

## **Unemployment Insurance (UI) Benefit Operations Self-Assessment Tool:**

### ***Lower Authority Appeals (LAA) and Higher Authority Appeals (HAA)***

This self-assessment review of the state's Lower and Higher Authority Appeals functional areas will examine appeals processes as well as program performance. The reviewer will consult with appropriate staff regarding each operational element, as necessary, to ensure accurate and complete information is reported. This will include Unemployment Insurance (UI) administrators, IT managers, fiscal officers, the appeals office manager, and appeals office supervisors. Numerous questions cover both the Lower Authority Appeals (LAA) and Higher Authority Appeals (HAA) processes, and the reviewer should be certain to provide the information that is applicable to each area.

The reviewer will provide information regarding the state's performance for each calendar quarter of the review period for the average age of pending lower authority appeals, average age of pending higher authority appeals, and lower authority appeals quality. Use this link for more information regarding UI PERFORMS ALPs/Performance Criteria: [Acceptable Level of Performance](#).

Upon completion of this review, the results should be shared with UI administrators, program manager(s), and supervisors. The self-assessment findings, in conjunction with the state's quarterly appeals quality review scores, can provide a very good analysis of the appeals operations and performance. The results can be used to drive process and program-improvement initiatives.

A comments section is provided for each operational element, which the reviewer should use to document any observations regarding issues identified related to that specific operational element. This space may also be used to provide any additional information relating to a specific question in this section. In doing so, the reviewer should reference the specific question by number and insert the additional information related to that question.

In addition, a concluding comments section is provided at the end of the self-assessment instrument to capture any strengths identified by the reviewer in this functional area which could constitute a successful practice(s) to be shared with other states; any issues identified by the reviewer in the functional area that adversely impacts the state's performance and to identify any possible corrective actions to address the issue; and general comments about this functional area that are not covered elsewhere. The reviewer can provide information here that Federal reviewers and state UI administrators and managers can use to assess program operations and the state's effectiveness in providing quality services in this functional area.

***Save your entries regularly as you complete the review and when you close the self-assessment, to ensure your answers are saved.***

## **SECTION 1: Procedures, Policies and Confidentiality**

The purpose of this section is to review the policies and procedures provided by the agency for staff to use in operating this functional area of the UI program. These are the written (in hard-copy, electronically, or both formats) standards, instructions, and guidelines that staff regularly use in the operation of the program. The reviewer may utilize resources that include manuals, handbooks, desk aids, computer help screens, training guides, organized collections of procedures or policies, or other readily accessible instructions which can help staff do their work correctly, including [ETA Handbook No. 382](#) for guidance regarding Lower Authority Appeals Quality. Instructions will normally include general information such as compilations of relevant laws and regulations, as well as detailed instructions for carrying out individual jobs in the agency. Reviewers may need to look in many places to examine all relevant instructions and consult with UI administrators, the appeals manager, and appeals office supervisors.

The reviewer will document whether the state has policies and procedures sufficient to provide guidance and instruction to staff that conduct appeal hearings as well as support staff. Existing policies and procedures should be examined to determine whether they are up-to-date and address all law changes, organizational changes, and technology changes that occurred during the review period.

### **Helpful Info.**

Question 6: The reviewer should indicate all methods the state offers for filing Lower Authority Appeals (LAA) and Higher Authority Appeals (HAA).

Question 8a: If the state has an established practice of reviewing appeal filings to determine if the issue should be re-determined instead of having a hearing docketed, the reviewer should indicate what unit is responsible for this review process.

Question 11: The adequacy of a LAA hearing notice is an element that is included in the appeals quality review and it must contain all of the mandatory elements indicated in Handbook No. 282 to be scored as adequate. While the elements listed in Question 11 include these mandatory elements, the Question also includes additional optional elements. In assessing the appeals operations the reviewer may consider whether certain optional elements listed may help improve operations, if needed.

Question 12: The reviewer will document which of the listed hearing-related tasks are covered by the state's policies and procedures.

