

WORKFORCE DEVELOPMENT DIVISION
Workforce Policy and Service Delivery Branch
Technical Assistance Bulletin 196, Change 1

Keyword: ES; RRES; WIA; WorkInTexas.com

Subject: Serving Unemployment Insurance Claimants—*Update*

Date: March 1, 2011

This Technical Assistance (TA) Bulletin provides Local Workforce Development Boards (Boards) with information on serving unemployment insurance (UI) claimants, expanding on information provided in the **Employment Service (ES) Guide** at <http://www.twc.state.tx.us/boards/guides/guides.html>, which contains comprehensive ES policy information.

This updated TA Bulletin:

- replaces references to specific WD Letters with references to the ES Guide;
- updates terminology; and
- includes minor, nonsubstantive editorial changes.

CHANGES TO TA BULLETIN 196:

New information in this TA Bulletin is indicated by:

- a strikethrough of the original language, which indicates that language has been deleted; and
- **bold** typeface, which indicates new or clarifying language.

This TA Bulletin outlines tools available to Boards for the provision of services to claimants. Claimants are a priority population for the receipt of workforce services and assistance in becoming reemployed. The Texas Workforce Commission (TWC) has expressed its interest in ensuring that Boards are treating claimants as a priority population, and are providing staff-assisted intensive services to help claimants with their reemployment efforts.

It is important for Boards to call in and serve as many claimants as possible based on available staff resources. While Employment Service staff is the primary provider of services to claimants, other Workforce Solutions Office staff also can serve claimants.

Boards' service delivery strategies vary based on claimants' Rapid Reemployment Services (RRES) scores. Under RRES, TWC has developed a statistical model to identify claimants who are most likely to exhaust their UI benefits. The model considers key characteristics of claimants as well as economic indicators in the local workforce development area (workforce area) to assess each claimant's risk of exhausting UI benefits. TWC continuously validates the predictive nature of the model and updates the parameters as economic conditions change.

RRES Scores

Above the cutoff score—Boards are required to outreach claimants with scores above the cutoff and provide RRES orientation and ~~at least one staff-assisted service~~ **staff assistance with developing an Employment Plan (EP), as set forth in the ES Guide**. Boards enter RRES orientation **and EP** services into WorkInTexas.com; based on this data entry, WorkInTexas.com automatically notifies TWC’s Unemployment Insurance & Regulation Division if a claimant fails to respond to outreach or to participate in workforce services. A claimant who fails to report to RRES orientation or participate in services as directed is subject to losing UI eligibility.

Below the cutoff score—Claimants with scores below the cutoff, though required to perform work search, are not required to attend an RRES orientation. **However, Boards still can outreach these claimants** to provide other services. A profiling outreach letter has been added to ~~the RRES system (AD17)~~ **WorkInTexas.com**. If staff chooses to outreach a claimant with a score below the cutoff, this letter is automatically generated and sent. While this letter invites, it does not mandate, engagement with the workforce system.

If a claimant is contacted for a specific job referral and fails to respond, he or she is subject to losing UI eligibility. When a *Job Match Alert* is sent to a claimant through WorkInTexas.com, the failure to respond is automatically communicated to TWC’s UI Division.

Getting Unemployment Insurance Claimants Back to Work

TWC strongly encourages Boards to design services that provide early intervention with claimants. Equally important is the provision of continued comprehensive services for claimants throughout the life of their claim cycle. TWC encourages Boards to dedicate staff to claimants, and to establish claimant protocols that include continued one-on-one reemployment services.

The longer individuals draw UI, the more likely they are to exhaust their benefits. Thus, it is important that the key points within the UI claim cycle are reflected in Boards’ service delivery strategies.

For example:

- At the time of filing for benefits, a claimant must seek—and accept if offered—a job that pays at least 90 percent of the claimant’s previous wage. Beginning with the eighth week of unemployment, claimants must consider jobs paying 75 percent of their previous wage;
- Those claimants on the initial claims list who have not responded to a welcome letter by week three, a time when claimants are typically contacted to attend RRES orientation, can be notified by letter or by messaging through their WorkInTexas.com account to attend a skills assessment, job readiness training, or a résumé-building workshop; and
- At week five, three weeks before they must accept a job at 75 percent of their previous wage, it is important that services be increased accordingly.

Though claimants on the *UI Claimant List* report in WorkInTexas.com may receive a letter welcoming them to make use of workforce services, some will never take advantage of those services. The goal is to ensure that claimants have the opportunity to participate in Workforce Solutions Office services that will enhance their chances of obtaining employment and higher wages.

