

EMPLOYMENT AND TRAINING ADMINISTRATION ADVISORY SYSTEM U.S. DEPARTMENT OF LABOR Washington, D.C. 20210	CLASSIFICATION Unemployment Insurance
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ADVISORY: UNEMPLOYMENT INSURANCE PROGRAM LETTER NO. 11-12

TO: STATE WORKFORCE AGENCIES

FROM: JANE OATES /s/
Assistant Secretary

SUBJECT: Unemployment Insurance (UI) Claimant and Employer Messaging Toolkit Availability and State Implementation

- Purpose.** To provide information on the availability of a UI Claimant and Employer Messaging Toolkit (Toolkit) containing products and tools designed for use by state UI agencies, and remind states that accepted Fiscal Year (FY) 2011 supplemental funding of the requirement, as a condition of the supplemental funding opportunity for UI integrity (see Unemployment Insurance Program Letter (UIPL) No. 26-11), to incorporate at least one product or tool from the Toolkit into their statewide messaging campaign.
- References.**
 - Executive Order (E.O.) 13520, *Reducing Improper Payments* (November 20, 2009);
 - Improper Payment Information Act of 2002 (IPIA; 31 U.S.C. 3321);
 - Improper Payment Elimination and Recovery Act of 2010 (IPERA; 31 U.S.C. 3301);
 - UIPL No. 19-11, *National Effort to Reduce Improper Payments in the Unemployment Insurance (UI) Program*; and
 - UIPL No. 26-11, *Unemployment Insurance (UI) Supplemental Funding Opportunity for Program Integrity and Performance and System Improvements*.
- Background.** On November 20, 2009, President Obama signed E.O. 13520, *Reducing Improper Payments*. It emphasized the need to eliminate waste, fraud and abuse in federally administered programs while protecting access to these programs by their intended beneficiaries. Subsequently, the IPIA, as amended by IPERA, required Federal agencies to review their programs and program activities annually, identify programs and areas that may be susceptible to significant overpayments, and develop and implement corrective action plans for any “high-risk” programs. Under the IPIA, an agency which reports an improper payment rate above 10 percent for a program it administers will be determined to be out of compliance and will trigger oversight by Congress, the Office of Management and Budget (OMB) and the Office of the Inspector General.

On June 10, 2011, the Department of Labor (Department) issued UIPL No. 19-11, *National Effort to Reduce Improper Payments in the UI Program*, to notify stakeholders that UI integrity is a top priority and to provide a strategic plan to reduce UI improper payments that

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contained new strategies aimed at addressing root causes of overpayments to achieve immediate overpayment reductions. That UIPL strongly encouraged all states to take action immediately to reduce the improper payment rate, including a review of the wording of the state's continued claims certification form or telephone script to assess whether any questions or language should be made clearer to ensure claimants understand what is being asked.

The Department also announced in UIPL No. 26-11 a supplemental funding opportunity to help the states develop their own state-specific strategies to reduce the improper payment rate. As a condition of eligibility, that funding opportunity required states to implement a messaging targeted at UI claimants and employers to: 1) improve claimants' awareness of their responsibility to report any work and earnings if they are claiming benefits, 2) improve claimants' understanding of work search requirements as a condition of eligibility for benefits; and 3) improve employers' awareness of their responsibility to respond to state requests for separation information and/or earnings/wage verifications. Sample materials for this messaging campaign and recommended uses would be provided by the Department.

4. **Toolkit Resources.** Created through a grant from the Department to the Information Technology Support Center (ITSC), the Toolkit serves as a resource to state unemployment agencies to help improve claimant and employer understanding and compliance with established rules and procedures related to UI claims. The Toolkit was posted to the members-only section of the ITSC Web site (<http://www.itsc.org/>), the UI Community of Practice (<http://ui.workforce3one.org/>), as well as the UI Payment Integrity home page (http://www.oui.doleta.gov/unemploy/improp_pay.asp). As stated in UIPL No. 26-11, as a condition of the funding, states must consider how to incorporate these messaging products and tools to implement at least one item from the Toolkit. In March 2012, states will be invited to a webinar that will highlight examples of state implementation of messaging products and tools from the Toolkit.

The Toolkit is designed to serve as a reference to states on claimant and employer messaging issues, including "ready to use" messages, templates, sample recorded videos, and audio scripts for state recording. The Toolkit is also designed to provide state agencies with specific recommendations to augment their communications with claimants and employers throughout the UI process, recognizing that differences exist between state processes, terminology and regulations.

Resources in the Toolkit include:

- Baseline message products offered in a variety of formats for state agency use, to be used as produced or customized as necessary.
- Message concepts on important topics, including basic requirements for UI benefits; requirements for claimants to remain in-contact with the state agency while actively collecting UI benefits; procedures for claimants returning to work; employer responsibilities related to reporting new hires to the State Directory of New Hires; employer responsibilities related to verifying employee earnings; and employer responsibilities related to reporting separation information.

- Examples of communication activities and messages to better inform and engage claimants and employers throughout the UI process.
- Suggestions for display of these messages on State Web sites.
- Suggestions for the use of Social Media.

The messages and products contained in the Toolkit are available in both English and Spanish. States may need to customize the messages and materials for consistency with their own established programs and procedures.

5. **Action Requested.** State administrators are requested to:

- a) Distribute this information throughout the UI community and to interested stakeholders;
- b) Within the context of the state's strategic plan to address UI improper payments, identify strategies to use and adapt the tools for a state-specific claimant and employer messaging campaign; and
- c) For states that have accepted FY 2011 supplemental funding, ensure that products and tools from the Toolkit are incorporated into their statewide messaging campaign in accordance with their funding agreement.

6. **Inquiries.** Questions should be directed to the appropriate Regional Office.