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**ADVISORY: TRAINING AND EMPLOYMENT GUIDANCE LETTER NO. 08-22**

**TO:** STATE WORKFORCE AGENCIES

**FROM:** BRENT PARTON /s/  
Acting Assistant Secretary

**SUBJECT:** Fiscal Year (FY) 2023 Funding Allotments and Operating Guidance for Unemployment Insurance (UI) Reemployment Services and Eligibility Assessment (RESEA) Grants

1. **Purpose.** To provide guidelines for the FY 2023 UI RESEA grants and to invite State Workforce Agencies to submit a RESEA State Plan.
2. **Action Requested.** The U.S. Department of Labor’s (Department’s) Employment and Training Administration (ETA) requests state agency administrators to provide information contained in this Training and Employment Guidance Letter (TEGL) to appropriate staff. This information should be shared with staff working in the following program areas, as well as other relevant staff: the UI program; workforce programs administered under the Workforce Innovation and Opportunity Act (WIOA), including the Wagner-Peyser Act-funded Employment Service; and workforce information/labor market information programs. States requesting funding to continue a current RESEA program or to implement a new RESEA program during FY 2023 must submit a RESEA State Plan. The submission must contain all required information described in this TEGL and be submitted via <https://www.grants.gov/> by April 10, 2023.
3. **Summary and Background.**
  - a. **Summary** – This TEGL provides general operating guidance for the RESEA program for FY 2023: (a) definitions for RESEA-specific terms; (b) funding details, including the base-funding formula for state grants, outcome payments, and evaluation set-aside costs; (c) program design, including covered populations, promoting program equity, and a discussion about remote and virtual service delivery; (d) program operations, including the involvement of UI agency staff and performance reporting requirements; (e) evidence-based interventions and evaluation requirements; and (f) the RESEA State Plan submission process.

To support the ongoing implementation of the permanent RESEA program, ETA has applied the following changes to required RESEA reports and the state plan template:

<b>RESCISSIONS</b> None	<b>EXPIRATION DATE</b> Continuing
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- State Plan Template – The document is now a Word document to allow states to describe and explain their program’s narratives without restriction. Moreover, redundant sections were removed, and an evaluation chart was added to capture evidence-based funding requirements under Section 303(c)(2) of the Social Security Act (SSA) (See Attachment V of this TEGL for additional detail).
- Beginning in FY 2023, states must, as required by Section 303(c)(2), SSA, dedicate a percentage of RESEA funding to evidence-based interventions with a high or moderate causal evidence rating that improve employment and earnings outcomes for RESEA participants. (See Attachment V of this TEGL for additional detail.)

This TEGL is published concurrently as Unemployment Insurance Program Letter (UIPL) No. 02-23. The joint UIPL/TEGL reflects the shared responsibilities across UI and workforce programs in conducting RESEA activities. The guidance documents are identical other than non-substantive changes to formatting.

- b. **Background** – Since 2005, the Department and participating state UI agencies have leveraged the voluntary UI Reemployment and Eligibility Assessment (REA) program and its successor, the voluntary RESEA program, to address individual reemployment needs of unemployment compensation (UC) claimants and to prevent and detect UC improper payments. Because there is strong evidence that these types of reemployment programs and service delivery strategies are effective, they remain a high priority for the Department.<sup>1</sup>

The purposes of the RESEA program are identified in Section 306(b), SSA:

- (1) To improve employment outcomes of UC recipients and reduce the average duration of UC receipt through employment;
- (2) To strengthen program integrity and reduce improper UC payments through the detection and prevention of such payments to ineligible individuals;
- (3) To promote the alignment with the broader vision of WIOA of increased program integration and service delivery for job seekers, including UC claimants; and
- (4) To establish reemployment services and eligibility assessments as an entry point for UC claimants into other workforce system partner programs.

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<sup>1</sup> USDOL, CLEAR Reemployment Synthesis, November 2018; Abt Associates, November 2019, Evaluation of Impacts of the Reemployment and Eligibility Assessment (REA) Program; IMPAQ International, March 2020, Low-Cost Randomized Control Trial Study of the Nevada Reemployment and Eligibility Assessment (REA) Program. ([https://clear.dol.gov/sites/default/files/ResearchSynthesis\\_Reemployment\\_0.pdf](https://clear.dol.gov/sites/default/files/ResearchSynthesis_Reemployment_0.pdf); <https://www.dol.gov/sites/dolgov/files/OASP/evaluation/pdf/REA%20Impact%20Study%20-%20Final%20Report.pdf>; and <https://osf.io/rja28/>)

The Bipartisan Budget Act of 2018, Public Law 115-123 (BBA), enacted on February 9, 2018, included amendments to SSA creating a permanent authorization for the RESEA program. The RESEA provisions are contained in Section 30206 of the BBA, enacting new Section 306 of the SSA. The permanent RESEA program includes phased implementation that spans several years, as explained in UIPL No. 13-21, Section 3.b. Major implementation components are summarized in Attachment V to this TEGL.

The American Rescue Plan Act (ARPA) (Public Law (Pub. L.) 117-2) was enacted on March 11, 2021. Section 9032, ARPA, creates a new Section 2118 of the Coronavirus Aid, Relief, and Economic Security (CARES) Act (Pub. L. 116-136), as amended, and provides for a \$2,000,000,000 appropriation for the Secretary of Labor to detect and prevent fraud, to promote equitable access, and to ensure timely payment of benefits to eligible workers with respect to UI programs. Funds made available under this TEGL are provided in addition to the ARPA Fraud Prevention Grant 2021 made available with UIPL No. 22-21, the UI Equity Grant 2021 made available with UIPL No. 23-21, the UI Tiger Team Grant 2021 made available with UIPL No. 02-22, and the ARPA Navigator Grant 2021 made available with UIPL No. 11-22. States are encouraged to leverage these combined resources. See Section 4.c.iii. of this TEGL for additional discussion about promoting program equity within the context of RESEA.

#### 4. **Guidance.**

- a. **Definitions.** To reflect the increased opportunity for innovation provided by the permanently authorized RESEA program, and to assist states in conducting RESEA planning and performance reporting, several definitions were introduced in FY 2020 that will continue, unchanged, in FY 2023. These definitions identify minimum levels of service delivery. States are strongly encouraged to integrate a wide range of additional services that can identify and respond to the specific needs of each UC claimant.

Each definition includes information on how the item should be reported on the RESEA State Plan and the ETA 9128 report. See Attachment II for the RESEA State Plan template, as well as further discussion in Section 4.f. of this TEGL. See Employment and Training (ET) Handbook No. 401, 5<sup>th</sup> Edition, for additional information on the ETA 9128, as well as discussion in Section 4.d.v.B. of this TEGL.

- i. **Initial RESEA** – The term “initial RESEA” refers to the first meeting between an RESEA service provider and a UC claimant who responded to an official notification of selection and required participation in RESEA services. As described in Section 4.d.ii. of this TEGL, every RESEA participant must be scheduled an initial RESEA.

A. ***Minimum requirements for an initial RESEA.*** The initial RESEA is considered “completed” when, at a minimum, all of the following services have been provided:

- (1) A UC eligibility review that is conducted on a one-on-one basis, including review of work search activities (if the work search requirement has not

been waived for the claimant) and referral to adjudication if an issue or potential issue(s) is identified;

- (2) Customized labor market and career information based on an assessment of the claimant's needs;
- (3) Co-enrollment in the Wagner-Peyser Act-funded Employment Service program;
- (4) Support, to the extent needed, for the claimant in the development of an individual reemployment plan tailored to the claimant's needs; and
- (5) Referral and information provided for additional reemployment services, and other American Job Center services, resources, and trainings (as appropriate).

