropriate to send issue to the TCC* with supporting documentation that the training is impacting their ability to search for and/or accept work.

3. The claimant did not already advise the TCC of the training. If the claimant already notified the TCC of the training, assume that the TCC already looked at the issue and made a proper eligibility determination. Only report as an issue if the claimant has not previously notified the TCC of the training, and/or the training circumstances have substantially changed (for example: the claimant changed from PT to FT student).

4. The ***claimant is Active in REOS***
   a. If claimant inactive in REOS, do not send.
   b. If claimant active in REOS, send to TCC.

Example of REOS Training Related E-Form:



Instructions for Completing REOS Training Related E-Form (Referencing example on previous page):

<1: <u>Customer Name, SSN, UI Issue Type and Date Reported</u>: These 4 fields are all automatically populated by REOS and cannot be edited on the e-form:

- Customer Name and SSN – from select REOS Customer Detail Record
- Date Reported – based on the current date (the date that the e-form is being completed)
- UI Issue Type – selected by staff from dropdown list on previous REOS screen

<2: <u>Office Assigned and Reported By</u>: These fields are automatically defaulted by REOS based on the REOS user entering the data and the Office Assigned to the REOS user. The fields may be edited by staff on the e-form (this may be needed if clerical staff is entering the data on behalf of another staff person)

<3 <u>Description of Issue</u>: Provide a description (with as much detail as known) of the issue including an explanation of how/why it impacts the claimant's ability to seek/accept work. Include information, if known, as to whether or not the claimant is aware and/or has applied for 599 and the status of application (disapproved/pending). *Note that if approved for 599, no issue exists).*

<4 <u>If the issue was previously reported to UI but related conditions have changed, how have they changed?</u> This field only needs to be completed if reporting a change in circumstance and/or new information related to an issue which was previously reported to the TCC by DEWS and/or which the TCC was previously made aware of by the claimant but for which circumstances have subsequently changed. (For example the claimant was previously enrolled PT in school and has recently changed to FT student status)

<5 <u>Type of training</u>: provide as much detail as available

<6 <u>Dates of training</u>: provide as much detail as available

<7 <u>Hours of weekly attendance/credit hours</u>: provide as much detail as available

<8 <u>Date that documents related to the Barrier not Removed Issue were mailed to the TCC Central Support Unit and <9 Total Documents sent to the TCC Central Support Unit</u>: Documents providing support for the issue should be sent separately via mail to the TCC Central Support Unit. The total # of documents is a required field in REOS. If no documents are available, enter 0 in this field. However if any number >0 is entered in the # of documents field, then the date sent field becomes a required field. Note that only documentation that is not part of REOS need be sent separately.

Sample Completed Training Related REOS E-form:

Compose Issue.jsp - Microsoft Internet Explorer

Re-Employment Operating System

Customer Detail

NYS Department of Labor Workforce New York Put us to work for you

Record Issue

Record UI Issue

Name: JANICE ADAMS

Office Assigned: CENTRAL OFFICES SUPPORT

SSN:

Reported By: REOS, ASO

UI Issue Type: Training Related

Date ES Reported: 02/06/2007

Description of Issue: Claimant indicates she attends school full time. She states she has applied for 599, but has been denied.

If the issue was previously reported to UI but related conditions have changed, how have they changed?:

Type of training: Master's Degree - full time college/student teaching

Dates of training: From: 09/01/2006 To: 01/04/2008

Hours of weekly attendance/credit hours: 40

Training facility: Russell Sage Graduate School

Documentation regarding issue sent to TCC Central Support Unit on:

Total # of documents sent:

Save Reset Cancel

Local intranet

Miscellaneous Issue Types

The issue types listed below are reported using the same generic UI Issue e-form in REOS shown on the following page. As with all issue types, none of the UI Issues below should be reported to UI unless the Claimant Status in REOS is Active.

I. **Concealment of Employment Issue –** a claimant conceals a base period employer or the reason for separation from an employer.

- This is only an issue that should be reported if the claimant appears to be concealing an employer from UI. If the claimant indicates that they already advised the TCC, then do not send as an issue to the TCC.
- Concealment of Employment means that a claimant did not inform the TCC of a particular employer in the initial claims taking process. A claimant not disclosing work during a particular week would not be a concealment issue, rather it would be a *Not Totally Unemployed (NTU)* Issue (see NTU Issues below)

II. **Self-Employment Issue -** information is received that the claimant owns a business or is starting a business which impacts their ability to search for and/or accept other work. This includes claimants who have an incorporated business.

