A. POLICY AND GENERAL QUESTIONS

No questions on this topic received.

B. INVESTIGATIVE PROCEDURES

1. Q. Investigators in a State have been directed not to sign the claimant questionnaire when it is received by mail because they cannot certify the accuracy of the information provided, or even that the form was completed by the claimant. Should this be coded as an exception?

   A. No; however, there must be an explanation on the questionnaire as to why the form was not signed by the investigator.

2. Q. During a wage verification, the QC investigator is informed by the employer that the payroll records are kept at another location. The employer offers to have the records FAXed to his location. Would using these FAXed records be acceptable QC procedures?

   A. Yes, as long as the records are actual facsimiles and there is a signed statement attesting to the accuracy of the facsimile.

3. Q. What is the official QC policy concerning verification of "spot labor", (e.g., mowing lawns, etc.)?

   A. The key to any verification of employment is whether it affects the Key Week payment. To determine if spot labor falls into this category, you must ask the question, will it affect the Key Week? If the answer is yes, it must be verified.

4. Q. If an interstate claim could have been CWC, how should it be investigated by QC?

   A. ET Handbook No. 399, Interstate Agreement on Combining Wage Claims, Page III-2, (August 1988) states ". . . if the claimant does not elect to

file a combined-wage claim, the claimant's record should clearly indicate that the combined-wage option was explained during the initial claim interview and that the type of claim selected was the claimant's choice." If it is not documented, then the QC investigator should ask the claimant if he/she was advised of the options and document the response. If it is determined that the claimant was not apprised of the option to combine wages, then the wage information should be obtained in order to quantify the underpayment.

5. Q. If a case is completed on the 60th day, is it considered timely?

   A. Yes, as defined in Chapter VI of ET Handbook No. 395 and as programmed in the QC software. The case is not late until the beginning of the 61st day.

6. Q. The SESA has a dependency allowance which, in some instances, allows claimants to receive their maximum benefit amount in a shorter time than would be the case if they did not receive a dependency allowance. It does not, however, increase the total dollars to which the claimant is entitled. Some claimants elect to forgo the receipt of dependency allowances, thereby extending the duration of their claim. Should the Key Week be coded as an underpayment for claimants who make such an election?

   A. No. Such claims would be proper payments if the exclusion of dependents' allowances was based on the claimant's wishes, State procedures have been properly followed, and the situation is properly documented.

7. Q. Please explain the proper way to code a formal warning.

   A. Applications of formal warnings vary among States. Some States are required to issue a formal warning prior to issuance of a disqualification. Such a State may also issue a formal warning to emphasize the eligibility requirements to a claimant in a situation that does not warrant disqualification.

Other States may issue disqualifications when violations of eligibility requirements are made by claimants, but have the latitude to issue formal warnings when evidence is not substantial enough to support a disqualification.

For either State, QC procedures are the same:

- If, in lieu of issuing a formal warning, the claimant would have been disqualified, use code 14 for improper payment.

- If, in the absence of provision for formal warning, the situation would not have warranted disqualification, code as a proper payment.

8. Q. Why can't the reason that an in-person interview was not conducted be noted on the questionnaire and then just referred to in the Summary of Investigation rather than explaining the situation twice?

A. There is no need to explain the situation twice. The reason that an interview was not conducted in person must be explained on the questionnaire or verification form. The Summary only needs to note that the interview was not conducted in person and refer to the proper document for an explanation.

9. Q. Several SESAs have refused to interview a claimant at work if he/she has returned to work or at his/her home under any circumstance. They feel that this requirement is inappropriate and want to know why we continue to cite this as a methodology error.

A. The policy is to record an exception only when there has been no "reasonable" attempt to interview the claimant in person and the questionnaire is mailed. ET Handbook No. 395 does not require that a claimant be contacted at work or interviewed in the home. It recommends that the claimant interview be arranged around the claimant's work hours when the claimant returns to work. Likewise it recommends that the investigator make every effort to set up the interview at a neutral site, i.e., public library or State office building

somewhere convenient to the claimant. Interviewing the claimant at the job site or at home is strictly a last ditch effort to obtain the interview in person. Where it is not possible, all attempts to interview the claimant in person should be documented in the case file and in the case summary.

10. Q. Do the in-person investigative requirements apply to UCFE?

A. ET Handbook No. 395 requires that : "In-person interviews with all prior employers . . . must be made . . . However, the Technical Assistance Guide (TAG) recommends that the ES-936 process be used to verify employment and wages with Federal agencies.

At the time of the writing of the TAG, it was anticipated that access could not be gained to many Federal agencies, and that it would not be feasible to conduct in-person investigations. However, experience has shown that this is not true in most cases. Furthermore, there appears to be a continuing problem of obtaining correct information through the mail from Federal agencies. Therefore, investigators should attempt to conduct verifications in person with Federal agencies wherever possible. Where access cannot be obtained, use of the ES-936 procedure will be acceptable, with proper documentation.

C. DATA PROCESSING

1. Q. E-4 and E-12, High Quarter Wages (Before and After)

The QC validation limits do not allow for coding more than $25,000 although the Handbook puts the limit at $99,999. Is this to be corrected in software release 3.1?

A. The default for this field is $25,000 for the quarter. This value can be changed by using path //aei. The maximum allowable is $99,999 as stated in the handbook. For more information see ET Handbook No. 400, page III-91 (October 31, 1988 version). There are no plans to change this in the foreseeable future.