The above list identifies the minimum requirements for an initial RESEA. States may add additional activities or services as part of their respective service delivery designs. This may include the addition of "subsequent RESEA" sessions (see Section 4.a.ii. of this TEGL). Additional information and requirements on RESEA services are found in Sections 4.c. of this TEGL.

B. ***Reporting instructions for RESEA State Plan.*** Report under Element 12a. Total Number of RESEAs Projected to be Completed (see Attachment II of this TEGL). This element records both the initial and subsequent completed RESEA sessions.

C. ***Reporting instructions for ETA 9128.*** Report under Item 3, Number of RESEAs completed (see Section 4.a.i.A. of this TEGL).

ii. **Subsequent RESEA** – States will determine the extent to which they require any subsequent RESEAs as part of their service delivery model in addition to referrals to reemployment services. The term "subsequent RESEA" refers to any follow-on RESEA meetings.

A. ***Minimum requirements for a subsequent RESEA.*** The subsequent RESEA is considered "completed" when, at a minimum, all of the following services have been provided:

- (1) A UC eligibility review that is conducted on a one-on-one basis, including review of work search activities (if such activities have not been waived) and referral to adjudication if an issue or potential issue(s) is identified; and
- (2) Review of the claimant's activities to determine if additional assistance is needed to support the claimant's return to suitable work at the earliest

possible date. Additionally, if the claimant is required to search for work as a condition of UC eligibility, the state should provide any additional assistance necessary to support the claimant's compliance with the state's work search requirements.

States have the opportunity for significant innovation in their service-delivery design. This includes the extent to which they require subsequent RESEA sessions, how many subsequent RESEAs to provide, and identifying the most effective method in making referrals to additional reemployment services.

- B. ***Reporting instructions for RESEA State Plan.*** Report under Element 12a. Total Number of RESEAs Projected to be Completed, (see Attachment II of this TEGL). This element records both the initial and subsequent completed RESEA sessions.
- C. ***Reporting instructions for ETA 9128.*** There is not a designated item on the ETA 9128 form to record subsequent RESEA sessions. States must report the scheduled, completed, and failure to report subsequent sessions in the comment section of the ETA 9128 report.

- iii. **Reemployment Services** – States must develop processes to refer RESEA participants to reemployment services, including those services provided using RESEA funding, and those provided through other programs. In support of RESEA's goal of greater alignment with WIOA, reemployment services include, but are not limited to, activities identified as career services under Section 134(c)(2), WIOA, and further detailed at 20 CFR 678.430.

Each state will identify the types and quantity of reemployment services provided but must ensure that its respective RESEA program design and the services provided supplement, rather than supplant, federal, state, and local public funds that would otherwise be expended on reemployment services in the absence of an RESEA program.

Referrals to reemployment services resulting from RESEA are captured on the ETA 9128, items 4-5, and in each state's RESEA state plan narrative describing service delivery. ETA will also collect additional information via the Workforce Integrated Performance System for claimants referred to the Employment Service program and other WIOA partners by RESEA.

- A. ***Reporting instructions for RESEA State Plan.*** States must describe referral process in the appropriate narrative sections.
- B. ***Reporting instructions for ETA 9128.*** Report under item 4, Number reporting for reemployment services or training and item 5, Number reporting for reemployment services. These items capture reemployment services resulting from RESEA.

iv. **Training** – In the context of RESEA, training includes training services identified under Section 134(c)(3), WIOA, and 20 CFR 680.200, as well as any other training program approved by the state’s UI agency. It is expected that training resulting from an RESEA referral will align with the statutory purposes of RESEA by making use of available labor market information, business services, and other resources to directly link the training to a specific job or in-demand occupation. RESEA funds may not be used to support training activities.

A. **Reporting instructions for RESEA State Plan.** Training is not reported on the RESEA State Plan.

B. **Reporting instructions for ETA 9128.** Report the number of claimants that report to training as a result of RESEA referral under the following: item 4, Number reporting for reemployment services or training, and item 6, Number reporting for training.

C. **Other important items to note.** Training activities resulting from RESEA referrals will be reported through the workforce program reporting structures.

b. **Funding.** The following section describes: (i) funding availability; (ii) the base-funding formula for state grants; (iii) allowable uses of these state grants; (iv) removal of administrative cost limitations; (v) evaluation set-aside funds; (vi) a note on the average costs of Initial RESEAs and Subsequent RESEAs; and (vii) the period of performance for these state grants. Allowable costs may not exceed the state’s formula allocation, as provided in Attachment I.

The awards presented in this TEGL are subject to the availability of federal funds. The amounts identified in Attachment I are based on the appropriated FY 2023 funding level of \$375,000,000. The funding level is distributed across three funding streams:

- eighty-nine (89) percent (\$333,750,000) awarded to states via the base-funding formula (*see Section 4.b.i. of this TEGL*);
- ten (10) percent (\$37,500,000) awarded to states for outcome payments (*see Section 306(f)(2), SSA*); and
- one (1) percent (\$3,750,000) reserved by the Department to conduct research and provide technical assistance (*see Section 306(f)(3), SSA*).

Grant recipients may be required to revise budget documents prior to award execution to account for discrepancies among estimated funding availability, funding requests, and actual award amounts.

i. **Base-Funding Formula for State Grants** – The Department began in FY 2021 to determine each state’s maximum RESEA base award using a formula allocation based on the state’s Insured Unemployment Rate (IUR) and the size of its civilian

labor force. The final RESEA allocation formula was published in the *Federal Register* on August 8, 2019 (84 *Fed. Reg.* 39,018).

Attachment I provides state-level formula allocations of RESEA base funding. Grant recipients may be required to revise budget documents prior to award execution to account for discrepancies among estimated funding availability, funding requests, and actual award amounts.

The formula allocation includes provisions intended to stabilize funding from year to year, and to incentivize the timely expenditure of RESEA funds. These include a hold harmless provision, minimum funding clause, and carry-over threshold.

- A. ***Hold harmless.*** In FY 2023, each state will receive no less than an amount equal to at least 95 percent of its FY 2022 allotment.
- B. ***Minimum funding.*** No state will receive an amount equal to less than 0.28 percent of the total available funding for FY 2021 RESEA's base-funding level or \$498,400.
- C. ***Carry-over threshold.*** Subject to a temporary modification for FY 2023 explained below, a state may carry over from its previous year's grant award up to 60 percent of the state's previous year grant award. Amounts in excess of 60 percent would be reduced from the state's subsequent allocation.
- D. ***Modifications to FY 2023 formula allocation.*** The Department may change the final allocation methodology in accordance with Section 306(g), SSA, upon providing a 90-day notification to Congress before the change may take effect. As described in Section 6 of TEGl No. 13-21, the Department implemented such a change to suspend the carry-over threshold for FY 2021 funds. This change was implemented to reflect program disruptions, including temporary program suspensions, resulting from COVID-19.

For FY 2023, the Department intends to continue the modified implementation of the 30-percent carry-over threshold. In FY 2022, the Department suspended the 30-percent carry-over limit and proposed to phase in the requirement for FY 2023 grants at the modified level of 60 percent. For all grant awards after FY 2023, the 30-percent limit will be applied. This change was proposed in response to the COVID-19 pandemic's continued impact on RESEA operations. Congress was notified of this change on October 25, 2021; it took effect on January 23, 2022. Formula allocations provided in Attachment I do not include adjustments for the 60 percent carry-over threshold. ETA will provide revised state-level allocations that reflect application of the 60 percent carry-over threshold based on December 2022 financial reports provided in February 2023. States must account for carry-over threshold as part of their RESEA State Plan activities.