- Only report this as an issue if it appears that the claimant has not notified the TCC that they started a business or are operating a business.
- Self-employed individuals can make over $405 with no impact on their UI benefits. However, when certifying for benefits, any activity (15minutes) in a particular day must be reported as a day worked for which benefits cannot be claimed.

III. **Not Totally Unemployed (NTU) Issue -** when information is received that the claimant is working, not properly declaring work, and collecting benefits.

- This type of issue is to be sent to UI Investigations, as opposed to the TCC, as UI Investigations unit has the ability to do field investigation (observe claimant). REOS is being programmed to report any/all NTU issues directly to Investigations.
- If the claimant indicates that they simply made an error while certifying, then instruct the claimant to contact the TCC directly. Do not report it as a NTU issue to Investigations.
- There are circumstances where claimants are allowed to work and collect benefits. No issue exists if the work is being properly declared during/by the claimant as part of certification process:
    - if claimants work 3 days or less and earn $405 or less in a particular week, they may still be eligible for partial benefits for that week
    - If the claimant does volunteer work, a good parameter to use to determine if an issue should be reported is whether or not the volunteer work interferes with the claimant's ability to seek and accept employment. No issue exists unless it impacts the claimant's work search responsibilities.

IV. **"Other" Issue** – this issue type would be selected in REOS only when information is received regarding a claimant can not be entered on a different e-form, but needs to be provided to the TCC. The previously outlined Issue Types (FTR, Capability, Availability, Inadequate Work Search, Training Related, etc...) represent those most frequently encountered, and therefore, the selection of the "Other" issue type in REOS should be rare.

Below are 2 examples of potential issues that could be appropriately reported to the TCC using the REOS "other" issue type:

1. ***Out of Area*** *trips by the claimant, under certain circumstances. Note the following related to Out of Area situations***:**
   - When a claimant indicates an upcoming trip out of the area, provide the claimant with an advisory about proper certifications when out of the area. There is no reason to send this to the TCC. An issue would only exist if/when the claimant was to certify for benefits inappropriately while out of the area. Note that the UI claimant handbook advises the claimant to contact the TCC to inform them of any planned trip out of the area.
     - If the claimant is going out of the area to look for work, advise the claimant to keep an accurate record of work search efforts while they continue to certify for benefits.
     - If they are going out of the area for non-work related concerns, the claimant should be advised to not certify for benefits during a time in which they are not available.
   - If a claimant indicates a previous trip out of the area during which the claimant certified for and received benefits, send the issue to the TCC.