### **Helpful Info. (Continued)**

Question 13: The adequacy of LAA and HAA decisions is an element that is included in the appeals quality review and the decisions must contain all of the mandatory elements indicated in Handbook No. 282 to be scored as adequate. While the elements listed in Question 13 include these mandatory elements, the Question also includes additional optional elements. In assessing the appeals operations the reviewer may consider whether certain optional elements listed may help improve operations, if needed.

Questions 14 and 14a: The reviewer should review confidentiality requirements of [20 CFR 603.5\(b\)](#) to determine whether the state's handling of LAA and HAA information conforms to the requirements set forth.

Question 18: Indicate the total number of individuals that may participate in hearing and deciding Higher Authority Appeals.

## **SECTION 2: Training**

Managers/employees should possess and maintain a level of expertise which enables them to accomplish their assigned duties. Training systems should be sufficient to ensure that personnel understand and perform their duties properly. When reviewing training systems, the reviewer should consult with the state's training unit/staff and examine formal training procedures (e.g., the training is conducted using an established schedule and using set guidelines to make judgments about the quality of work being produced). The state should have procedures for identifying general and specific training needs, for developing a training curriculum and training materials, and for delivering training as needs are identified.

### **Helpful Info.**

Question 7: In responding to this Question, the reviewer should provide information concerning formal in-person or virtual training sessions that have been provided.

Question 8: The reviewer will determine whether the state uses decisions, particularly reversals and remands of appeals to determine training needs for hearing officers.

Question 14: The reviewer should document the means that the state uses to provide training to LAA and HAA staff regarding confidentiality of personally identifiable information.

## **SECTION 3: Workload Analysis/Management Controls**

The reviewer will examine the state's ability to manage appeals workloads, particularly through periods of unforeseen spikes in appeals cases, is analyzed. The reviewer will also review methods used by the state to mitigate backlogs, when they occur, to ensure the state's ability to provide timely, quality appeal hearings and decisions. The reviewer will document process-improvement initiatives aimed at minimizing appeal backlogs. The reviewer will interview the appeals manager, appeals office supervisors, and performance management staff to thoroughly document the state's practices for managing its appeals workloads.

### **Helpful Info.**

Question 4a: If the state has a systematic plan to manage LAA backlogs, document the methods used and explain in the Training section how training is delivered to supplemental staff, if used.

Question 7: If the state has a systematic plan to manage HAA backlogs, document the methods used and explain in the Training section how training is delivered to supplemental staff, if used.

Question 9a: If the state has the requirement that one or more members of the HAA must be an attorney, the reviewer should indicate to whom this requirement applies, for example, to all members, the chairperson only, etc.

Question 10a: Describe all business process analysis initiatives the state conducted during the review period regarding its LAA and HAA processes and what operational changes have been implemented as a result of those initiatives. *(If space is not adequate to fully respond to this question, the reviewer may use space in the Comments area at the end of this section.)*

Questions 11a and 11c: If the state uses an automated system to docket LAA or HAA hearings, describe the system that is used. If the state's system for docketing hearings is considered to be especially effective and/or efficient, explain fully in the Comments area at the end of this section.

## **SECTION 4: Performance Management**

The reviewer will examine the state's practices for monitoring program performance and compliance with Federal and state law and regulations. Review the state's practices for the preparation and monitoring of corrective action plans to ensure timely and accurate submittal and methods for continued monitoring of program performance in relation to designated milestones. If the state has a performance management unit, the reviewer should consult with performance management staff in addition to the appeals manager when completing this section.

### **Helpful Info.**

Question 1a: The reviewer should consult with UI managers for information regarding any Corrective Action Plan(s) or Narrative that the State Quality Service Plan (SQSP) contained during the review period for its Appeals performance.

Question 2a: If the state did not meet designated milestones on its SQSP during any

### **Helpful Info. (continued)**

Question 3a: If the state has submitted multi-year CAP(s) the reviewer will document progress made in meeting designated milestones based upon information obtained from the appeals manager.