Additionally, the Department modified the RESEA base funding formula methodology to allow for subsequent base funding formula allocation(s) when there are changes in the available base funding after the initial formula allocation. Congress was notified of this change on September 6, 2022, and this permanent change took effect on December 6, 2022. The Department applied this change to allocate remaining FY 2022 base-funds that resulted from several states requesting partial FY 2022 funding.

- ii. **RESEA Outcome Payments.** The Department will award outcome payments to states participating in the RESEA program that, in the previous fiscal year, met or exceeded certain outcome goals. These outcome payments will increase the amount otherwise awarded to a state in its base-funding allocation, in accordance with Section 306(f)(2), SSA. See 86 *Fed. Reg.* 57,856, published on October 19, 2021, for additional details. Moreover, the FY 2022 outcome payments timeline was extended by appropriations acts and ETA will award FY 2022 outcome payments in March 2023.
- iii. **Allowable Use of Funds** – When a state applies for RESEA funding, the state is agreeing to integrate the RESEA program with other workforce partner programs, including services funded under WIOA and the Wagner-Peyser Act, and to co-enroll all RESEA participants into the Employment Service program. RESEA funds must be used to support states in providing initial RESEAs, subsequent RESEAs (where determined appropriate by the state), and reemployment services (where determined appropriate by the state).

These funds must supplement the level of federal, state, and local public funds that are already expended to provide reemployment services and eligibility assessments to individuals receiving UC. Thus, only reemployment or other service costs that are a direct result of a claimant’s participation in the RESEA program may be reimbursed using RESEA funds.

RESEA funds may not supplant UI grant funds devoted to other state UI program enforcement or program eligibility review activities. This includes federal, state, or local funds devoted to providing reemployment services to UC claimants. Moreover, RESEA funds may not be used to pay for training services, or to purchase or pay for licenses for an assessment tool (e.g., the Transferable Occupation Relationship Quotient). Funding for RESEA state staff may not be obligated for use at a future date, and the obligation may only occur at the time the staff performs services on the project.

- iv. **Administrative Cost Limitations** – Beginning in FY 2017, ETA limited RESEA administrative costs to a specific percentage of each state’s annual grant award. These limits were intended to align RESEA with other similarly-sized discretionary grants. The Department removed such limitations beginning in FY 2022.



The removal of this limit reflects changes to the RESEA program including, among others, its permanent authorization and potential growth in future years. ETA intends for this change to incentivize states to grow their RESEA program. Growing the program may include increasing permanent RESEA staffing and supporting other resources necessary for expanding RESEA’s capacity to serve a larger percentage of UC claimants. ETA will continue to review RESEA state plan submissions and perform routine monitoring to ensure administrative costs are reasonable and limited to supporting RESEA, and state spending is aligned with the approved FY 2023 RESEA state plans.

- v. **Evaluation Set-Aside Funds** – Beginning in FY 2023, states must link a percentage of their RESEA funding to evidence-based components with a high or moderate causal rating that show a demonstrated capacity to improve employment and earnings outcomes for program participants. This percentage will incrementally increase through FY 2026. States must engage now in conducting such evaluations to build the necessary evidence that support successful RESEA programs in the future.

Section 306(d), SSA, allows states to use up to 10 percent of their RESEA grant funds (including the base grant and outcome payment amount) to conduct or commission evaluations of interventions and service delivery strategies used in carrying out their RESEA programs. If a state finds that the evaluation funding from a single year is insufficient to conduct a rigorous evaluation needed to build evidence-based strategies, the state is encouraged to explore multi-year funding strategies, and/or collaborate and pool its funds with other states. Additional detail is provided in Section 4.e. of this TEGL. The evaluation costs must be reported quarterly in the comment section of the ETA-9130 Financial Report, which is available at <https://www.dol.gov/agencies/eta/grants/management/reporting>.

- vi. **Average Cost of Initial RESEAs and Subsequent RESEAs** – States have the opportunity to innovate in designing their RESEA programs and the types of service delivery strategies and interventions permitted (see Section 4.e.ii of this TEGL regarding evaluation of such activities). Previous funding limits regarding the average cost of each Initial RESEA and Subsequent RESEA were removed in FY 2020. However, states must continue to report information about these costs in the RESEA State Plan for program management and technical assistance purposes.

- A. **Reporting instructions for RESEA State Plan.** Report under Element 9, Completed Initial RESEA Staffing and Time, and 10, Completed Subsequent RESEA Staffing and Time.

- B. **Reporting instructions for ETA 9128.** Average costs of Initial and Subsequent RESEAs are not reported on the ETA 9128.

- vii. **Period of Performance for State Grants** – For operational purposes, states are strongly encouraged to continue designing and operating their RESEA programs based on a calendar year schedule. However, the period of performance for FY 2023

RESEA funds will be January 1, 2023, through September 30, 2024. FY 2023 funding must be obligated by September 30, 2024, and liquidated by December 31, 2024. In the event that a state needs additional time to obligate or liquidate their funds, the state must seek approval to modify its grant request. Section 4.f.iv. of this TEGL provides instructions for requesting grant modifications.

- c. **Program Design.** The following section describes: (i) UC claimant populations that are covered by the RESEA program; (ii) the intersection of the RESEA and Worker Profiling and Reemployment Services (WPRS) programs; (iii) promoting program equity; (iv) required RESEA services; (v) remote service delivery and virtual resources; (vi) integration with WIOA, Wagner-Peyser, and other workforce-funded services; and (vii) additional resources to support program implementation.
- i. **Covered Populations** – States are strongly encouraged to increase the percentage of UC claimants that are selected for RESEA. Section 306(a), SSA, requires RESEA-funded activities to be targeted to claimants determined most likely to exhaust UC, in accordance with Section 303(j), SSA. Refer to Section 4.c.ii. of this TEGL for additional details on the population of UC claimants identified in accordance with Section 303(j), SSA.

Since FY 2019, the Department’s appropriation acts have contained a provision providing states discretion in identifying additional claimant populations among recipients of regular UC, thus removing the requirement that states target only those UC claimants determined most likely to exhaust UC benefits under Section 303(j), SSA. The Department anticipates that this flexibility will be continued during FY 2023.

Historically, states excluded from RESEA selection UC claimants who have a definite return-to-work date, who secure work only through a union hiring hall, or who are in approved training. These blanket exclusions were based on the assumption that participation in the RESEA program would not reduce the duration of UC reciprocity for such individuals. Beginning in FY 2020 and continuing into FY 2023, states may consider expanding RESEA services to these populations if doing so aligns with the four purposes of the RESEA program identified in Section 3.b. of this TEGL and applicable state laws.

If a state later identifies capacity to expand RESEA services beyond the target population identified in the approved RESEA State Plan process, the state may request a modification to its program to include additional populations of recipients of regular UC. Section 4.f.iv. of this TEGL provides instructions for requesting grant modifications.<sup>2</sup>

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<sup>2</sup> *Individuals receiving extended benefits or payments under temporary federal UI programs are not eligible for RESEA services. As described in Section 7.b. of UIPL No. 13-21 (also issued as TEGL No. 12-20), states should continue to leverage partnerships across available workforce partners to ensure other reemployment assistance is made available to recipients and exhaustees of these temporary programs.*

- ii. **Intersection of the RESEA and Worker Profiling and Reemployment Services (WPRS) Programs** – Section 303(j), SSA, requires that states evaluate all new UC claimants to identify those who are most likely to exhaust UC, refer such individuals to reemployment services, and collect follow-up information related to employment outcomes for these individuals; this is known as the WPRS program. See UIPL No. 41-94 for additional details on WPRS program requirements.