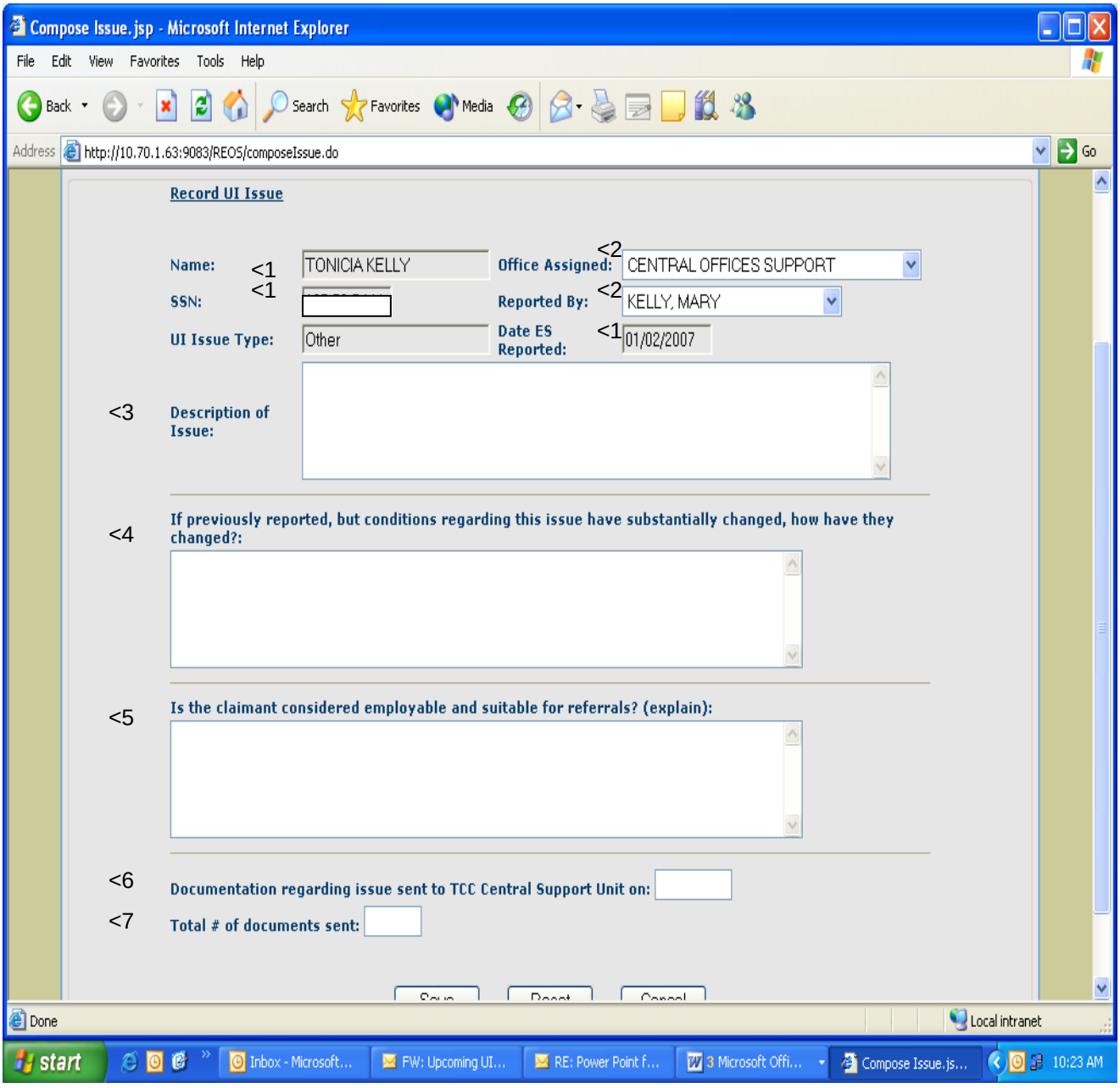
2. ***Frequent Undeliverable Mail*** – if mail to a claimant is repeatedly returned as undeliverable, but the claimant remains Active in REOS, continues to collect benefits, and there is no record of the claimant providing an Address change notice to UI, this should be reported to UI using the "Other" Issue e-form.

   - Only report as an Issue to UI if it is confirmed that the claimant has not provided UI with an updated address
   - Only report if the claimant continues to receive benefits and remains Active in REOS

   (Select DEWS field staff has direct access to UI mainframe systems. This is the only type of issue that it is recommended that DEWS staff first confirm on UI systems that UI does not have an address update and that the claimant is continuing to receive benefit payments. All other issues – staff need only access REOS to access sufficient information needed to determine if issue needs to be reported).

<7

Example of REOS "Other" Issue Generic E-Form:



Instructions for Completing REOS "Other" Issue Generic E-Form (Referencing example on previous page):

<1: <u>Customer Name, SSN, UI Issue Type and Date Reported</u>: These 4 fields are all automatically populated by REOS and cannot be edited on the e-form:

- Customer Name and SSN – from select REOS Customer Detail Record
- Date Reported – based on the current date (the date that the e-form is being completed)
- UI Issue Type – selected by staff from dropdown list on previous REOS screen

<2: <u>Office Assigned and Reported By</u>: These fields are automatically defaulted by REOS based on the REOS user entering the data and the Office Assigned to the REOS user. The fields may be edited by staff on the e-form (this may be needed if clerical staff is entering the data on behalf of another staff person)

<3 <u>Description of Issue</u>: Provide a description (with as much detail as known) of the issue including an explanation of how/why it impacts the claimant's ability to seek/accept work.

<4 <u>If the issue was previously reported to UI but related conditions have changed, how have they changed?</u> This field only needs to be completed if reporting a change in circumstance and/or new information related to an issue which was previously reported to the TCC by DoES and/or which the TCC was previously made aware of by the claimant but for which circumstances have subsequently changed.

<5 <u>Is the claimant considered employable and suitable for referrals? (Explain):</u> Claimants statement and Reemployment staff's judgment provide a brief explanation as to why claimant is not considered employable and suitable for referrals.