Assistance that can be provided to claimants includes:

- making contact with claimants very early in the claim cycle;
- sustaining contact with the claimant throughout the claim cycle—**TWC strongly encourages Boards to dedicate necessary resources to provide sustained contact with claimants to assist them with their reemployment efforts;**
- reinforcing the requirement that claimants must actively seek work in order to continue receiving UI benefits;
- reviewing and updating claimants' WorkInTexas.com registrations to ensure the best possible opportunity for matches to job postings;
- teaching claimants how to search WorkInTexas.com for job postings;
- encouraging claimants to register with and search for jobs through Gadball.com (available through links on WorkInTexas.com) if they have limited matches in WorkInTexas.com;
- reviewing claimants' résumés and making suggestions on possible improvements;
- advising claimants of available workshops on résumé writing, interview preparation, etc.;
- periodically running job searches for claimants in WorkInTexas.com; if appropriate matches are identified, contacting the claimants to offer them a job referral. (A search can be run whether or not the claimant is present, but the claimant must accept the job referral before a *Contact* is entered into WorkInTexas.com.);
- determining if additional services, such as WIA, are necessary to assist the claimant in returning to work; and
- enrolling claimants in WIA dislocated worker services when appropriate.

Additionally, it is important to consider more highly targeted strategies for serving claimants, such as:

- establishing job clubs for claimants scoring above the cutoff who have not secured employment within a specified amount of time (e.g., four weeks). For example, have claimants attend a job club at the Workforce Solutions Office and assist them with improving their résumés and interview skills, searching for job opportunities, and scheduling job interviews;
- comparing the workforce area's claimant population to available job postings in the workforce area, particularly in WorkInTexas.com. In instances in which there are an inadequate number of job postings in a particular occupation for the number of claimants, it is important for the Business Services Unit to make contact with employers and engage in job development;
- using a job developer to assist in locating potential jobs for individual claimants for whom no current opening is listed in WorkInTexas.com; and
- using WIA dislocated worker funds, offer support services to eligible claimants, allowing them to participate in programs with authorized activities (i.e., core, intensive, and training services). WIA dislocated worker support services include, but are not limited to:
 - transportation (including vouchers for gasoline);
 - assistance with child care;
 - tools, uniforms, and supplies required for a new job; and
 - needs-related payments provided in conjunction with training.

WIA dislocated worker funds can be used only to provide services if a claimant has been determined eligible. WIA dislocated worker eligibility requires the following¹:

- **WIA Category 1:** The individual must have been terminated, laid off, or received notice of termination or layoff; be eligible for UI or have exhausted UI, or be ineligible for UI but able to show an attachment to the workplace; and be unlikely to return to the previous occupation or industry.

Note: If a claimant is “unlikely to return to the previous occupation or industry,” consider the length of time the claimant has been out of work in the particular occupation or industry. Although there may be a substantial number of jobs in the occupation from which a claimant was displaced, if the claimant has been unable to return to work in that occupation for an extended period of time, it can be a factor in determining whether the claimant is unlikely to return to that previous occupation or industry.

- **WIA Category 2:** The individual must have been terminated or laid off, or have received a notice of termination or layoff from employment as a result of a permanent closure or a substantial layoff. Receipt of rapid response services is not required for WIA Category 2 eligibility determination.

If a claimant is outreached about a specific job and fails to respond, the claimant may be subject to a delay or denial of UI benefits. The vast majority of potential UI ineligibility issues are referred to TWC’s Unemployment Insurance & Regulation adjudication staff through WorkInTexas.com.

Workforce Solutions Office staff interacts with claimants on a regular basis and often becomes aware of issues not covered through the WorkInTexas.com interface that affect a claimant’s continued eligibility for benefits. As set forth in **the ES Guide**, the local Workforce/Unemployment Insurance (WF/UI) coordinators will continue to notify the state WF/UI coordinator in the event that a claimant is:

- not actively seeking work;
- unable to work or unavailable for work;
- refuses a suitable job referral;
- does not report for an interview with an employer;
- refuses an suitable offer of employment; or
- returns to full-time employment.

Direct inquiries regarding this TA Bulletin to wfpolicy.clarifications@twc.state.tx.us.

RESCISSIONS:

TA Bulletin 196

¹ See the WIA Eligibility Guidelines (http://www.twc.state.tx.us/boards/wia/wia_guidelines.pdf) for detailed information on eligibility requirements.