A state that is selecting UC claimants identified as most likely to exhaust UC in accordance with Section 303(j), SSA, for participation in the RESEA program will have met the WPRS requirements and does not need to provide a separate WPRS program. Additionally, a state that includes these UC claimants identified in accordance with Section 303(j), SSA, along with other UC claimant populations will also have met the WPRS requirements if both of the following conditions are satisfied: (1) claimants selected in accordance with Section 303(j), SSA, are provided priority over the other populations; and (2) RESEA services are provided statewide.

States that select UC claimants for participation in the RESEA program in accordance with Section 303(j), SSA, but do not provide RESEA statewide, must continue to provide a WPRS program in areas not served by RESEA. Additionally, states that do not serve individuals identified as most likely to exhaust in accordance with Section 303(j), SSA, as part of their RESEA program must operate a separate WPRS program to serve these claimants. States operating separate WPRS programs under Section 303(j), SSA, may not use funds appropriated for RESEA activities to administer a WPRS program.

A. ***Resources to strengthen state data analytics in identifying UC claimants who are most likely to exhaust UC.*** For states that use the WPRS program as their approach to selecting RESEA claimants, having a strong data analytics model to identify claimants filing new UC claims who are most likely to exhaust UC from those new claims is important so that states can maximize their resources in serving those who would most likely benefit from this investment. States seeking assistance with this data analytics model may reference Training and Employment Notice (TEN) No. 37-15 or contact OUI.RESEA@dol.gov.

B. ***Reporting instructions for RESEA State Plan.*** Element 17, Selection of RESEA Participants (see Attachment II of this TEG), collects information about the profiling models.

- iii. **Promoting Program Equity.** As states consider RESEA program design, equitable access to UC must be at the forefront of the decision-making process, in line with Executive Order 13985, “Advancing Racial Equity and Support for Underserved Communities Through the Federal Government,” issued in January 2021, and UIPL Nos. 02-16 and 02-16, Change 1. At the most fundamental level, equity within the UI program means the provision of UC to eligible workers, including workers who belong to historically underserved communities, in a timely and fair manner, with an application process that is readily accessible to all workers. These historically

underserved communities include, but are not limited to, workers who are low paid, Black, Hispanic/Latinx, American Indians, Alaska Native, Asian Americans, Native Hawaiians, Pacific Islanders, Indigenous persons, other persons of color, individuals with disabilities, members of religious minorities, LGBTQI+ persons, individuals with limited English proficiency, women, formerly incarcerated workers, and individuals living in rural areas.

As stated in Section 8.c.(1) of UIPL No. 41-94, when identifying UC claimants that are most likely to exhaust UC, states must not produce results that discriminate in violation of any federal or state law or which otherwise unfairly favor some claimants over those similarly situated with respect to their need for reemployment services. The Department has advised states that they may not use the following characteristics in their selection process: age, race, ethnic group, sex, color, national origin, disability, religion, political affiliation or belief, and citizenship.

Within the context of the RESEA program, ensuring equitable access includes, but is not limited to: (1) providing clear and accessible alternatives to digital tools; (2) providing reasonable accommodations, modifications, and auxiliary aids and services, where appropriate, and ensuring that communications with persons with disabilities are as effective as communications with others; (3) ensuring all communications are linguistically and culturally appropriate, and that limited English-proficiency individuals are effectively informed of and able to participate in the RESEA program; and (4) ensuring that data is available to understand the impact, if any, of RESEA service delivery on the equitable access to UC for all eligible individuals.

Some questions that states may consider in this effort include:

- What logistical supports are needed to best serve individuals selected for RESEA participation in rural and urban communities?
- Are there technology concerns that impact access?
- Has the state regularly updated its selection process to reflect current economic conditions and other factors?
- Are notifications and other information about RESEA and other reemployment services clear, accessible, translated into appropriate languages to effectively serve RESEA participants, and widely distributed?

iv. **Required RESEA Services** – Two of the primary goals for the RESEA program are to reduce duration of UC receipt through improved employment outcomes and ensure that individuals claiming UC continue to meet eligibility requirements. To support these goals, every RESEA participant must be scheduled for an initial RESEA. States may choose to also include a combination of subsequent RESEAs and reemployment services. Initial RESEA, subsequent RESEA, and reemployment services are defined in Section 4.a. of this TEGL.

v. **Remote Service Delivery and Virtual Resources** – Although the Department encourages in-person services where safety and other circumstances allow, as

described in Section 7.e. of UIPL No. 13-21, states may continue to conduct RESEA remotely, including the initial RESEA and subsequent RESEA, using person-to-person technologies such as Skype, Zoom, FaceTime, or other similar applications. The level and timeliness of these remote services must be comparable to the assistance staff would have provided in-person. In instances where in-person or person-to-person technologies are not available, states may also continue to provide RESEA services via telephone.

States are also encouraged to leverage virtual service delivery tools that allow portions of the RESEA sessions to be automated and accessed through self-service methods. Examples of virtual service tools include pre-recorded orientations to American Job Center services, as well as online registration and assessment tools that assist a UC claimant in preparing for the initial RESEA. These virtual service delivery tools should be designed to increase RESEA program efficiencies, including to: (1) enhance the participants' experience with RESEA services; (2) complement the resources and services provided during the initial RESEA or subsequent RESEA; and (3) significantly expand the number of UC claimants who can be served under the RESEA program.

States are invited to share promising practices related to remote and virtual RESEA services by contacting [OUI.RESEA@dol.gov](mailto:OUI.RESEA@dol.gov).

- vi. **Integration with WIOA, Employment Service, and Other Workforce-Funded Services** – One of the statutory goals of the RESEA program is to serve as an entry point for individuals receiving UC into other workforce system partner programs. State RESEA programs must support this goal by ensuring that the RESEA program is integrated into the workforce system broadly to enable RESEA participants access to the full range of services offered through the state's one-stop delivery system. States are particularly encouraged to consider how RESEA can be integrated with other programs serving dislocated workers including, but not limited to, the Employment Service program (co-enrollment is required with the Employment Service program as described in Section 4.d.iv. of this TEGL), Trade Adjustment Assistance, Dislocated Worker Grants, Registered Apprenticeship, Jobs for Veterans State Grants, and the WIOA Adult and Dislocated Worker programs.
- vii. **Additional Resources to Support Program Implementation** – States may leverage the following tools as they assess their current program design and identify possible enhancements.
  - A. ***Quick Start Action Plan (QSAP)***. This tool reviews the current status of a state's RESEA operations and strategic planning. Each section of the guide is an indicator that helps states self-assess where their RESEA implementation is in relation to an integrated workforce system. Therefore, states are encouraged to use this guide to strengthen their RESEA programs and in meeting the program goals.

The QSAP can be found on the WorkforceGPS website at:  
[https://rc.workforcegps.org/resources/2021/05/28/13/29/RESEA\\_QSAP](https://rc.workforcegps.org/resources/2021/05/28/13/29/RESEA_QSAP).

- B. ***Existing remote and virtual services.*** Internet-based virtual tools help optimize customer access to services and resources. Additionally, providing customers instant access and self-services supports increased program efficiency by reducing the number of calls, emails, or in-person visits.

The following is a link to a WorkforceGPS webpage on Service Delivery: Virtual Tools

<https://www.workforcegps.org/resources/2020/01/16/13/21/service-delivery-virtual-tools>.

- C. ***CLEAR's RESEA Topic Area Tab.*** The Department's Clearinghouse for Labor Evaluation and Research (CLEAR) finds, summarizes, and assigns causal evidence ratings to studies in the reemployment evidence base as well as to RESEA interventions. This public resource is updated periodically as new evidence is available. CLEAR's RESEA Topic Area Tab can be found here: <https://clear.dol.gov/reemployment-services-and-eligibility-assessments-resea>
- d. **Program Operations.** The following section describes: (i) the required engagement of UI staff in RESEA program operations; (ii) claimant participation in RESEA activities and rescheduling; (iii) the communication feedback loop with UI staff for adjudication activities; (iv) the requirement that claimants be co-enrolled in the Employment Service program; and (v) state performance reporting.
- i. **Required Engagement of UI Staff** – UI staff must be engaged in the administration of the RESEA program. This includes, but is not limited to:
- Participating in the planning, administration, and oversight of the RESEA program;
  - Providing all appropriate staff training on UC eligibility requirements;
  - Ensuring accurate data are provided in the RESEA-required reports; and
  - Conducting eligibility determinations and redeterminations resulting from issues identified through RESEA participation.
- ii. **Claimant Participation in RESEA Activities and Rescheduling** – Once a state notifies claimants of their selection to participate in the RESEA program, participation is a mandatory condition of UC eligibility. This includes: (1) the initial RESEA; (2) any subsequent RESEAs; and (3) any reemployment services to which claimants are referred.

A claimant who contacts the appropriate agency before the RESEA appointment and requests to change the scheduled RESEA date or time for good reason, such as scheduled job interviews, should be accommodated within reason. Many states are

developing or have already implemented self-scheduling of RESEA sessions. The Department strongly encourages states to use this option due to its efficiency and proven ability to increase program participation and decrease no-show rates. States utilizing this strategy need to develop policies that prevent excessive rescheduling that substantially delays or allows a claimant to circumvent participation in RESEA activities. Additionally, as discussed in Section 4.c.iv. of this TEGL and to the extent possible, states should assess if scheduling challenges, such as excessive rescheduling, are related to issues concerning equitable access and outcomes. To mitigate instances of excessive rescheduling, some state UC laws provide that UC be denied for failure to report as directed until the individual actually reports. The Department issued UIPL No. 01-16 to remind states of the requirements of federal law pertaining to protecting individual rights in state procedures. As discussed in Section 4.h of UIPL No. 01-16: “If an individual fails to report as required, the state may apply (subject to any applicable procedural protections for individuals) its law’s provisions on ineligibility for UC due to failure to report until the individual complies with the reporting requirement.” States are advised that an individual may not be found ineligible for UC for failure to report for any week in which no services were available.

- iii. **UC Feedback Loop and Adjudication** – RESEA staff must refer any failures to report or participate in any aspect of the RESEA program to the UI agency for adjudication under the applicable state law. This feedback loop should also be used to report potential eligibility issues.
- iv. **Required Co-Enrollment in Employment Service Program** – The Department requires that RESEA participants be co-enrolled in the Wagner-Peyser Act-funded Employment Service program as part of the initial RESEA. This is to promote the integrated service delivery described in Section 4.c.vi. of this TEGL. This practice also supports capturing RESEA program outcome information through the Workforce Integrated Performance System (WIPS) to streamline WIOA and Wagner-Peyser Act reporting.

As part of this enrollment, each RESEA participant must be appropriately identified in Employment Service case management and performance reporting systems as “referred by RESEA.” Given the structure of the state’s workforce system, co-enrollment in WIOA Dislocated Worker or other available programs may also be appropriate but is not a requirement of this grant.

- v. **Performance Reporting** – There are three mechanisms under which RESEA performance will be monitored. This includes RESEA performance reporting measures obtained from the WIPS, the state’s submission of their quarterly ETA 9128 and ETA 9129 reports, and the state’s Quarterly Narrative Progress Report (ETA 9178).
  - A. **RESEA Performance Reporting.** To support employment goals for UC claimants and the vision of WIOA for a set of primary indicators of

performance to be used across workforce development programs, the following measures will assess state performance related to employment and earnings:

- (1) Reemployment rate in the 2<sup>nd</sup> quarter after program exit quarter for RESEA program participants;
- (2) Median earnings in the 2<sup>nd</sup> quarter after program exit quarter for RESEA participants; and
- (3) Reemployment rate for all UC-eligible participants in the 2<sup>nd</sup> quarter after program exit quarter.

The data to support these performance measures will be derived from the WIPS. There is no additional reporting burden to states. See UIPL No. 07-21 for additional details.

- B. ***ETA 9128 and ETA 9129.*** Performance reporting for FY 2023 consists of the ETA 9128, Reemployment and Eligibility Assessment Workload, and ETA 9129, Reemployment and Eligibility Assessments Outcomes; Office of Management and Budget (OMB) Control No. 1205-0456, expiration date 12/31/2025. All RESEA-related performance reports are due on the 20th day of the second month following the end of the reporting quarter.

A state UI staff member must review these reports for accuracy each calendar quarter and prior to submission, in addition to being reviewed by the RESEA program lead (if a different staff member).

Additional information about these reports is provided in Employment and Training (ET) Handbook No. 401, 5th Edition. The Department is currently soliciting comments concerning a proposed revision to these reports; see notice published in the *Federal Register* on November 23, 2021 (86 *Fed. Reg.* 66,593).

- C. ***Quarterly Narrative Progress Report (ETA 9178).*** States must complete the Quarterly Narrative Progress Report (ETA 9178); OMB Control No. 1205-0517, expiration date 7/31/2024. States must submit the ETA 9178 to their ETA Regional Office no later than 45 days after the end of each reporting quarter. Additional information about the ETA 9178 is provided in UIPL No. 05-19.

e. **Evidence-Based Interventions and Strategies and Evaluation Requirements.**

Interventions and service delivery strategies funded by RESEA grant funds must demonstrate the program's ability to reduce the average number of weeks participants receive UC by improving employment outcomes, as set out in Section 306(c)(1), SSA. Beginning in FY 2023, a growing percentage of RESEA funds must be used to support only those interventions and service delivery strategies with a "high" or "moderate" causal evidence rating.



This section discusses: (i) a tiered evidence approach; (ii) expectations for conducting evaluations in FY 2023 and future years; (iii) opportunities for states to partner on impact evaluations; (iv) leveraging evidence across states; and (v) additional technical assistance available to states.

- i. **Tiered Evidence Approach** – The phrase “tiered evidence” refers to a policy tool that ties funding to strategies with evidence, to encourage the use of interventions or service delivery strategies that have strong evidence of success, and to test promising new interventions and service-delivery strategies. Section 306(c), SSA, includes this tiered evidence approach for the RESEA.

The goals of using tiered evidence are to ensure that each state:(1) employs RESEA interventions and service delivery strategies that, based on rigorous evaluations, are known to reduce UC duration through improved employment outcomes for participants; and (2) evaluates its RESEA interventions and service delivery strategies to add to the evidence base and advance continuous improvement of RESEA services.

ETA provided preliminary guidance regarding the evidence-based strategies and evaluation provisions in UIPL No. 07-19. Building on this, UIPL No. 01-20 (also issued as TEGP No. 06-19) provided further information on the RESEA evidence-based requirements including<sup>3</sup>:

- a description of how the Department rates a study’s evidence quality through its CLEAR;
- the standards for rating RESEA intervention effectiveness and relevant interventions that currently meet those standards;
- RESEA components that are in need of expanded evidence; and
- potential evaluation approaches and strategies for carrying out evaluations.

These documents also identify resources on existing evidence and can help states initiate rigorous high-quality evaluations.<sup>4</sup>

- ii. **Evaluation and Evidence-Base Expectations for FYs 2023-2027** – States must align their FY 2023 RESEA State Plans and program design with the evaluation and evidence-based requirements and guidance identified in UIPL No. 01-20.