<8 <u>Date that documents related to the Barrier not Removed Issue were mailed to the TCC Central Support Unit and <9 Total Documents sent to the TCC Central Support Unit</u>: Documents providing support for the issue should be sent separately via mail to the TCC Central Support Unit. The total # of documents is a required field in REOS. If no documents are available, enter 0 in this field. However if any number >0 is entered in the # of documents field, then the date sent field becomes a required field. Note that only documentation that is not part of REOS need be sent separately.

Sample Completed Miscellaneous REOS E-forms:

Compose Issue.jsp - Microsoft Internet Explorer

Customer Detail

Put us to work for you

Record Issue

Record UI Issue

Name:	JANICE ADAMS	**Office Assigned:**	CENTRAL OFFICES SUPPORT
SSN:		**Reported By:**	REOS, ASO
UI Issue Type:	Self Employment	**Date ES Reported:**	02/06/2007

Description of Issue:

claimant indicates she is looking into starting her own restaurant. she states she has purchased an old restaurant, but it remains closed at the current time. Claimant has not been enrolled in SEP.

If previously reported, but conditions regarding this issue have substantially changed, how have they changed?:

Is the claimant considered employable and suitable for referrals? (explain):

Documentation regarding issue sent to TCC Central Support Unit on:

Total # of documents sent:

Save Reset Cancel

Done (4) Internet Explorer Local intranet

Compose Issue.jsp - Microsoft Internet Explorer

Customer Detail

Put us to work for you

Record Issue

Record UI Issue

Name:	JANICE ADAMS	**Office Assigned:**	CENTRAL OFFICES SUPPORT
SSN:		**Reported By:**	REOS, ASO
UI Issue Type:	Other	**Date ES Reported:**	02/06/2007

Description of Issue:

Claimant indicates she was out of the area in Florida during the month of December on vacation to visit her family over the holidays. Claimant has been in active status throughout her claim.

If previously reported, but conditions regarding this issue have substantially changed, how have they changed?:

Is the claimant considered employable and suitable for referrals? (explain):

Documentation regarding issue sent to TCC Central Support Unit on:

Total # of documents sent:

Save Reset Cancel

Local intranet

Compose Issue.jsp - Microsoft Internet Explorer

Record Issue

Record UI Issue

Name:	JANICE ADAMS	**Office Assigned:**	CENTRAL OFFICES SUPPORT
SSN:		**Reported By:**	REOS, ASO
UI Issue Type:	Other	**Date ES Reported:**	02/06/2007

Description of Issue:

Undeliverable Mail - 2 PEER appointment letters have been returned undleiverable. No new address information available.

If previously reported, but conditions regarding this issue have substantially changed, how have they changed?:

Is the claimant considered employable and suitable for referrals? (explain):

Unable to contact claimant to convey referral information.

Documentation regarding issue sent to TCC Central Support Unit on:

Total # of documents sent:

Save Reset Cancel

Done Local intranet

Compose Issue.jsp - Microsoft Internet Explorer

Re-Employment Operating System

Customer Detail

NYS Department of Labor Workforce New York

Put us to work for you

Record Issue

Record UI Issue

Name:	JANICE ADAMS	**Office Assigned:**	CENTRAL OFFICES SUPPORT
SSN:		**Reported By:**	REOS, ASO
UI Issue Type:	NTU	**Date ES Reported:**	02/06/2007

Description of Issue:

During discussion with claimant, she indicated reluctance to commit to come in for computer classes next week. She states she has been helping her brother at his place of business for the past few weeks. Her brother was her base period employer. She is active in REOS.

If previously reported, but conditions regarding this issue have substantially changed, how have they changed?:

Not previously reported.

Is the claimant considered employable and suitable for referrals? (explain):

Yes.

Documentation regarding issue sent to TCC Central Support Unit on:

Local intranet

Compose Issue.jsp - Microsoft Internet Explorer

Customer Detail

Put us to work for you

Record Issue

Record UI Issue

Name:	JANICE ADAMS	**Office Assigned:**	CENTRAL OFFICES SUPPORT
SSN:	[redacted]	**Reported By:**	REOS, ASO
UI Issue Type:	Concealment	**Date ES Reported:**	02/06/2007

Description of Issue:

When reviewing claimant's work experience, claimant indicated she worked in manufacturing in December before she filed her claim, but that it didn't work out and she was fired. Claimant states she did not report this when she filed her claim because she thought it would make her ineligible as she had been fired.

If previously reported, but conditions regarding this issue have substantially changed, how have they changed?:

Not previously reported.

