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DEPARTMENT OF LABOR AND EMPLOYMENT

WORKFORCE DEVELOPMENT PROGRAMS

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Denver, Colorado 80202-3627

Attachment 11

TECHNICAL ASSISTANCE NOTICE: 12-01 Revised

SUBJECT: Use of Unemployment Insurance Notifications and Screen Prints to Document WIOA Program Eligibility and Outcomes

DATE: August 2014

Please Note: The following Technical Assistance Notice (TAN) should be viewed as an Official state communication from CDLE's Workforce Development Programs (WDP) Office.

PURPOSE:

This Technical Assistance Notice (TAN) is intended to provide guidance on the expanded use of Unemployment Insurance (UI) notifications and screen prints to document eligibility and outcomes for Workforce Investment Act (WIOA) programs and discretionary grants. These additional options for documentation are the result of recent rulings by the US Department of Labor and the Unemployment Insurance Division of the Colorado Department of Labor and Employment.

- **New items include information on using CUBS W5 and W6 screens for eligibility documentation and guidance on minimal printing requirements for UI screens.**

I. USE OF THE EUC-8 NOTIFICATION TO DOCUMENT DISLOCATED WORKER PROGRAM OR DISCRETIONARY GRANT ELIGIBILITY (See attachment 1: EUC-8).

Beginning in March 2012 WDP, UI, and the statewide network of workforce centers began implementation of the Extended Unemployment Compensation (EUC) - Workforce Reemployment Services program for those individuals transitioning from an initial unemployment insurance claim to the first or second tier of EUC. Claimants who become eligible for EUC tier 1 or 2 between March 23, 2012, and January 2, 2013, receive a written notice from UI about the new work-search requirements and their responsibility to complete the four required reemployment activities. This official notification form is identified as the EUC-8.

On the recommendation of local workforce centers, WDP approached the regional office of the US Department of Labor (USDOL) to determine if the EUC-8 could serve as stand-alone documentation of eligibility for WIOA Dislocated Worker programs and discretionary grants. The model for this is the way workforce centers currently use the UI Profiling notification letter for DW eligibility. After extensive research USDOL agreed that **the EUC-8 by itself can be used to document Dislocated Worker eligibility**, and the state is authorized to create a policy for its use by local WIOA service providers.

If an EUC claimant is referred to the WIOA Dislocated Worker program or a DW discretionary grant initiative for additional services, the EUC claimant will need to provide a copy of their individual EUC-8 notification to the workforce center staff person for inclusion in the eligibility documentation section of the customer case file. Claimants may provide the EUC-8 in hard copy format or electronically through email or FAX, but in all cases the name of the claimant must be legible on the document for it to be acceptable as eligibility documentation. **The EUC-8 can be used to document eligibility for Dislocated Worker programs and discretionary grants for up to two years from the date of EUC-8 letter (beginning with letters issued March 2012),**

if the customer is still unemployed or underemployed and looking for work.

Even though the EUC-8 by itself is the only document needed to meet the specific requirements of DW eligibility, Workforce Regions will still need to obtain basic WIOA eligibility documentation, including the Affidavit of Immigration, plus proof of age and Selective Service registration. (See PGL 08-17-WIOA: WIOA Eligibility Determination and Documentation, for detailed instructions regarding basic WIOA eligibility documentation.)

As new EUC claimants are identified through the daily list received from UI in Connecting Colorado, Workforce Regions may wish to modify the appointment notification to include instructions for the claimant to bring a copy of their EUC-8 to their EUC one-on-one appointment and to hold onto this document if they wish to receive more intensive services, such as training or career counseling services. **If an EUC-8 is lost or misplaced, UI can reissue the document to the claimant. To request a copy, the Claimant can call the Customer Contact Center and request the duplicate form; or Workforce center staff may send an email request to cdle_ccc@state.co.us , put EUC-8 in the subject line and the Claimant ID in the body, including the last four of the SSN and claimant's last name.** In both cases the form will be sent to the claimant via email or to their mailing address. If the duplicate EUC-8 is needed for program eligibility, please ask the claimant to send or bring a copy to the workforce center when they receive it from Unemployment Insurance.

If no EUC-8 is available, regions will need to rely on other methods to document eligibility, such as the UI notice of decision, statement of wages, and 6 weeks of job search logs or LMI data for documentation of layoff, UI eligibility and unlikely to return, etc.

