

TEXAS WORKFORCE COMMISSION LETTER

ID/No: WD 17-05

Date: July 14, 2005

Keywords: WorkInTexas.com; UI

To: Local Workforce Development Board Executive Directors
Commission Executive Staff
Integrated Service Area Managers

From: Luis M. Macias, Director, Workforce Development Division

Subject: **New Unemployment Insurance Minimum Pay Reduction Requirements in WorkInTexas.com**

PURPOSE:

To provide Local Workforce Development Boards (Boards) with information on new Unemployment Insurance (UI) minimum pay amount reduction requirements for UI claimants effective **July 14, 2005**, in WorkInTexas.com.

REFERENCE:

Wagner-Peyser Act of 1933, as amended
United States Department of Labor, Employment and Training Administration (20 C.F.R., Chapter V, Parts 651–652)
Texas Unemployment Compensation Act, Section 207.021(a)(4)
Texas Workforce Commission Appeals Policy and Precedent Manual, Appeal No. 2282-CA-77 at AA500.00

FLEXIBILITY RATINGS:

No Local Flexibility (NLF): This rating indicates that Boards must comply with the federal and state laws, rules, policies, and required procedures set forth in this WD Letter and have no local flexibility in determining whether and/or how to comply. Federal and state laws, rules, policies, and required procedures with a “No Local Flexibility” rating are indicated by the acronym, **NLF**, in the margin to the right of the applicable paragraph. Additionally, all information with a “No Local Flexibility” rating is indicated by “must” or “shall.”

Failure to comply with the federal and state laws, rules, policies, and required procedures with a “No Local Flexibility” rating may result in corrective action, up to and including sanction and penalty.

Local Flexibility (LF): This rating indicates that Boards have local flexibility in determining whether and/or how to implement guidance or recommended practices set forth in this WD Letter. All guidance or recommended practices with a “Local Flexibility” rating are indicated by the acronym, **LF**, located in the margin to the right of the applicable paragraph. Additionally, guidance or recommended practices with a “Local Flexibility” rating are indicated by “may” or “recommend.”

Boards are not subject to corrective action for failure to comply with guidance or recommended practices with a “Local Flexibility” rating.

BACKGROUND:

When an individual files for UI benefits, the “normal wage” for the individual is verified by UI Tele-Center staff and automatically transmitted to WorkInTexas.com. The minimum pay amount, which is the highest wage a UI claimant can specify in WorkInTexas.com, is then calculated based on the UI claimant’s normal wage. The calculation for the minimum pay amount is:

- 90 percent of the normal wage established upon filing a new UI benefits claim; and
- 75 percent of the normal wage after eight weeks of continuous filing for UI benefits.

The minimum pay amount is automatically transmitted to WorkInTexas.com and is one of many characteristics that affect the number of job matches the UI claimant receives.

PROCEDURES:

Boards must be aware that enhancements have been made in WorkInTexas.com regarding new minimum pay amount reduction requirements based on the normal wage. These changes will increase UI claimants’ job search success by matching their work registrations with a greater number of job postings.

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Boards must ensure that appropriate staff is aware of the following:

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- Effective **July 14, 2005**, the UI Benefits System will transmit the normal wage and the minimum pay amount for UI claimants, as determined by UI Tele-Center staff, to WorkInTexas.com.
- The UI Benefits System will not provide the normal wage or the minimum pay amount to WorkInTexas.com. on claims filed on or before **July 13, 2005**.

Additionally, Boards must ensure that appropriate staff is aware of the following changes in WorkInTexas.com:

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- An information message regarding the minimum pay amount reductions will display each time currently registered UI claimants access their ***Job Seeker Home Page*** (Attachment 1), as long as they are filing for UI benefits.
- An error message on the ***Job Match—Matching Option Details Screen*** (Attachment 2) will display if the UI claimant attempts to change the minimum pay amount by:
 - more than 90 percent of the normal wage established upon filing a new UI benefits claim; or
 - more than 75 percent of the normal wage after eight weeks of continuous filing for UI benefits.
- Texas Workforce Center staff will be allowed to view the wage information for UI claimants on the ***Staff Job Seeker Home Screen*** (Attachment 3).

Boards must ensure that appropriate staff refers UI claimants to the applicable UI Tele-Center to address any issues regarding their minimum pay amounts. A list of UI Tele-Centers can be accessed at:
<http://www.twc.state.tx.us/ui/bnfts/offices.html>.

ACTIONS REQUIRED:

Boards must ensure that appropriate staff is apprised of and complies with the requirements in this WD Letter.

INQUIRIES:

Direct inquiries regarding this WD Letter to the assigned contract manager for your local workforce development area.

ATTACHMENTS:

- Attachment 1: *Sample* Job Seeker Home Page
- Attachment 2: *Sample* Job Match—Matching Option Details Screen
- Attachment 3: *Sample* Staff Job Seeker Home Screen

Rescissions: None	Expiration: Continuing
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