- A. ***Adopting a “culture of evidence.”*** The successful implementation of evidence-based requirements necessitates that all states operating RESEA

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<sup>3</sup> Additional approaches for developing RESEA evidence is described in DOL’s report *Options for Building Evidence on RESEA Program* which was published in April 2022 and available at: [https://www.dol.gov/sites/dolgov/files/OASP/evaluation/pdf/resea/Options\\_for\\_Building\\_Evidence\\_on\\_RESEA\\_Programs\\_final\\_508c.pdf](https://www.dol.gov/sites/dolgov/files/OASP/evaluation/pdf/resea/Options_for_Building_Evidence_on_RESEA_Programs_final_508c.pdf)

<sup>4</sup> Information about the current state of RESEA evidence is included in DOL’s *Reemployment Services and Eligibility Assessments (RESEA) Evidence Building and Implementation Study* published in June 2022 and available at: <https://www.dol.gov/agencies/oasp/evaluation/completedstudies/RESEA-Evidence-Building-Implementation-Study>

programs adopt and continually seek to foster a culture of evidence. In places with a well-established culture of evidence, learning is valued and prioritized, and evidence is recognized as an essential tool for supporting continuous learning and program improvement. Building evidence is also perceived as an opportunity to demonstrate growth or progress rather than a compliance requirement. Evidence is developed using multiple sources such as program evaluations, program monitoring, and routine analyses of administrative and other performance data. With practical application, program managers within a culture of evidence make decisions informed by strong evidence, consider suggestive evidence, and continually build evidence to fill gaps. A culture of evidence is best supported when evidence-building activities, such as evaluation, are integrated during the early stages of program design and continued throughout program operations as part of a continuous cycle of learning and improvement.

A culture of evidence depends on a dynamic growing and changing evidence base, rather a single study. The use of a dynamic evidence base may be especially true within the RESEA program due to the need to frequently modify services in response to changing economic conditions, new state UI requirements, and innovations in service-delivery and technology. As part of the RESEA evidence culture, the Department expects states to continue with their continuous learning cycles, use current evaluations to inform and guide future evidence building, as state evaluations will add to the national portfolio of RESEA evidence. Additionally, states can apply studies from the entire RESEA evidence base, including impact evaluations completed in other states, to meet RESEA evidence requirements. The use of evidence across states is intended to supplement rather than replace state-specific evidence, and states are still expected to conduct their own evidence-building – and in particular, their own impact studies – as part of RESEA participation.

- B. ***Existing evidence.*** The Department currently allows states to meet the requirements of Section 306(c), SSA, by applying evidence that demonstrates the effectiveness of three intervention categories: the REA program, Job Search Assistance (JSA) Services, and Profiling interventions.<sup>5</sup> These categories are discussed in more detail in Section 9 of UIPL No. 01-20.

The REA program was replaced by the RESEA program in FY 2015 (see UIPL No. 13-15). Permission for states to rely on the REA intervention category (and the related causal evidence that supports its “high” effectiveness rating) to meet RESEA requirements is temporary and will be phased out and replaced by new, more precise intervention categories as more RESEA evidence becomes available. This phasing-out reflects structural differences

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<sup>5</sup> Currently, these are the three interventions CLEAR has found to have achieved “high” or “moderate” intervention effectiveness ratings. In recent state plans, most states have used the REA intervention and its evidence to show their RESEA programs are evidence-based. Additional information available at: <https://clear.dol.gov/reemployment-services-and-eligibility-assessments-resea>

between the REA and RESEA programs and the inherently evolving nature of an evidence-based culture, where programs continually adapt based on available evidence to improve program results. The timeframe for the final phasing-out of the REA intervention category will be announced in future guidance.

- C. ***Building future evidence to support whole program service delivery and components of service delivery.*** RESEA program components that were not evaluated previous impact studies should be under evaluation to develop the evidence base necessary to satisfy future RESEA tiered-evidence program requirements. To meet future evidence-based requirements, all states are expected to continue to conduct the RESEA evaluations that were implemented during FY 2021.<sup>6</sup>

To date, the majority of states have reported that they are pursuing whole program evaluations of RESEA. The Department recognizes the value of whole program evaluations and supports states’ ongoing efforts. Additionally, causal evidence on RESEA program components will be necessary to meet future RESEA requirements. Moving forward, the Department strongly encourages states to develop new or to modify current evaluations to build causal evidence on specific RESEA components as well.

- D. ***Evidence-Based Funding requirements.*** Beginning in FY 2023, states must devote at least 25 percent of their RESEA funds to interventions with a high or moderate causal evidence rating that shows demonstrated capacity to improve employment and earnings outcomes for program participants. The minimum funding level is 25 percent during FY 2023 and FY 2024; 40 percent during FY 2025 and 2026; and 50 percent after FY 2026. The chart below provides an implementation timetable for the available RESEA evidence base. Attachment II of this TEG, Elements of an Unemployment Insurance (UI) Reemployment Services and Eligibility Assessment (RESEA) Grant State Plan, has been revised to include a new Element 22i. that will be used to capture information responding to this new requirement.

<b>Implementation Timetable for RESEA Evidence-base by Fiscal Year</b>	
<b>Fiscal Years</b>	<b>Required Percentage of RESEA Funds Dedicated to Program Components with a High or Moderate Causal Evidence Rating</b>
FY 2022	None
FYs 2023-2024	25% of RESEA award

<sup>6</sup> Currently, the Department uses a vote-counting strategy to rate RESEA intervention effectiveness. Criteria for RESEA intervention effectiveness ratings are described in UIPL No. 01-20 (also published as TEG, No. 06-19), and CLEAR’s technical guidelines for operationalizing rating RESEA intervention effectiveness may be found here: [https://clear.dol.gov/sites/default/files/CLEAR%20guidelines%20on%20effectiveness%20of%20reemployment%20interventions\\_final\\_Jan%202021.docx.pdf](https://clear.dol.gov/sites/default/files/CLEAR%20guidelines%20on%20effectiveness%20of%20reemployment%20interventions_final_Jan%202021.docx.pdf).

FYs 2025-2026	40% of RESEA award
After FY 2026	50% of RESEA award

- iii. **State Partnering on Impact Evaluations** – As part of evaluation planning and implementation, states are strongly encouraged to explore potential evaluation partnerships with other states with a goal of conducting a single evaluation that would answer research questions and build evidence on RESEA programs for all involved states. These partnerships could allow for increased efficiencies, pooling of resources, and larger sample sizes necessary to collect evidence at a program component level. For assistance locating potential partner states, please contact DOL’s RESEA Evaluation Technical Assistance Help Line at [RESEA@abtassoc.com](mailto:RESEA@abtassoc.com).
- iv. **Evaluation Technical Assistance** –The Department is committed to the ongoing improvement of RESEA programs by generating evidence that can inform each state’s program design and development. To assist each state with this evidence-building process, ETA has been working closely with the Department’s Chief Evaluation Office to provide a wide-range of evaluation technical assistance through a combination of general resources, such as webinars and toolkits, and customized technical assistance that is tailored to the unique needs of a specific state.

States are encouraged to submit any technical assistance requests to the Department’s RESEA Evaluation TA Help Line at [RESEA@abtassoc.com](mailto:RESEA@abtassoc.com). An archive of previous RESEA evaluation technical assistance webinars and related resources is maintained on WorkforceGPS at ([https://rc.workforcegps.org/resources/2019/07/30/17/32/RESEA\\_Evaluation\\_Evidence\\_Resources](https://rc.workforcegps.org/resources/2019/07/30/17/32/RESEA_Evaluation_Evidence_Resources)) and within the RESEA evaluation resource list, which is updated periodically (current version is here: <https://d2leuf3vild4d.cloudfront.net/-/media/A6426940848D42738AAE31B139CF1318.ashx?rev=74C2A83F4B39350106A5A5E62F6A90E4>). DOL’s Clearinghouse for Labor Evaluation and Research (CLEAR) also includes resources that may be of interest, including its RESEA Topic Area Tab (<https://clear.dol.gov/reemployment-services-and-eligibility-assessments-resea>).

A. **Ad-hoc customized RESEA evaluation technical assistance.** States may contact the Evaluation TA Help Line at [RESEA@abtassoc.com](mailto:RESEA@abtassoc.com) to request ad-hoc customized evaluation technical assistance. Available customized technical assistance includes but is not limited to:

- Technical advice on evaluation designs that meet CLEAR (See Section 4.e.1. of this TEGL) high or moderate evaluation standards;
- Technical and logistical advice on evaluation implementation, including challenges that may occur after an evaluation begins;
- Tips for procuring an independent, third-party evaluator;

- Help with research questions and determining appropriated evaluation design;
- Assistance in identifying other states interested in conducting multi-state evaluations and assisting in laying the groundwork for those partnerships;
- Information on specific RESEA evaluation topics (e.g., how to implement random assignments in your information systems, staff training on how to implement random assignments, and more);
- Assistance with data-related questions and issues, such as data access or quality issues, identifying fields relevant to service delivery and the evaluation; and
- Support with meeting CLEAR’s standards.

B. ***Role of the Department’s Clearinghouse.*** As described in Section 6 of UIPL No. 01-20, the Department will leverage CLEAR to identify evaluations in the evidence base that are relevant to the RESEA program and determine which impact studies have high, moderate, or low causal evidence ratings. As more causal evidence becomes available, it is the Department’s intent that CLEAR’s RESEA intervention categories will be updated and become more precise over time, so states can use the best available evidence to improve programs for their participants.

To facilitate this evolution, the Department anticipates that CLEAR will conduct periodic systematic evidence reviews to find, summarize, and rate reemployment studies and related RESEA interventions. To do this, it is important that states and their independent evaluators make RESEA program evaluation reports publicly available.<sup>7</sup> States and their evaluators are invited to notify CLEAR when and where new studies are publicly posted, by contacting CLEAR at <https://clear.dol.gov/about/contact-us>.

f. **RESEA State Plan Submission.** This section discusses: (i) the RESEA State Plan package; (ii) what happens with disapproved State Plans; (iii) available technical assistance during the grant submission process; and (iv) the process for requesting a grant modification.

Each state must submit a plan that outlines how the state intends to conduct its RESEA program, as required under Section 306(e), SSA, to receive RESEA grant funds. Plans must be submitted via <https://www.grants.gov/> by April 10, 2023.

As part of the timely submission and review process, each state must provide all required and correctly completed RESEA State Plan documents as described below. Incomplete submissions will be returned for correction without review.

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<sup>7</sup> At a minimum, states should receive final reports from their independent evaluators. States may also wish to receive and publicly post interim reports during the course of their program evaluations. Interim reports can provide useful information for states needing to use that evidence to inform ongoing program decisions, and add timely evidence to the growing RESEA evidence base. States and their evaluators may determine the frequency of reporting that is appropriate and feasible.

- i. **RESEA State Plan Package.** Each state’s submission must consist of the following documents:
- A. ***RESEA State Plan Template:*** This refers to the revised template that is a Word document. The updated State Plan Template includes the addition of elements to collect information specific to subsequent RESEA sessions, and an evaluation chart to better support states in meeting the requirement to devote a specific percentage of their RESEA funding to evidence-based components with a high or moderate causal rating, as set forth in Section 303(c)(2), SSA. When providing answers to each component, the state must include details and contextual information regarding how the state modified its RESEA programs during FY 2022 and the planned activities for FY 2023. This may include, but is not limited to, information about unplanned RESEA changes, and any impact those changes had or continue to have on the performance, staffing, and operations of the state’s RESEA program. Moreover, if any FY 2022 RESEA activities were modified or funding expenditures delayed, please provide a timeline of resumed activity. Likewise, states are to provide a timeline for any proposed modification of activities to occur in the FY 2023. Attachment II to this TEGL, the RESEA State Plan Template (OMB Control No. 1205-0538, expiration date 10/31/2022) can be found on <https://www.grants.gov/> and ETA’s Regional Offices.
- B. **SF-424:** Application for Federal Assistance (OMB Control No. 4040-0004, expiration date 12/31/2022). See Attachment IV to this TEGL for instructions and guidance on how to complete the form. Additionally, on the SF-424, each state must enter “UIPL No. 02-23” into “Section #12 Funding Opportunity Number” of the application; the amount under “Section #18 Estimated Funding” must not exceed the amount set out for the state in Attachment I to this TEGL. The budget numbers listed on the SF-424 must match those on the State Plan template and SF-424A. States may be required to submit a revised Budget Narrative, SF-424, and SF-424A if the final award amount is different from the initial request.
- C. **SF-424A:** Budget Information Non-Construction Programs (OMB Control No. 4040-0006, expiration date 02/28/2025). See Attachment IV to this TEGL for instructions. The budget numbers listed on the SF-424A must match those on the State Plan template and SF-424. States may be required to submit a revised Budget

Narrative, SF-424, and SF-424A if the final award amount is different from the initial request.

- D. **Indirect Costs:** If the state is including indirect costs in the budget, it must include either: (a) the approved indirect cost rate with a copy of the Negotiated Indirect Cost Rate Agreement (NICRA), a description of the base used to calculate indirect costs along with the amount of the base, and the total indirect costs requested; OR (b) for those applicant states that meet the requirements to use the 10 percent *de minimis* rate as described in 2 CFR 200.414(f), a description of the modified total direct cost base (see 2 CFR 200.68 for definition) used in the calculation along with the amount of the base, and the total indirect costs requested based on the 10 percent *de minimis* rate.

The Department's information on NICRA is available at the following link: <https://www.dol.gov/agencies/oasam/centers-offices/office-of-the-senior-procurement-executive/cost-price-determination-division>.

- ii. **Disapproved RESEA State Plans.** Plans that do not meet the required elements will not be approved for RESEA grant funds. States with unapproved plans will receive notification within 30 days of the Department's receipt of the plan, and be given the opportunity to submit a revised plan.

The revised plan is to address the deficient items provided in the written disapproval notification, which will describe any portion(s) of the plan that was not approved, the reason for the disapproval(s), and instructions for submitting a revised plan.

- iii. **Technical Assistance with the Grant Submission Process.** The website <http://www.grants.gov> provides additional general information about grant requirements and the application process, including standard terms and conditions.

For technical issues encountered during application submission, applicants may call 800-518-4726 or 606-545-5035 to speak to a Customer Support Representative or email [support@grants.gov](mailto:support@grants.gov). The Contact Center is open 24 hours a day, seven days a week, but closed on federal holidays.

Attachment III to this TEGL provides more detailed instructions about submitting an application through <https://www.grants.gov/>.

- iv. **Grant Modification Requests.** States that need to modify their approved grant activities during their grant's period of performance may request a modification to their current grant.

States must consult with their respective ETA Federal Project Officer (FPO) to determine the appropriate type of modification, the applicable timeline, and other requirements. Completed modification requests must be sent to the appropriate ETA



Regional Office and [OUI.RESEA@dol.gov](mailto:OUI.RESEA@dol.gov).

Generally, modification requests must provide the following information and should be submitted 30 days prior to the requested change taking effect:

- Request for modification on grantee letterhead, dated and signed by the authorized representative;
- Subject line of letter includes: modification type, grant name, grant number;
- Submission of revised statement of work, which outlines request and provides an explanation/detail for each request; and
- New obligation deadline for funds, if applicable;

If a state is requesting additional funding, such as a Supplemental Budget Request, then the modification request must also include a revised SF 424, SF 424A, and updated budget narrative. The FPO will identify any additional requirements specific to the state's requested modification.

**5. Inquiries.** Please direct inquiries to the appropriate ETA Regional Office and copy [OUI.RESEA@dol.gov](mailto:OUI.RESEA@dol.gov). For technical questions about evaluations please contact [RESEA@abtassoc.com](mailto:RESEA@abtassoc.com) and for questions about grants.gov to [support@grants.gov](mailto:support@grants.gov).

**6. References.**

- Sections 303(j) and 306, SSA, 42 U.S.C. 503(j) and 506;
- Bipartisan Budget Act of 2018, enacted February 9, 2018, Pub. L. 115-123;
- Workforce Innovation and Opportunity Act (WIOA), enacted July 22, 2014, Pub. L. 113-128;
- 2 CFR Part 200, Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards;
- 20 CFR Part 678, Description of the One-Stop Delivery System under Title I of the Workforce Innovation and Opportunity Act;
- 20 CFR Part 680, Adult and Dislocated Worker Activities under Title I of the Workforce Innovation and Opportunity Act;
- 20 CFR Part 683, Administrative Provisions under Title I of the Workforce Innovation and Opportunity Act;
- 86 Fed. Reg. 57856, Notice Announcing the Methodology to Distribute Outcome Payments to States for the Unemployment Insurance (UI) Reemployment Services and Eligibility Assessments (RESEA) Program in Accordance with Title III, Section 306(f)(2) of the Social Security Act (SSA), published October 19, 2021;
- 84 Fed. Reg. 39018, Allocating Grants to States for Reemployment Services and Eligibility Assessments (RESEA) in Accordance with Title III, Section 306 of the Social Security Act (SSA), published August 8, 2019;
- Executive Order 13985, 86 Fed. Reg. 7009, Advancing Racial Equity and Support for Underserved Communities through the Federal Government, issued January 20, 2021;



- UIPL No. 02-22, *Grant Opportunity to Support States Following a Consultative Assessment for Fraud Detection and Prevention, Promoting Equitable Access, and Ensuring the Timely Payment of Benefits, including Backlog Reduction, for all Unemployment Compensation (UC) Programs*, issued November 2, 2021, [https://wdr.doleta.gov/directives/corr\\_doc.cfm?DOCN=6683](https://wdr.doleta.gov/directives/corr_doc.cfm?DOCN=6683);
- UIPL No. 23-21 Change 1, *Extension of Time to Submit Request for Funding under Grant Opportunity Announced in Unemployment Insurance Program Letter (UIPL) No. 23-21*, issued November 1, 2021, [https://wdr.doleta.gov/directives/corr\\_doc.cfm?DOCN=4662](https://wdr.doleta.gov/directives/corr_doc.cfm?DOCN=4662);
- UIPL No. 23-21, *Grant Opportunity for Promoting Equitable Access to Unemployment Compensation (UC) Programs*, issued August 17, 2021, [https://wdr.doleta.gov/directives/corr\\_doc.cfm?DOCN=7400](https://wdr.doleta.gov/directives/corr_doc.cfm?DOCN=7400);
- UIPL No. 22-21, Change 1, *Extension of Time to Submit Request for Funding under Grant Opportunity Announced in Unemployment Insurance Program Letter (UIPL) No. 22-21*, issued September 17, 2021, [https://wdr.doleta.gov/directives/corr\\_doc.cfm?docn=5369](https://wdr.doleta.gov/directives/corr_doc.cfm?docn=5369);
- UIPL No. 22-21, *Grant Opportunity to Support States with Fraud Detection and Prevention, Including Identity Verification and Overpayment Recovery Activities, in All Unemployment Compensation (UC) Programs*, issued August 11, 2021, [https://wdr.doleta.gov/directives/corr\\_doc.cfm?docn=4240](https://wdr.doleta.gov/directives/corr_doc.cfm?docn=4240);
- UIPL No. 13-21/TEGL No. 12-20, *Fiscal Year (FY) 2021 Funding Allotments and Operating Guidance for Unemployment Insurance (UI) Reemployment Services and Eligibility Assessment (RESEA) Grants*, issued January 19, 2021, [https://wdr.doleta.gov/directives/corr\\_doc.cfm?DOCN=6686](https://wdr.doleta.gov/directives/corr_doc.cfm?DOCN=6686);
- UIPL No. 07-21, *Performance Measures for Reemployment Services and Eligibility Assessments (RESEA) and Unemployment Insurance (UI) Participants*, issued December 17, 2020, [https://wdr.doleta.gov/directives/corr\\_doc.cfm?DOCN=3854](https://wdr.doleta.gov/directives/corr_doc.cfm?DOCN=3854);
- UIPL No. 01-20/TEGL No. 06-19, *Expectations for States Implementing the Reemployment Service and Eligibility Assessment (RESEA) Program Requirements for Conducting Evaluations and Building Program Evidence*, issued October 31, 2019, [https://wdr.doleta.gov/directives/corr\\_doc.cfm?DOCN=6691](https://wdr.doleta.gov/directives/corr_doc.cfm?DOCN=6691);
- UIPL No. 07-19, *Fiscal Year (FY) 2019 Funding Allotments and Operating Guidance for Unemployment Insurance (UI) Reemployment Services and Eligibility Assessment (RESEA) Grants*, issued January 11, 2019, [https://wdr.doleta.gov/directives/corr\\_doc.cfm?DOCN=8397](https://wdr.doleta.gov/directives/corr_doc.cfm?DOCN=8397);
- UIPL No. 05-19, *Form ETA 9178 for Employment and Training Supplemental Grant Reporting*, issued December 19, 2018, [https://wdr.doleta.gov/directives/corr\\_doc.cfm?DOCN=4071](https://wdr.doleta.gov/directives/corr_doc.cfm?DOCN=4071);
- UIPL No. 02-16 Change 1, *State Responsibilities for Ensuring Access to Unemployment Insurance Benefits, Services, and Information*, issued May 11, 2020, [https://wdr.doleta.gov/directives/corr\\_doc.cfm?DOCN=5491](https://wdr.doleta.gov/directives/corr_doc.cfm?DOCN=5491);
- UIPL No. 02-16, *State Responsibilities for Ensuring Access to Unemployment Insurance Benefits*, issued October 1, 2015, [https://wdr.doleta.gov/directives/corr\\_doc.cfm?DOCN=4233](https://wdr.doleta.gov/directives/corr_doc.cfm?DOCN=4233);

- UIPL No. 01-16, Change 1, *Federal Requirements to Protect Claimant Rights in State Unemployment Compensation Overpayment Prevention and Recovery Procedures – Question and Answers*, issued January 13, 2017, [https://wdr.doleta.gov/directives/corr\\_doc.cfm?DOCN=7706](https://wdr.doleta.gov/directives/corr_doc.cfm?DOCN=7706);
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- <https://clear.dol.gov/about/contact-us>.

## **7. Attachments.**

- Attachment I: Maximum Fiscal Year (FY) 2022 Unemployment Insurance (UI) Reemployment Services and Eligibility Assessment (RESEA) Grant Awards by State.
- Attachment II: Elements of an Unemployment Insurance (UI) Reemployment Services and Eligibility Assessment (RESEA) Grant State Plan.
- Attachment III: Additional Grants.gov Submission Instructions.
- Attachment IV: Additional Guidance for Completing the SF-424 and SF-424A.
- Attachment V: Phased Implementation of RESEA Components.