II. USE OF THE UI NOTICE OF DECISION TO DOCUMENT LAYOFF AND UI ELIGIBILITY (See attachment 2: UI Notice of Decision)

Regions have been utilizing the UI Notice of Decision to document a layoff, as well as UI eligibility, when the notice contains the following legal citation:

Colorado Employment Security Act 8-73-108(4)(a)

This citation is specifically defined to mean that the claimant has been laid off due to lack of work, and will be getting a full award of benefits without a disqualification.

However, there are 21 other citations that also mean that the claimant is being granted a full award without a disqualification. USDOL has recently reviewed all of these UI citations and has determined that if any one of them appears on the UI Notice of Decision, the Notice may be used to document layoff and UI eligibility. **These citations always start with 8-73-108(4), but can end with a different letter from (a) through (v).** Each letter signifies a different definition. The intent of the law is to determine who is responsible, and 8-73-108 (4) indicates 'through no fault of their own.' Thus the claimant is considered out of work and not responsible for the separation when any of the 'a' through 'v' definitions is used with 8-73-108(4).

The UI Notice of Decision **cannot** be used to document layoff and UI eligible when the following citation is used: ***Colorado Employment Security Act 8-73-108(5)(e)***
This citation indicates that a disqualification has been applied against the claim.

NOTE: Please note that not all claimants receive a Notice of Decision. Only claimants who had some type of issue on their claim will receive this notice. Workforce regions will need to use other forms of documentation in these cases.

III. USE OF CUBS 03 and 04 SCREEN PRINTS TO DOCUMENT LAYOFF ONLY (See examples below)

- The CUBS 04 screen covers the base period of a claim and contains two codes that identify the reasons for a job separation, one for the claimant's stated reason and one for the employer's stated reason. The CUBS 03 screen covers the time period after the base period of the claim and contains the separation codes for that time frame.
- The 09 code indicates the separation reason is due to lack of work. An 03 or 04 screen can be used to document a layoff:
 - if both the Claimant and Employer Separation columns have 09 codes (see Sample 1 below). **Or,**
 - if the Claimant column has 09, but the Employer column has 00 **and** the Due Date is past (see Sample 2 below). **Or,**
 - if the Claimant column has 09 and the Employer has OA, **and** the CUBS 20 screen indicates a full award of benefits without a disqualification (see section IV below).
 Any other code will not be acceptable as a reason for separation. For example, a code 20 indicates that there was a discharge; however, the reason for discharge is undefined. An 03 or 04 screen with a code 20 cannot document a layoff.
- In cases where the coding in the Claimant and Employer Separation columns are different from the combinations listed above, the 03 or 04 screen cannot be utilized as there is a disagreement between the employer and claimant regarding the separation reasons.
- The case manager may print the CUBS screen and place it in the case file. The case manager should also mark the printout as documenting layoff for DW eligibility in lieu of a layoff notice and yellow highlight both the 09 code(s) and the name of the employer.

04 Screen Sample 1: Acceptable Documentation of Layoff for DW

An 04 screen from CUBS that shows code 09 in both Claimant and Employer Separation columns (CLMNT SEP, EMPL SEP) and will be accepted as documentation of layoff in situations where a layoff letter is not available.

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03/01/2005                - BASE PERIOD EMPLOYERS -                04
SSN: 123 45 6789 0      NAME: Duck, Donald                BYE: 12/14/2002
NO. OF EMPLOYERS: 01

EMPLOYER NO: 01 ACCOUNT: 001234.00-8 NAME: Disney Land Inc.
REIMBURSIBLE: N SEASONAL: N                START:                END:
EMPLOYER FACT FINDING -- DUE DATE: 12/31/2001 RECEIPT DATE: 12/21/2001 2ND: N
CLAIMANT FACT FINDING -- DUE DATE: 12/13/2001 RECEIPT DATE: 12/13/2001 2ND: N

          WAGES          WAGE          START          END          CLMNT          EMPL
          WAGES          SOURCE          DATE          DATE          SEP          SEP
QTR 1: 13335.20          3          05/28/1974    12/13/2001    00          09
QTR 2: 14818.49          3          05/28/1974    12/13/2001    09          00
QTR 3: 13542.74          3                                00          00
QTR 4: 14939.73          3                                00          00
TOTAL: 56636.16          0                                00          00

          PAY RATE: 3600.00 UNIT: 6 LAST EMPLOYER: N TYPE: 00
INITIAL POTENTIAL CHARGE: 10140.00
CURRENT POTENTIAL CHARGE: 10140.00
FOR MORE THAN 1 EMPLOYER DEPRESS PF2
  
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04 Screen Sample 2: Acceptable Documentation of Layoff for DW

An 04 screen from CUBS that shows 09 in only the Claimant Separation column (CLMNT SEP) will be accepted **only** if the Employer Fact Finding period has expired (see date in green). This may be used as documentation of layoff in situations where a layoff letter is not available.

