

EMPLOYMENT AND TRAINING ADMINISTRATION ADVISORY SYSTEM U.S. DEPARTMENT OF LABOR Washington, D.C. 20210	CLASSIFICATION Unemployment Insurance
	CORRESPONDENCE SYMBOL OUI/DUIO
	DATE July 30, 2015

**ADVISORY: UNEMPLOYMENT INSURANCE PROGRAM LETTER NO. 13-15
Change 1**

TO: STATE WORKFORCE AGENCIES

FROM: PORTIA WU 
Assistant Secretary

SUBJECT: Fiscal Year (FY) 2015 Unemployment Insurance (UI) Reemployment Services and Eligibility Assessment (RESEA) Grants: Questions and Answers

1. **Purpose.** To respond to questions asked by state workforce agencies during a webinar held on April 6, 2015, about the RESEA program.

2. **References.**

- Consolidated and Further Continuing Appropriations Act, 2015, Pub. L. 113-235;
- Workforce Innovation and Opportunity Act of 2014, Pub. L. 113-128;
- Unemployment Insurance Program Letter (UIPL) No. 10-14, *Fiscal Year (FY) 2014 Unemployment Insurance (UI) Reemployment and Eligibility Assessment (REA) Grants*;
- UIPL No. 13-15, *Fiscal Year (FY) 2015 Unemployment Insurance (UI) Reemployment Services and Eligibility Assessment (RESEA) Grants*;
- Information Collection Requests for the ETA 9128, Reemployment and Eligibility Assessment Workloads Report, and the ETA 9129, Reemployment and Eligibility Assessments Outcomes Report (OMB number 1205-0456);
- Employment and Training (ET) Handbook No. 401, 4th Edition, *Revised ET Handbook No. 401, Unemployment Insurance Reports Handbook*;
- ET Handbook No. 402, 5th Edition, *Revised ET Handbook No. 402, Unemployment Insurance Reports (UIR) User Manual – Web Version* available at http://wdr.doleta.gov/directives/attach/ETAH/ETHand402_5th.pdf ;
- Training and Employment Notice (TEN) No. 31-09, *Cross-Program Collaboration for Reemployment and Eligibility Assessment (REA) Grants*;
- Training and Employment Guidance Letter (TEGL) No. 36-11, *Announcement of American Job Center Network*;
- Webinar – *Reemployment and Eligibility Assessments (RESEA)*, available at <https://www.workforce3one.org/view/5001508952729658819/info>;

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- Webinar – *Nevada’s Reemployment and Eligibility Assessment (REA) Program and Minnesota’s Advanced REA Automation Tool*, available at <https://www.workforce3one.org>;
 - Webinar – *Reemployment and Eligibility Assessment (REA) Program Innovations in Tennessee and Utah*, available at <https://www.workforce3one.org>; and
 - Webinar – *Reemployment Services and Eligibility Assessments (RESEAs)*, available at <https://www.workforce3one.org>.
3. **Background.** UIPL No. 13-15 provided information and guidelines for the new FY 2015 RESEA grants. On April 6, 2015, a webinar was conducted to discuss the available funds for states to implement the RESEA program. During this webinar, a number of questions were asked. Attached is a set of questions and answers.
 4. **Action Requested.** State administrators are requested to provide the information contained in this UIPL to appropriate staff.
 5. **Inquiries.** Inquiries should be directed to the appropriate Regional Office.
 6. **Attachment.** Questions and Answers Regarding the FY 2015 Reemployment Services and Eligibility Assessment (RESEA) Program

Questions and Answers Regarding the Reemployment Services and Eligibility Assessments (RESEA) Program

A. Unemployment Insurance (UI) Reemployment and Eligibility Assessment (REA) Evaluation

Question #1: Our state has been selected to participate in the UI REA evaluation; however, only 10 locations are included in the evaluation design. The remaining locations where UI REAs are being conducted will transition to the new RESEA guidelines and target the new population. Can our state submit a proposal for Fiscal Year (FY) 2015 that requests funds to cover both the 12-month period for the 10 locations participating in the evaluation and funds through December 31, 2015, for the balance of the state to conduct RESEAs?

Answer: Yes. UI REA states that are participating in the evaluation may be funded for a 12-month period with FY 2015 RESEA grant funds. However, if only certain locations are participating in the evaluation, the state's proposal will have two parts. The performance period for the portion of funds requested to continue the program in sites not participating in the study will end on December 31, 2015. Only the evaluation portion of the proposal may extend beyond December 31, 2015 because funding is needed for the 12-month duration of the evaluation. For example, in a state that began to participate in the evaluation during April 2015, the portion of the grant covering the evaluation may be obligated through April 2016 (12 months from the implementation date).

In those states that are participating in the evaluation for all UI REA locations, the entire FY 2015 grant may be obligated during the 12-month evaluation period.

B. Use of FY 2015 RESEA Funds

Question #1: Our state has remaining UI REA grant funds that are projected to be exhausted in July 2015. Are we required to obligate these funds before beginning to utilize funds from the FY 2015 grant?

