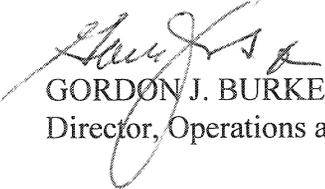




JUL 14 2005

DIRECTOR'S MEMORANDUM NO. 17 -05

TO: ALL VETS STAFF

FROM: 
GORDON J. BURKE, JR.
Director, Operations and Programs

SUBJECT: Internet Submission of USERRA and Veterans' Preference Claims
Using the New Electronic Version of VETS/USERRA/VP Form 1010
(E-1010)

1. Purpose: To disseminate guidance for VETS' staff on implementation of the new E-1010, which will become available to the public via the Internet on Monday, July 18, 2005, at the following URL:

<https://vets1010.dol.gov/Login.aspx>

2. Background: In support of E-Government initiatives, VETS has developed an Internet-based system which will allow USERRA and VP claimants to initiate and officially submit a claim while logged into a VETS webpage, by completing and transmitting to VETS via the Internet an electronic version of Form 1010 (E-1010).

3. Action:

- A. The E-1010 data submitted online by the claimant will first go into an administrative database, the "VETS 1010 Form On-line Submission" system. The claimant and the DVET for the corresponding State (Employer State in USERRA claims, or Claimant State in VP claims) will immediately receive notification emails from "Electronic 1010 Submission" documenting receipt of the claim. Other VETS staff who need to track all claims will also receive a notification email for each E-1010 claim. The responsible DVET (or the DVET's designated reviewer) will log into the VETS 1010 Form On-line Submission system at <https://vets1010.dol.gov/Login.aspx> **within three days** of E-1010 claim receipt, to

B. Review the E-1010 information for that claim

- contact the claimant for any clarifications or additions
- assign a VETS Investigator, and
- open a new case.

This online case opening action in the E-1010 system will connect with the appropriate VETS' Information Management System (either the USERRA IMS or the Veterans' Preference IMS); will automatically transfer the basic claim data required to open a case from the VETS 1010 Form On-line Submission System into the UIMS or VPIMS; and, will assign the official USERRA or VP Case Number to that claim.* The system will also automatically generate Case Opening and Investigator Assignment emails to the claimant, Investigator, and VETS staff tracking the claim. Thereafter the case will be processed by the Investigator as usual, in accordance with all established procedures (including all required IMS entries). For all cases opened using an E-1010 the Investigator shall print out, and put into the official hard copy case file record:

- Copies of emails received from "Electronic 1010 Submission" for that claim; and
- A copy of the E-1010 attached to one of those emails (which will be produced by the E-1010 system in Adobe Acrobat (PDF) format). This E-1010 copy will remain in the case file record in lieu of a signed Form 1010. In every instance where established USERRA or VP procedures discuss a signed Form 1010, the E-1010 shall be considered as equivalent to a signed Form 1010. When a case is opened using an E-1010, no hard copy signed 1010 is required.

C. After an E-1010 claim has been opened as a new case in the UIMS or VPIMS, the Investigator shall enter the IMS "Update Case Data" function, to:

- Change data as necessary to assure that the IMS data is both consistent with the E-1010 data and accurately reflects all other available information about the case;
And/or
- Add data as applicable, such as:
 - ✓ Any E-1010 entries not automatically carried over into the UIMS
 - ✓ Complete addresses
 - ✓ Additional issue codes
 - ✓ Other data not on the E-1010, etc

** UIMS/E-1010 Procedural Note: A new data requirement is being implemented in both the E-1010 system and UIMS, to track pre-claim involvement (if any) by the Employer Support of the Guard and Reserve (ESGR) in USERRA claims opened by VETS henceforth. Both the E-1010 and the UIMS will provide necessary information to VETS staff about this new ESGR data.*

- D. Upon receipt of an E-1010 claim, the E-1010 system will automatically review:
- Claimant's Social Security Number (if reported on the E-1010);
 - Date of claim receipt; and
 - Claimant's responses to the Federal government employer question
- to screen USERRA claims for Office of Special Counsel (OSC) pilot consideration pursuant to Director's Memorandum 06-05. E-1010 claims initially filed as Federal USERRA claims which belong in the OSC pilot will be forwarded via email to OSC automatically and immediately by the E-1010 system – VETS' staff will not have to review or document such E-1010 OSC pilot claims at all, and no USERRA case will be opened by VETS for such claims. E-1010 claims forwarded to OSC for the 2005-2007 pilot will be shown in VETS' E-1010 "All Claims" listing as "Submitted to OSC." (For hard copy 1010s, see DM 06-05 for VETS' staff actions regarding the OSC pilot.)
- E. Any claim originally submitted by the claimant as VP or USERRA which, in the VETS' DVET's or designated Reviewer's judgment, needs to be reclassified before opening a case (i.e., to change the claim from VP to USERRA or vice versa) should be changed in the E-1010 system during the review of that claim. If a VP claim is reclassified to USERRA in this manner, the automatic screening actions described in paragraph C. above will then occur immediately in the E-1010 system, and claims meeting the OSC Pilot criteria will be forwarded automatically to OSC via email by the E-1010 system. If a reclassified claim is forwarded to OSC, no USERRA case will be opened by VETS, and the E-1010 "All Claims" listing will show such claims as "Reclassified & Submitted to OSC." Any Form 1063s or other documentation that have been developed by the Investigator in such claims up to this point should then be immediately forwarded to OSC by the Investigator, in the manner specified by DM 06-05, Section III. B.
- F. All VETS staff responsible for USERRA and VP activities should review and retain this Director's Memorandum and the attached E-1010 User Manual, and be prepared to assist claimants in using the E-1010 system. The E-1010 User Manual is a PowerPoint presentation. Limited excerpts from the User Manual are also available by clicking on the "Help" button while viewing E-1010 screens. VETS staff can also download the complete User Manual online by using links within the E-1010 "Help" buttons.

4. Effective Date: Immediately

5. Inquiries: Direct questions on this Memorandum to Rob Wilson (202) 693-4719 or Bo Wroble (404) 562-2368.

Expiration Date: Until rescinded.

Attachment: E-1010 User Manual