03/01/2005 - BASE PERIOD EMPLOYERS - 04

SSN: 123 45 6789 0 NAME: Duck, Donald BYE: 12/14/2002

NO. OF EMPLOYERS: 01

EMPLOYER NO: 01 ACCOUNT: 001234.00-8 NAME: Disney Land Inc.
REIMBURSIBLE: N SEASONAL: N START: END:
EMPLOYER FACT FINDING -- DUE DATE: 12/31/2001 RECEIPT DATE: / / 2ND: N
CLAIMANT FACT FINDING -- DUE DATE: 12/13/2001 RECEIPT DATE: 12/13/2001 2ND: N

	WAGE	START	END	CLMNT	EMPL
	SOURCE	DATE	DATE	SEP	SEP
QTR 1:	13335.20	3	05/28/1974	12/13/2001	00 00
QTR 2:	14818.49	3	05/28/1974	12/13/2001	09 00
QTR 3:	13542.74	3			00 00
QTR 4:	14939.73	3			00 00
TOTAL:	56636.16	0			00 00

PAY RATE: 3600.00 UNIT: 6 LAST EMPLOYER: N TYPE: 00

INITIAL POTENTIAL CHARGE: 10140.00

CURRENT POTENTIAL CHARGE: 10140.00

FOR MORE THAN 1 EMPLOYER DEPRESS PF2

IV. USE OF THE CUBS 20 SCREEN TO DOCUMENT LAYOFF ONLY (See attachment 3 – CUBS 20 screen)

There are many instances of CUBS 03 and 04 screens that do not contain the 09 code in the either the Claimant or Employer Separation columns. In such cases, workforce regions should check the CUBS 20 screen for the code that appears in the column titled: **Letter Sent**. This code will always have 6 digits that are split in three sections, separated by dashes. There can be multiple codes listed under Letter Sent. However, if any of the codes listed has a 01, 02, or 03 in the first section **AND** a 0 in third section of the code (such as 02-201-0), this indicates a full award of UI benefits with no disqualifications, and the 20 screen can be used to document a layoff or separation not attributable to the claimant.

The CUBS 20 screen may also contain any **reversals of decisions** that originally resulted in disqualifications. When such a reversal results in a full award with no disqualifications, the Letter Sent code will have a 01, 02, or 03 in the first section, **333** in the second section, and a 0 in the third section of the code (such as 02-333-0). In these instances, the 20 screen can be used to document a layoff or separation not attributable to the claimant. At the same time, it is possible for a full award to be reversed to an award with a disqualification. When this happens the code in the Letter Sent column will have a 333 in the middle section and a 2, 3, or 4 in the third section (such as 02-333-4). This type of reversal means that the CUBS 20 screen cannot be used to document a layoff.

A print of this screen should be placed in the case file with the appropriate Letter Sent code highlighted. (**Please Note:** The CUBS 30 screen further documents the 20 screen by providing the result of the review of the separation, the decision issued, and who is responsible for the separation.)

V. USING THE W5 SCREEN FOR UI ELIGIBLE

The W5 Pseudo Monetary Determination screen shows wages earned by the claimant in the current claim base period. If this screen shows \$2500 or more in total wages earned, it can be used to document UI eligible.

VI. USING THE W6 SCREEN FOR UI ELIGIBLE OR JOB OF DISLOCATION

The W6 screen shows a list of all wages reported to UI for a particular claimant over the last 5 years. Wages are listed in employer account number order (lowest to highest). When the W5 screens has less than \$2500 in wages, the W6 screen may show wages in additional quarters that can be used to document UI eligible. But for the most part this screen is more useful for helping verify the job of dislocation.

VI. PRINTING CUBS SCREENS

UI is allowing a minimal number of screens to be used to document eligibility and outcomes for WIOA programs. Workforce regions may print the following screens for inclusion in confidential case files:

01	Claimant Profile Data	W6	Wage Inquiry
03	Non-Base Period Employers	20	Non-monetary Determinations
04	Base Period Employers	30	Letter Browse (for Notice of Decision)
W5	Pseudo Monetary Determination		

NOTE: No other CUBS screens may be printed. In addition, CUBS screen prints may not be given to claimants or used for any purpose other than inclusion in a confidential case file. Please keep the number of CUBS screens printed to a minimum. For example, print no more than one CUBS screen for each of the DW eligibility elements; however, additional allowable screens may be printed for extenuating circumstances.