Is the claimant considered employable and suitable for referrals? (explain):

Yes.

Documentation regarding issue sent to TCC Central Support Unit on:

Total # of documents sent:

Save Reset Cancel

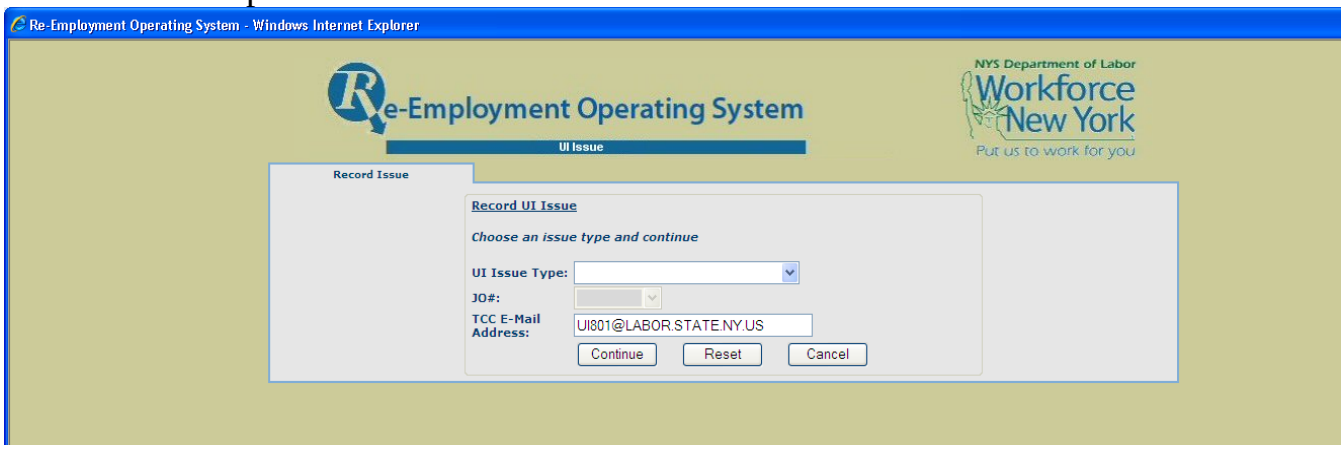
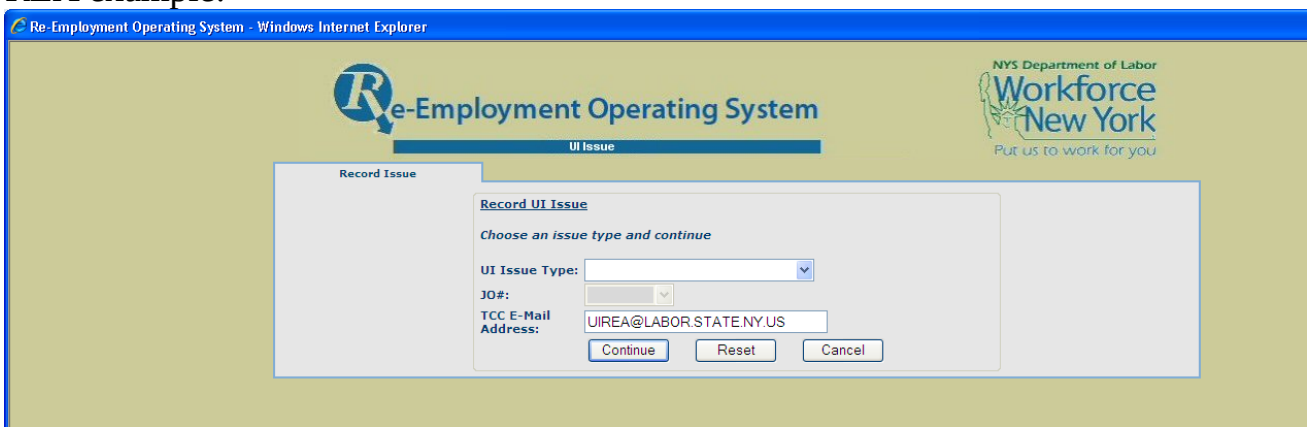
(2) Microsoft Office Word

Instructions for Reporting Issues for REA participants vs. non-REA participants:

Non-REA - REOS automatically defaults to correct UI email address corresponding to nearest TCC.

REA – Must manually change email address to: UIREA@labor.state.ny.us

Non-REA example:



REA example: