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Category/Subject: UI Claimant and Workforce Reemployment Services
Colorado Policy Guidance Letter#: WP-2016-05
Revise/Replace PGL#: WP-2002-01
Date: September 21, 2016
Distribution: CDLE Management/Finance, State/Local Workforce Directors & Staff, Partners

I. REFERENCE(S):

A. Laws:

- Workforce Innovation and Opportunity Act (WIOA) of 2014, Public Law 113-128
- Wagner Peyser Act of 1933 as amended by Title III of WIOA
- Colorado Employment Security Act (CESA) 8-73-107, 8-73-113, and 8-73-114
- Regulations Concerning Employment Security (RCES) sections 2.6 and 2.8
- Social Security Act, Sections 303(a)(10) and 303(j)

B. Issuances:

- Unemployment Insurance Policy Letter (UIPL) No. 20-15 – Unemployment Insurance and the Workforce Innovation and Opportunity Act of 2014
- UIPL 41-94 – UI Program Requirements for the Worker Profiling and Reemployment Services System
- UIPL 07-16 – FY 2016 UI Reemployment Services and Eligibility Assessment Grants
- Training and Employment Guidance Letter (TEGL) No. 14-15 – Workforce Innovation and Opportunity Act (WIOA) Requirements for Unified and Combined State Plans
- TEGL No. 3-15 – Operating Guidance for the WIOA; and
- Any relevant Workforce Development Programs Policy Guidance Letters (PGLs) that have an impact on the service delivery for UI claimants and/or dislocated workers.

II. PURPOSE:

To provide background, guidance, tools and resources regarding requirements for services to Unemployment Insurance (UI) claimants, plus UI program partnerships, initiatives, agreements and processes. The policy is broken down into the 6 sections listed below:

- Workforce System Service Delivery Requirements
- Additional Workforce System Responsibilities
- UI Claimant Eligibility Requirements
- UI Customer: Methods for Contacting UI
- Workforce System Representatives: Methods and Processes for Contacting UI
- Tools and Resources for Workforce Representatives

III. BACKGROUND:

A. Merit staffing and unemployment insurance claimant assistance responsibilities

With the issuance of the final regulations of the Workforce Innovation and Opportunity Act (WIOA), Colorado’s “Demonstration State” status has been reconfirmed. This status allows counties, in addition to the state, to receive Wagner-Peyser (WP) funding and utilize their “merit staff” to provide the services funded by the Wagner-Peyser Act.

The utilization of Wagner-Peyser funding requires that merit staff shall perform UI eligibility assessments and other general UI workforce functions, as described throughout this guidance. However, these functions may also be performed by other staff not funded with WP dollars. CDLE will continue to provide training opportunities to local areas on UI functions, especially as it relates to the workforce system operations and ensuring a more seamless delivery system for our shared customers.

B. Reemployment Services and Eligibility Assessment (RESEA) and Links to Reemployment

The federal-state UI program is an important career service in the comprehensive and integrated workforce system. Federal regulations require states to administer Worker Profiling and Reemployment Services (WPRS) statewide, and as a condition of receiving UI administration grants. The WPRS initiative, known as Links to Reemployment in Colorado, was designed to meet the requirements defined by the Social Security Act and Unemployment Compensation Amendments of 1993 (Public Law 103-152). Per UIPL 07-16, USDOL and CDLE require that either the Links to Reemployment or RESEA initiative are administered in all Local Areas with a designated UI Local Office (UI LOFF). Since June 2016, Colorado began administering RESEA. CDLE intends to transition all local areas from Links to Reemployment to RESEA.

Links to Reemployment and RESEA services may be delivered by well-trained Wagner-Peyser staff, WIOA staff, or other One Stop Center staff. Training on eligibility assessments, and “able and available” is required by all staff members who deliver profiling-related services.

REFERENCE: PGL WP-2016-02 - *Reemployment Services and Eligibility Assessment*;
PGL-WP-2015-01 - *Links to Reemployment*, for additional information.

C. WIOA Requirements

WIOA emphasizes a greater integration of the services available to Wagner Peyser (Employment Services – ES) participants and UI claimants who request or are identified as requiring UI reemployment services. This includes how information is tracked and shared between databases, along with how information is communicated to customers.

Local Areas receive Wagner-Peyser funding (and can use other funding) to provide specific functions and services to UI claimant customers. In addition, Local Areas are expected to provide basic unemployment insurance information to customers. The provision of information is generally information that is available online or through printed materials. This policy describes the WIOA requirements along with other already established requirements that have carried forward to best serve our shared customers.

A Memorandum of Understanding (MOU) has been established between the Local Workforce Development Boards and the Division of UI. The MOU discusses the partner relationship, roles and responsibilities with the Local Area. UI and Local Area requirements regarding service delivery are described below and throughout this guidance.

- The Division of UI will provide access to UI programs and information at Local Areas. UI merit staff shall provide assistance to customers with questions about filing a claim or claimant rights and responsibilities. Only UI merit staff shall answer questions about a specific claim or make decisions that could affect claimants' UI eligibility. UI staff will also provide guidance and information on the Unemployment Insurance process to claimants and employers.

IV. POLICY/ACTION:

A. Workforce System Service Delivery Requirements

The Local Areas will perform the following functions relative to UI claimants and in partnership with Workforce Development Programs and the Division of UI:

- Meet all WIOA and Wagner Peyser Act responsibilities and requirements with partner agencies;
- Assist customers with the UI work registration in Connecting Colorado. A claimant must be active and enrolled in at least one WIOA, WP or other workforce program. In addition, workforce representatives shall review content of the registration to ensure that it accurately reflects the individual's employment goals;
- Job Contacts: An important part of registering UI claimants is assigning an appropriate number of weekly job contacts in Connecting Colorado. UI will initially assign 5 job contacts per week. Contacts may be adjusted by the Local Area (in CC) to a lower number. This is based on factors such as labor market conditions, occupation, work history and customary methods for seeking employment for the claimant's line of work. Job contacts may not be adjusted to zero by the workforce system. UI will adjust job contacts to zero for approved training submissions and UI approved job attachment to an employer or union. **(See Section C below for more information on assigning job contacts.);**
- Work Test or UI Eligibility Assessment: Provide a basic assessment of whether an individual is eligible to receive unemployment benefits (able, available and actively seeking suitable employment), including a referral to UI for any eligibility issues that were identified or reported to a Local Area. and provide job finding and placement services to unemployment insurance claimants;
- Provision of general unemployment insurance information and assistance regarding filing claims; and
- Administer one of the following initiatives in all local areas that are designated as a UI LOFF: Links to Reemployment or RESEA.

B. Additional Workforce System Responsibilities

- **Regular Approved Training**

Provide the Division of UI with a Regular Approved Training Status request for program enrolled or walk-in customers. Review the established guidance for the submission of a Regular Approved Training request in PGL WP-2011-02, Change 2 at www.colorado.gov/cdle/pgl

- **Job Attachment**

UI will set the job contacts to 5 as a default when a UI approved job attachment period expires. Customers who are not already active and enrolled in at least one WP, WIOA or other workforce program will be mailed a letter (by UI) and told to register (or update the registration) with a Local Area. In addition, job contacts may be adjusted (in CC) by the Local Area. The adjustment should be based on factors such as labor market conditions, occupation, work history and customary methods for seeking employment for the claimant's line of work. Job contacts may not be adjusted to zero by workforce reps.

NOTE: When an individual establishes a claim with the Division of UI, he/she will answer questions about an attachment to a union or employer that will lead to returning to work within 16 weeks. During the claims review process, UI agents verify any reported job attachment with the employer to confirm the job attachment status. Only UI approved job attachments are acceptable for UI eligibility purposes. The UI job attachment status can be viewed on the CUBS 12 screen. Claimants who are UI job attached are not required to job search until the job attachment period expires. UI notifies the customer before the job attachment expires through mail (approximately two weeks before).

- **Assignment and Designation as a UI Local Office (LOFF)**

Each office within a local area is assigned a LOFF number by Workforce Development Programs and the Management Information Systems (MIS) unit. This local office number correlates to the information stored in the UI system. When a claimant files a UI claim, they are required to select the most convenient workforce center office to report to with any UI related requirements, such as RESEA, Links to Reemployment, and registering with a workforce center. UI LOFFs shall be equipped to serve UI claimants and offer all WIOA requirements, including RESEA or Links to Reemployment services.

C. UI Claimant Eligibility Requirements

- In order to meet the UI work registration requirements, the claimant must have an active registration in Connecting Colorado when filing a new UI claim or shortly thereafter. An issue in the UI system is set until this requirement has been met. A set issue will delay UI payments.
- Below are excerpts from the regulations for the Colorado Employment Security Act that relate to UI claimant eligibility. This is meant as a reference and should not be interpreted for customers. When a customer asks for further interpretation on any state unemployment insurance guidance, please refer the customer to the Division of Unemployment Insurance.

Regulations Concerning Employment Security (RCES), section 2.8.4

Customers must be actively seeking work: Claimants “must make a systematic and sustained effort to actively seek suitable work unless otherwise relieved of this requirement when he or she is participating in approved training, is job attached, has a qualifying job separation as a surviving military spouse, or has limited job opportunities...”, as defined by the Colorado Division of UI.

Systematic and Sustained Effort: “A systematic and sustained effort means a high level of job-search activity through the given week. Such activity should be commensurate with the number of employers or employment opportunities that exist in the labor market and that reasonably apply to the claimant...”

Number of Job Contacts: “The number of employers a claimant must contact each week in order to be considered actively seeking work shall be determined by the division. In determining the adequacy of work search in terms of the number of job contacts required.....a consideration of the employment opportunities in the claimant’s labor market area, the qualification of the claimant, and the normal practices and customary methods for obtaining work.”

- The Division of UI sets all new claimants at five job contacts and has granted the Local Areas authority to adjust job contacts to a more reasonable and individualized number. The number of job contacts may not be lowered to zero by the workforce system. A UI agent will adjust contacts to zero once the approved training request has been received and processed.
- CDLE created a **UI eligibility and work-search requirements video** that is available to selected participants of the RESEA and Links to Reemployment initiatives. The video discusses information on allowable job contacts and other UI eligibility requirements. You may view the URLs to watch the videos in Spanish and English below. Review the current RESEA or Links to Reemployment policy guidance for more information on each initiative www.colorado.gov/cdle/pgl
Spanish Version: <https://vimeo.com/154632637>
English Version: <https://vimeo.com/138794916>

D. UI Customers: Methods for Contacting UI

- **Online Resources and Printed Materials**
When job seekers have questions regarding unemployment insurance benefits, the first resource to research is the information provided in the UI Job Seeker Handbook, called “Your Guide to Unemployment Benefits”. In an effort to reduce paper documents, forms and publications are available to the public and stored in the Forms and Publications tab on www.coloradoui.gov

- **Chat (access to UI expertise from the Local Area)**

Chat, or instant messaging, was established in February 2016 as part of the WIOA requirements and provides UI expertise in the Local Areas. A resource center workstation has a URL and a desktop icon available for customers to login and talk with a UI agent about specific claim issues or with questions about filing a claim. Refer to the most up-to-date guidance on UI Chat at www.colorado.gov/cdle/pgl

- **Customer Services Center (CSC) Phone Lines**

The general hours for the Customer Service Center phone lines are from 8 AM to 4 PM; however, there are special days and hours of operation for filing or reopening a claim over the phone. Please refer to www.coloradoui.gov for the most up-to-date contact information and hours of operation. Filing a claim online is available 24/7.

Denver Metro: 303.318.9000

Toll-Free: 1.800.388.5515

Spanish: Denver Metro: 303.318.9333 or Toll-Free: 1.866.422.0402

Deaf and Hard of Hearing (TDD): Denver Metro: 303.318.9016 or Toll-Free: 1.800.894.7730

- **Requesting Payment Every Two Weeks:**

MyUI Online: www.coloradoui.gov/myui

Denver Metro: 303.813.2800 or Toll-Free: 1.888.550.2800

- **UI “Red Line” Phone Lines at Selected Locations**

UI has established selected locations where a direct phone line is made available to reach a UI representative without waiting in the call center queue. This feature is limited to specific sites and based on the volume of UI activity in the center.

- **UI Call Back Forms – (Assistance from Workforce Center Representative)**

When customers need someone from the Division of UI to contact them back, Workforce Center staff may complete a *UI Call Back Form* online with the requested information.

This form is intended to assist those customers who have already made unsuccessful attempts to reach the Division. <https://www.coworkforce.com/uicbf/CallBackForm.aspx>

E. Workforce System Representatives: Methods and Processes for Contacting UI

Colorado has established a unique partnership between the workforce system and UI. The reemployment liaison position allows workforce and UI staff to inquire about a situation from both perspectives. There are some already established processes and procedures within both systems. Use this section to determine the next steps and who to contact if there is a request for information or question.

- **Role of the Workforce Development Programs (WDP) Reemployment Liaison**

The designated Workforce Reemployment Liaison is available to answer programmatic questions about reemployment initiatives and other services that have a connection to Unemployment Insurance. When there is a request, inquiry or question that is not defined within this guidance, contact the Workforce and UI Reemployment Partnership

Initiatives Liaison for assistance. The Partnership Liaison will address or redirect the issue to the appropriate contact person or unit. sue.rusch@state.co.us

- **Role of the UI Liaison**

There is a designated UI Liaison who can assist workforce center representatives with questions and inquiries that are specific to UI or helping a UI claimant customer. In an effort to coordinate inquiries to UI, we ask that all questions and inquiries are forwarded to UI through one designated person at the local area (to avoid duplication). Questions that are not addressed in this policy and specific to UI processes may be directed to the UI Liaison. The UI Liaison will forward the message to the appropriate unit for a response back to the Local Area. Contact information for the UI Liaison is robyn.burnett@state.co.us

- **Request for UI Handbooks and Other Printed UI Materials**

UI Handbooks for job seekers and employers are mailed directly to the customers when they file for UI. In addition, the handbook is available online at www.coloradoui.gov. Click on the Forms/Publications tab to find the “Your Guide to Unemployment Benefits” for job seekers. When there is a request for printed materials, send your request to cdle_ui_policy@state.co.us. Include the name of the local WFC contact person, title and quantity of the requested materials, along with the mailing address.

- **Rapid Response Partnerships with UI**

In order to best coordinate rapid response and layoff events, CDLE has enhanced collaboration efforts with UI to establish a seamless process for our employer and job seeker customers. Contact the Workforce Development Programs Rapid Response Coordinator to partner with UI for upcoming rapid response needs and events. Contact karen.hoopes@state.co.us

- ***Employer Focus: Workshare***

Workshare is a process established between the Division of UI and an employer who is reducing their labor force. This program allows employees to work reduced hours and receive unemployment benefits to avoid a complete separation from employment. This is a layoff prevention strategy and is appropriate for employers who still have needs for employees but must reduce the existing labor force. For questions about Workshare, also known as Short Term Compensation, contact Robyn Burnett at the Division of UI: robyn.burnett@state.co.us for more information.

- **Access to UI Systems Database(s)**

Adhere to all established local processes before reaching out to UI. Notify your local lead or supervisor about contacting the UI BA Support unit to avoid duplication and ensure continuity. All requests for access to the UI database shall go through the UI Business Analyst (BA) Support unit. This group can be reached through email: cdle_ba_support@state.co.us. Complete any appropriate forms or other information that is needed to complete the request.

- **UI Partner and Data Sharing Agreements**

The workforce system is not allowed to share UI data obtained from any UI system with partner agencies. Partners must establish their own data sharing agreements with the Division of UI. Local Areas should refer partner agencies to the UI Policy team to gain access to UI data. Contact cdle_ui_policy@state.co.us for more information.

Claimant customers should request individualized and specific UI information directly from UI if it is not already available on MyUI Claimant. Customers should look online (MyUI account or www.coloradoui.gov) to see if the needed information is available. Customers may contact the Customer Service Center (CSC) or respective UI unit for all other information that is needed.

NOTE: Please refer to PGL WIOA-2015-05 WIOA Eligibility (attachment 2: Dislocated Worker Program) for additional information on printing allowable CUBS screens for eligibility purposes.

NOTE: Emails and contacts listed within this section are intended for internal use by the workforce system representatives, and not for distribution to customers.

F. Tools and Resources for Workforce Representatives

- **Reemployment and UI Partnership Initiatives** - E-Colorado Team Room – <https://e-colorado.coworkforce.com>

- **Reemployment Forums (Questions & Answers - Q&A)**

CDLE has established a regularly held Question and Answers session for UI and the workforce system to learn and ask questions about a process or program. To find past content and a schedule of Q&A's, review the information posted in the Reemployment and UI Partnership Initiatives team room.

V. TECHNICAL ASSISTANCE AND PROMISING PRACTICES:

Requests for technical assistance and local promising practices on UI and reemployment initiatives may be directed to the Workforce Development Programs WF/UI Reemployment Partnership Initiatives Strategic Liaison. sue.rusch@state.co.us or 303.318.9293. Also, please refer to the Reemployment and UI Partnership Initiatives team room on E-Colorado as a source of up-to-date information. <https://e-colorado.coworkforce.com>

VI. IMPLEMENTATION DATE:

Upon release of this guidance

VII. INQUIRIES:

Please direct all inquiries to the WDP Workforce and UI Reemployment Partnership Initiatives Liaison. sue.rusch@state.co.us or 303.318.9293



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Jeff Fitzgerald, Director, Division of Unemployment Insurance