Question 4b: The reviewer will document the methods the state uses to monitor its appeals operations. If the state's processes for monitoring its LAA and HAA operations are considered to be particularly effective and/or efficient, explain fully in the Comments area at the end of this section.

## **SECTION 5: Information Technology (IT)**

When completing this section of the self-assessment, the reviewer should consult with UI and IT administrators and the appeals manager. IT projects relating to UI Appeals that were completed during the review period and planned for the future will be detailed. The reviewer will assess the IT department's delivery of programming and technical support to the UI Appeals functional areas.

### **Helpful Info.**

Question 1a: The reviewer should describe any major IT projects that were conducted during the review period that impacted the appeals programs and provide information regarding the project status, and if completed, the success of the project. *(If space is not adequate to fully respond to this question, the reviewer may use space in the Comments area at the end of this section.)*

Question 2a: If the state had IT needs related to its appeals operations that were not met, the reviewer should document the needs that were not met and the impact it had on the timeliness and/or quality of appeals, if any.

## **SECTION 6: Claimant/Employer Access & Communication**

The reviewer will examine the state's methods for conducting appeal hearings. Methods used must comply with requirements set forth in Federal law and must meet Federal regulations and guidance regarding accessibility, including UIPL No. 02-16. The reviewer will provide information regarding the interaction of claimants and employers with the appeals operation. The reviewer will consult with UI administrators and the appeals manager when completing this section of the self-assessment.

### **Helpful Info.**

Question 6: The reviewer should review Section 508 of the Rehabilitation Act ([29 U.S.C. 794d](#)), [UIPL No. 30-11](#), [UIPL No. 02-16](#) and the state's accessibility guidance to acquaint themselves with requirements for accessibility before completing this section.

## **SECTION 7: Operational Efficiency/Resource Allocation**

Through interviews with UI administrators and the appeals manager, the reviewer will determine whether the state has allocated sufficient resources to training, facilities, staff, etc. to support program operations. The reviewer will identify efficiencies and automation the state has used to improve performance and provide better service to the public.

### **Helpful Info.**

Question 1: The reviewer will provide the ratio of FTEs allotted to appeals management staff compared to front-line appeals staff.

## **SECTION 8: Staffing**

The reviewer will examine organizational changes that occurred during the review period, if any, and their effect on the state's ability to manage its appeals workload and to meet timeliness and quality standards for its Lower Authority Appeals. The reviewer should consult with UI administrators, the appeals manager, and the state agency's human resource manager when completing this section of the self-assessment.

### **Helpful Info.**

Question 1: Staffing allocations are examined to determine whether an adequate number of FTEs is allocated for appeals support staff and hearing officers.

Question 2: The number of FTEs budgeted and dedicated to appeals support staff and hearing officer positions impact the state's ability to meet Federal requirements for timeliness and quality of its appeal decisions. The reviewer will report the number of FTEs budgeted, that is, the positions budgeted by the state after Federal "base" allocations. Dedicated FTEs means the number of FTEs that were charged to the function.

## **SECTION 9: Concluding Summary Comments**

The reviewer will use the Concluding Summary Comments section to highlight the state's strengths and weaknesses that impact the Lower Authority Appeals and Higher Authority Appeals functional areas and to identify issues that have not been addressed in any other section of the self-assessment. These comments are intended to provide Federal reviewers and the state's UI administrators with additional insight into these program areas, focusing on methods that have proven to be successful and can be capitalized upon or areas where corrective measures may be needed.

The first comment area provides the reviewer an opportunity to share any examples of good and/or exemplary operations in this functional area after reviewing each operational element. The reviewer can use this space to identify any policy, procedure or operation that would constitute a successful practice that can be shared with other states.

The second comment area provides the reviewer to document issues detected during the review that are having an adverse impact on the functional area, affecting the state's performance, ability to meet performance standards or customer service. It is also a place to recommend corrective actions for the agency's leadership to consider implementing.

The final comment area in this section provides the reviewer space to share any additional comments, concerns or observations regarding the state's operations in this functional area.