

ATTACHMENT

QUESTIONS AND ANSWERS

1. Q. Element g2, Job Service Registration required for the Key Week (KW); g3, Actively/Currently Registered with JS as of KW

If (g2) is coded “yes” and (g3) is coded “no”, must an improper payment be coded in (h1)?

- A. Yes. If **g2** is coded as “yes” and **g3** is coded “no”, an improper payment must be recorded in **h1**. However, both **g2** and **g3** are entirely matters of State law. Federal law does not require a claimant to be registered with JS in order to be eligible for benefits. In fact, the language of the Secretary’s standard for Claim Filing, Claimant Reporting, Job Finding, and Employment Services (Part V of the ES Manual, Sections 5000-5004) emphasizes the service to the claimant aspect of JS, rather than an obligation imposed upon the claimant. Thus, the BAM investigator must determine whether State law and policy require a claimant to be registered with the JS (**g2**), and if so, whether the claimant met the requirement (**g3**), and code **h1** accordingly. BAM staff should work with State benefits staff to clarify policies and interpretations and eliminate any inconsistencies which might have resulted from new claims taking and JS technologies.

2. Q. Element g3 - Actively/Currently Registered with Job Service as of KW

Some States’ laws say that if a claimant files a UI claim, he is considered automatically registered with the Job Service, even if he never steps into a Job Service office or completes any Job Service forms. What is “registered” for purposes of BAM?

- A. State written law, policy, and procedures govern the response to this question. If the State policy is that claimants are considered registered when they file a UI claim, even if they have little or no additional contact with the Job Service, then the BAM unit should also consider them registered and code them accordingly. However, if the State requires claimants to register in-person with the Job Service, separate from filing a claim for UI, then the BAM staff should continue to ensure that claimants in the BAM sample meet this requirement.

These questions and answers first appeared in UIPL No. 8-87, dated February 11, 1987. The answer to both questions have changed to more clearly state the Federal position.