D. DATA ELEMENTS

1. Q. B-2, U.S. Citizen

A QC investigation determined that the claimant was an ineligible alien through March 1988. The Key Week, however, was in June 1988 and during the Key Week the claimant was an eligible alien. As the claimant was ineligible during the base period of the claim, the claim was redetermined ineligible and the Key Week was improper. How should Item B-2 be coded?

A. B-2 should be coded "2", eligible alien, as the claimant was an eligible alien during the Key Week.

2. Q. B-3, Education

The claimant completed elementary and secondary education in a foreign country. The number of years required to complete the school was 8 years. How should B-3 be coded?

A. Foreign schools would need to be handled on a case-by-case basis. B-3 should be coded as "12", completed high school if that is the equivalent of completing high school in the U.S. If all requirements for graduating from a foreign elementary or secondary school are met then it should be considered as U.S. equivalent.

3. Q. B-4, Vocational or Technical School Training

Is military training to be considered vocational technical training for the purpose of coding DCI element "B-4"?

A. If the SESA counts the military training as vocational or technical training in the regular UI and ES operations, QC should do so as well. The QC unit should consistently follow SESA policy and should include in the QC procedures manual instructions on how to handle training.

4. Q. B-9, Seeking Work Occupation

How should QC code DOT for B-9 if the claimants are partials and not required to seek work? There is no option for NA.

A. The element could be coded "m" which in this case will substitute for N/A.

5. Q. C-6, Number of ERPs Held, Current Benefit Year

What is to be counted as an ERP?

A. QC should count as an ERP whatever the SESA policy counts. The main consideration is that the QC unit is consistent in what is counted and is accurately coding SESA written law and policy.

6. Q. C-8 and C-9, Number of Prior Nonseparation Issues

The SESA receives a nonmonetary count for determinations which remove school wages during between term denial periods and wages earned while in illegal alien status. For purposes of coding, how are these to be counted?

A. In this case they are counted as nonseparation nonmonetaries. For a determination to be counted it must meet the definitions of a nonmonetary count on the ES 207 report. For further information see Handbook No. 361.

7. Q. D-3 and D-7, Recall Status (Before and After Investigation)

An additional claim is filed and there is no indication of recall status. Should recall status be coded as "m"?

A. Yes.

8. Q. E-1 and E-10, Number of Base Period Employers, (Before and After Investigation)

The claimant's monetary determination on CWC's show the State name of the transferring State, not the employer names. If there is more than one out-of-State employer, the monetary will not show this. For purposes of DCI elements E-1 and E-10 should the actual number of employers be counted? What if there is more than one out-of-State employer and the claimant elects wage combining, but not all of the employers are used in the monetary determination?

A. In the instance where not all of the out-of-State employers are used in the monetary, count only those employers used in the monetary determination. In addition, the wages that were not used in the monetary do not have to be verified unless there is the potential for a change in the MBA or WBA. The information should be contained on the IB-4 from the transferring State.

9. Q. E-1 and E-10, Number of Base Period Employers (Before and After Investigation)

If the employer name is the same but wages are reported under different account numbers, is each account number to be counted as a separate employer for coding E-1 and E-10?

A. Yes.

10. Q. E-8, Monetary Redetermination (Before)

Is a revised monetary as a result of a legislative increase in maximums coded as a revised monetary?

A. No, this element is to be used in evaluating the SESA effectiveness in obtaining wage information and whether a redetermination was necessary because a determination was incorrect initially.

11. Q. F-8, Other Deductible Income, and F-9, Other Deductions Before Investigation

The claimant is entitled to a WBA of $120. He also receives monthly SSA benefits prorated to $100 per week. SESA deducts 50% of SSA from WBA. How does QC code F-8 and F-9?

A. F-8 is coded as $100. F-9 is coded as $50.

12. Q. G-1, Work Search Requirements

If a claimant works in a seasonal industry, is exempted by written Agency directive from making an active work search during the off season, but is required to make the work search during the season, how should G-1 be coded?

A. It would depend on whether the Key Week fell during the off season or not. If it was during the off season, then code it as a "4", industry attached. If it was during the season then it should be coded as a "1", required to actively seek work.

13. Q. G-12, No. of W/S Contacts Investigated

Claimant is required to make two W/S contacts per week. He has listed two contacts on his certification for the KW. He lists the same two contacts on the Questionnaire.

During the interview the QC Investigator presses the claimant for details of the W/S contacts, i.e., the physical setting of the establishments, the appearance of the employers, etc. As a result of this questioning, the claimant admits that he falsified the contacts. A determination is issued, and the claimant is disqualified.

What entry should be made in G-12?

A. No W/S contacts were actually investigated, therefore "0" should be entered for G-12. W/S investigation is defined as making actual contact with the employer (or after reasonable attempts were made to contact the employer, it can be logically concluded that actual contact cannot be made).

14. Q. H-2, Key Week Action

If a SESA waives recovery of an overpayment, what action code should be used?

A. It would depend on the circumstance. If the SESA had a written policy that overpayments under a certain dollar figure would automatically be waived, action code "12", nonfraud nonrecoverable should be used. If the waiver was up to the discretion of the SESA and required a judgment call, action code "11" would be more appropriate.

15. Q. H-10, Total Whole $ Amount of Underpayments

The Local Office determines that the claimant had an underpayment. How does the QC Unit code Item H-10?

A. It would depend on when the LO made the determination. If it was made prior to the case being selected for QC then code H-10 as zero, the LO found the underpayment, not QC. If the determination was made after the case was selected for QC, code the amount of the UP.

H-10 (and H-9 for overpayments) deals only with those amounts established as a result of the QC investigation. Operationally, this is defined from the time the case is selected for investigation by the QC unit.