Answer: States are required to obligate prior year funds first to conduct the UI REA or RESEA with one exception. FY 2015 funds may be obligated concurrently with funds from a prior UI REA grant but only to provide the reemployment services component of an RESEA. Prior year UI REA funds may not be used to provide reemployment services.

C. RESEA Population

Question #1: The RESEA target population must include beneficiaries of Unemployment Compensation for Ex-Servicemembers (UCX). Does the target population related to UCX claimants include claimants with UI claims that are based on both military wages and private sector wages (i.e., "joint" UI claims)?

Answer: No. A claim that is based partially on military wages and partially on non-military wages is categorized as a regular UI claim. Therefore, along with other UI claimants, individuals with such (joint) UI claims will be selected for an RESEA based on their ranking on the profiling list to determine those most likely to exhaust benefits and in need of reemployment services.

Question #2: How should states arrange their selection process to serve both UCX claimants and non-UCX claimants that are determined to be most likely to exhaust their benefits?

Answer: The President's FY 2015 and FY 2016 budget proposals both include the goal to implement a permanent, fully funded RESEA program that will serve most UCX claimants and those determined to be most likely to exhaust benefits. Given that the current RESEA program has limited funding, states have flexibility in how to select RESEA participants among the two groups. States are strongly encouraged to serve as many UCX claimants as feasible.

Question #3: Our state received a prior UI REA grant but is still in the development stage of implementing the program. Can our state implement the program by selecting the new population under the RESEA program?

Answer: Yes, states are encouraged to begin serving the RESEA population as soon as possible (except those states participating in the UI REA evaluation).

Question #4: Our state currently excludes partial claims under the UI REA program. Can this exclusion continue under the RESEA program?

Answer: Yes. States may continue to exclude partial claims under the RESEA program.

Question #5: Under the UI REA program, claimants participating in approved training were exempt from participation in a UI REA. Does this same exemption continue under the RESEA program?

Answer: Yes. Claimants enrolled in approved training are exempt from participating in an RESEA. This exemption applies to both UCX claimants and claimants identified as most likely to exhaust benefits. Individuals may be referred to training as a result of an RESEA, but training is not part of the RESEA program services.

Question #6: Is the RESEA program designed to serve only UCX claimants (and those most likely to exhaust benefits) or any claimant that is a veteran?

Answer: The RESEA program is designed to serve only UCX claimants and UI claimants determined to be most likely to exhaust benefits and in need of reemployment services, which may include UI claimants that are veterans. However, a UI claimant that is a veteran but not

someone profiled as most likely to exhaust benefits should not be included in the population selected for an RESEA.

Question #7: Are interstate claimants included in the RESEA program?

Answer: No. Interstate claimants are not currently included in the RESEA program, in part, because the program is voluntary. The U.S. Department of Labor is exploring ways to help states address the reemployment needs of interstate claimants.

D. Appropriate Use of RESEA Funds

Question #1: Can RESEA funds be used to pay for approved training?

Answer: No. RESEA funds can only be used to pay for reemployment services as described in Unemployment Insurance Program Letter (UIPL) No. 13-15, which do not include approved training.

Question #2: Can RESEA funds be used to pay for On-the-Job Training (OJT)?

Answer: No. As noted above, RESEA funds can only be used to pay for reemployment services as described in UIPL No. 13-15, which do not include OJT.

Question #3: Can RESEA funds be used to pay for licenses for an assessment tool such as *Transferable Occupational Relationship Quotient (TORQ)*?

Answer: No. RESEA funds cannot be used to purchase or pay for licenses for an assessment tool(s) such as TORQ. RESEA funds can only be used to pay for reemployment services to individual claimants as described in UIPL No. 13-15.

Question #4: Can RESEA funds be used to purchase a tool like *Next Job*, which is an online tool that assists individuals with various aspects of their job search and helps in other ways to guide them as they search for work?

Answer: No. RESEA funds cannot be used to purchase tools like *Next Job*. However, staff time devoted to assisting claimants with this type of product may be charged to the RESEA funding, but these funds may not be used to purchase such tool(s) or application(s).

Question #5: Can states request up to \$100,000 in transition funds in FY 2015 even if they do not plan to transition to the RESEA until January 2016?

Answer: Yes. States may request up to \$100,000 in FY 2015 if these funds are needed to transition to the RESEA program and begin serving the RESEA population.

Question #6: Can transition funds be used to update the Worker Profiling and Reemployment Services (WPRS) model?

Answer: Yes. The RESEA funds can be used to update the WPRS model along with implementing the changes needed to select the new RESEA population, conduct training, etc.

E. RESEA Program Scope

Question #1: Are states required to operate a state-wide RESEA program?

Answer: No. States are not required to operate a state-wide RESEA program, but are strongly encouraged to do so.

F. RESEAs and Workforce Innovation and Opportunity Act (WIOA)

Question #1: Is the Individual Reemployment Plan (IRP) the same as an Individual Employment Plan (IEP) under WIOA?

Answer: No. The concepts are very similar, but there are important differences. The IRP for RESEAs should include those activities that the claimant has agreed to complete in the future. This may include specific reemployment services, employer contacts, workshops, completing on-line activities, and a variety of other activities. The claimant and the state staff member will develop or update the IRP together and both should document the claimant's agreement to adhere to the IRP. Failure to do so will raise a UI eligibility issue requiring adjudication by UI staff. As appropriate, states may review the WIOA IEP and determine if the tool allows for some elimination of duplication of effort.

G. RESEA Proposals

Question #1: Is it necessary to breakout costs when requesting RESEA transition funds?

Answer: Yes. The RESEA proposal should designate the proposed expenditures for transitioning from a UI REA program to a RESEA program, and break costs out into the categories as set out in Attachment C to UIPL No. 13-15, item number 2, *Project Costs*.

Question #2: Is \$100,000 a fixed amount that each state that operated a UI REA program may request to transition to a RESEA program?

Answer: No. \$100,000 is the maximum amount available for states that had been operating a UI REA program to transition to the RESEA program. States may be able to transition at less cost. States need to describe and break out the costs so that it is clear how the state intends to use the funds.

Question #3: Explain the 5-hour time limit for a RESEA. Is this all one-on-one time?

Answer: No. Time is calculated based on staff time devoted to each claimant. If the claimant participates in a group activity, the staff time is divided by the number of persons attending the activity including any person in the group that is not an RESEA participant. Added to that per person staff time is the amount of one-on-one time that staff spends with the claimant to produce the actual time charges for the RESEA.

Question #4: Does the 5-hour time limit include the initial and subsequent RESEAs limiting the multiple activities to a total of 5 hours?

Answer: No. The 5-hour time limit applies to each individual RESEA for a claimant. The service delivery mix changes after the initial RESEA which requires time spent on orientation to American Job Center (AJC or One-Stop) services, an Eligibility Review, the provision of Labor Market Information, the development of an individual reemployment plan and referral to a reemployment service(s). Subsequent RESEAs generally do not include an orientation session but do include all other services. The new target groups for RESEAs are likely to have more barriers to reemployment, requiring more intensive reemployment services. Therefore, while subsequent RESEAs must include all elements of an initial review other than orientation they are likely to focus primarily on reemployment service delivery and generally are expected to require less time and resources.

Question #5: Should we base our cost estimates on the 5-hour maximum time limit for each RESEA?

Answer: No. States should determine, to the extent possible (e.g., based on related experience with other UI activities), the actual level of staff time required to complete the initial and any subsequent RESEAs and use this information to project costs.

Question #6: Are states expected to discontinue RESEAs after December 31, 2015?

Answer: No. The President's FY 2016 Budget includes requested funding for the RESEA program. After December 31, 2015, funding for RESEA will come from the FY 2016 appropriation which may not be known by October 1, 2015.

Question #7: Does the RESEA program replace the WPRS program?

Answer: If a state is operating a statewide RESEA program, the RESEA program replaces the WPRS program. In locations where the RESEA program is operational, claimants that would otherwise be selected to participate in WPRS services will instead be served through the RESEA program.

H. Appropriate Use of Prior UI REA Funds

Question #1: Can any remaining FY 2014 UI REA funds be used to pay for reemployment services?

Answer: No. Only FY 2015 RESEA funds can be used to fund reemployment services.

I. Other

Question #1: Are there special guidelines for RESEA provisions regarding UCX claimants?

Answer: No. While there are no special RESEA guidelines for providing RESEAs for UCX claimants, states are strongly encouraged to collaborate with the State's *Job for Veterans* grant program.

Question #2: Is a review of the claimant's work search activities required as part of the RESEA continued eligibility review interview?

Answer: Yes. The purpose of the eligibility review component of an RESEA is to assess whether the claimant continues to remain eligible after initial entitlement has been determined, including ensuring the claimant is meeting the state's work search requirements.

Question #3: Can states operate both a UI REA and an RESEA program during the transition, if needed?

Answer: Yes. Although states are encouraged to implement the RESEA program as soon as possible, there may be some overlap of the UI REAs and RESEAs during the transition. By January 2016, all states should be operating under the RESEA guidelines.

Question #4: The FY 2015 grants cover a 9-month period. Is it expected that the FY 2016 grants will cover a 12-month period?

Answer: Yes. FY 2016 is expected to cover a 12-month period. However, this will be based on the FY 2016 appropriation.

Question #5: Are RESEA claimants considered dislocated workers under WIOA?

Answer: The definition of a dislocated worker under WIOA includes UI claimants who are unlikely to return to a previous industry or occupation - or who are unemployed due to a permanent closure of, or substantial layoff at, a plant, facility, or enterprise. However, claimants need to be formally evaluated by staff funded under WIOA, Title I to determine if they meet the eligibility requirements to receive Title I dislocated worker services.