Attachments:

1. UI EUC-8 Notice
2. UI Notice of Decision
3. CUBS 20 Screen

Colorado Department of Labor and Employment
 Unemployment Insurance Claimant Services
 P.O. Box 400, Denver, CO 80201-0400
 303-318-9000 (Denver-metro area) or 1-800-388-5515 (outside Denver-metro area)
 303-318-9016 (TDD Denver-metro area) or 1-800-894-7730 (TDD outside Denver-metro area)

Date
Social Security Number

NOTICE OF NEW REQUIREMENTS TO RECEIVE EMERGENCY UNEMPLOYMENT COMPENSATION

Congress added new requirements to the federal extended benefits (also called *Emergency Unemployment Compensation* or *EUC*) law. The new requirements are designed to help individuals who have been unemployed long-term find new work through work-search support and access to reemployment services.

As of March 25, 2012, if you are starting the first or second phase (also called tiers) of EUC, you will be required to complete a series of new steps. These steps promote a proactive approach toward getting you back to work. In order to be eligible for and to continue to be paid EUC benefits, you will need to meet the following requirements within six weeks of starting Tier 1 or Tier 2:

- Review an online presentation of the menu of services offered by workforce centers.
- Continue to seek work and keep a record of all employers contacted for work. You must keep this record for a minimum of two years from the date that you filed your regular unemployment claim. We must be able to verify your job contacts. You will be required to bring your work-search log to your in-person reemployment and work-search plan appointment at a local workforce center.
- Complete an individual work-search plan available online. You will need to print and bring this plan with you for an in-person reemployment and eligibility assessment at a local workforce center.
- Complete an online skills assessment. You will need to print and bring this skill assessment with you for an in-person reemployment and work-search plan appointment at a local workforce center.
- Attend an in-person reemployment and work-search plan appointment at a local workforce center. You will receive a notice from your local workforce center with the date and time of the eligibility-review appointment. It is not necessary to contact us or the workforce center before you receive the information about the appointment. However, if you prefer, you may visit your local workforce center to complete the steps above.

Most of these requirements can be completed online. The local workforce centers will also assist you through this process. If you do not meet all of the requirements, we will not be able to continue paying you benefits. You have six weeks from the time you start Tier 1 or Tier 2 to complete all the requirements. Please make every effort to attend the scheduled appointment with the workforce center. Rescheduling an appointment may be allowed for justifiable reasons. If you cannot make the appointment, contact the workforce center that notified you in advance to see if your circumstance is appropriate for rescheduling. You can find your local office's contact information at www.colorado.gov/cdle/workforce and click on **Find a Workforce Center near you**. Your benefits will not be paid if you miss the appointment.

To get started on the new federal extended benefits requirements or for more information, visit www.coloradoui.gov/euc. You can also call us at one of the above telephone numbers.

IMPORTANT! *This document(s) contains important information about your unemployment compensation rights, responsibilities and/or benefits. It is critical that you understand the information in this document. If needed, call 303-318-9000 or 1-800-388-5515 for assistance in the translation and understanding of the information in the document(s) you have received.*

¡IMPORTANTE! *Este documento(s) contiene información importante sobre sus derechos, obligaciones y/o beneficios de compensación por desempleo. Es muy importante que usted entienda la información contenida en este documento. Si necesita asistencia para traducir y entender la información contenida en el documento(s) que recibió, llame al 303-318-9333 o 1-866-422-0402.*

Colorado Department of Labor and Employment, Unemployment Insurance Program
P.O. Box 8988, Denver, CO 80201-8988

Claimant Social Security Number 123-45-6789	Date Mailed 07/10/2012
Employer Account Number 987654.00-3	Last Day of Claim 06/08/2013
Employer Charging Information Chargeable	Deputy ID 0986
	Issue ID 01

Joseph A Claimant
251 East 12th Avenue
Denver, CO 80201

NOTICE OF DECISION

Section of Law Used: 8-73-108 (4)(a)

Decision:

YOUR EMPLOYMENT ENDED WHEN YOUR HIRING AGREEMENT WAS COMPLETED.

IT IS DETERMINED YOU ARE ENTITLED TO BENEFITS ATTRIBUTABLE TO THIS EMPLOYMENT PROVIDED THAT YOU CONTINUE TO MEET ALL WEEKLY ELIGIBILITY REQUIREMENTS.

Any party to this decision may disagree with (appeal) it. To appeal, turn over this form and fill out the information on the other side. This decision is final unless we receive a written appeal no later than 20 calendar days from .

Claimant: Continue to request payment on CUBLine Online or CUBLine while you are waiting to hear about your appeal.

EXPLANATION OF APPEAL RIGHTS FOR A CLAIMANT OR EMPLOYER

Any party to this decision may disagree with (appeal) it. To appeal this decision, fill out the information on this form. This is your appeal form.

Deadline. We must receive your appeal no later than 20 days from the mailing date on the front of this form. If the 20th day falls on a weekend or state holiday, your appeal must be received by the next business day. The date we receive the appeal is considered the date of appeal.

Make copies. Make a copy of the front and back of this form before you send it, and keep the copy in case you need it later.

Send the front and the back of this form. Make sure you include a copy of the front of the form so that we know what decision you are appealing.

Mail your appeal or fax it. Do not do both.

Mail your completed appeal form and any supporting documents to Appeals Section, P.O. Box 8988, Denver, CO 80201-8988. Remember to include both sides of this form.

-or-

Fax your completed appeal form and any supporting documents to Appeals Section, 303-318-9248. Remember to include both sides of this form.

Once we process your appeal, we will send you more information. If you are scheduled for a hearing, we send you a letter with instructions and the date and time of a hearing that will occur shortly thereafter. At the hearing,

you cannot bring up facts that we do not already have. You can talk about facts you have given us already, or you must send them to all parties listed on the letter, including us, before the hearing. The letter gives you more instructions and information.

If you appeal a decision about a job separation (why the person no longer works for the employer), we will mail you what both the claimant (the person who signed up for unemployment) and the employer said.

Late Appeals. Appeals received after 20 days from the mailing date on the front of this form are late. You must explain why you are late and why you disagree with the decision. Give as much detailed information as you can. A hearing officer will read your reason for being late to decide whether we can accept your appeal. We will send you a letter. If we accept your late appeal, the letter tells you so. (You will get another letter that gives you instructions and the date and time of a hearing with a hearing officer.) If we do not accept your late appeal, the letter tells you that your appeal has been dismissed. More appeal rights are on the letter.

Claimant: You must continue to request payment on CUBLine Online or CUBLine. If you received unemployment benefits based on a decision that gets changed, you may have to pay back the benefits you received.

1. Who is appealing this decision? <input type="checkbox"/> Claimant <input type="checkbox"/> Employer	2. Write the claimant's social security number
3. Has your address changed? <input type="checkbox"/> Yes <input type="checkbox"/> No If Yes, write your new address.	4. Will you be represented at the hearing by a lawyer, union business agent, or anyone else? <input type="checkbox"/> Yes <input type="checkbox"/> No If Yes, write the person's name, address, and telephone number
5. Do you need an interpreter? <input type="checkbox"/> Yes <input type="checkbox"/> No Do you know if anyone else taking part in the appeal needs an interpreter? <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Do Not Know If Yes, for what type of language? If we cannot find an interpreter, you may need to find one on your own.	6. If there is an employer's name and address on the front side of this form, write the address where you worked if it is not the same address.
7. I disagree with the decision for the following reasons. Make sure you give details. Please attach extra sheets of paper if you need to give more details.	

The information provided is true, correct, and complete to the best of my knowledge and belief. I understand there are severe penalties, including fines and jail, for not telling the truth.	
Signature of the Person Appealing	Date

09/11/2012 - NON-MONETARY DETERMINATIONS - 20

SSN: [REDACTED] 0 NAME: [REDACTED] BYE: 02/25/2012

ISS ID	DET TYPE	DPTY ID	EMPLOYER ACCOUNT	EST-DATE	LETTER SENT	DISQUAL BEGIN	DISQUAL END	ML IN	ADD TXT	NON CNT	CHG
01	D	7229	284189004	03/22/11	05-577-3	02/27/11	03/12/11	Y	Y	B	N
02	D	7229	284189004	03/22/11	02-201-0			Y	Y	N	N
03	D	4432	284189004	03/14/11	09-002-0			N	N	N	N
04	D	2889	000000000	03/16/11	06-624-0			N	N	N	N
05	D	5090	000000000	06/07/11	07-718-0			Y	Y	N	N
06	D	2828	000000000	08/15/11	04-408-0			N	N	N	N
07	D	2828	000000000	08/15/11	04-408-0			N	N	N	N
08	D	2828	000000000	08/15/11	04-429-1	08/07/11	08/13/11	Y	N	N	N

FOR MORE THAN 12 DETERMINATIONS DEPRESS PF2

TRANSACTION OPTION:

LAST PAGE