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Unemployment Insurance Overview

State of Iowa Unemployment Fact Finders

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Agenda



- Unemployment Financing
- Base Period and Chargeability
- 252 Legislation
- S.I.D.E.S.
- U.I. Claims/Hearings Process Summary
- Fact Finder Preparations
- What is the IWC Looking For?
- Questions

Unemployment Financing



- State of Iowa is a reimbursing employer
 - Reimburses the Iowa Workforce Commission (IWC) for all unemployment dollars collected by former and sometimes current employees.
 - Denied certain protest rights due to the reimbursing status.



Base Period



Date Claim Filed

Q2 2015

Q1 2015

Q4 2014

Q3 2014

Q2 2014

Q1 2014

Base Period

Lag
Quarter

Current
Quarter

- Base period is the first four of the last five completed calendar quarters
- Controlled by the date claim is filed
- 52-week benefit year

Section 252 Legislation



- ❑ Section 252 refers to a specific part of 2011 Federal Legislation (Trade Adjustment and Assistance Act)
- ❑ Perceived Need for the Legislation
 - The recession of 2009 – 2010 had left the majority of state unemployment trust funds insolvent (more UI benefits paid out than UI taxes collected)
 - The states then had to borrow from the Federal Gov't to pay UI benefits (referred to as Title XII loans)
 - Overpayments to claimants were determined to be a contributing factor to the insolvency of the state trust funds
 - Employer actions were determined to be a cause of the overpayments



Specifics of the Legislation



- ❑ The 2011 Federal legislation required all states to pass state level legislation addressing this issue of overpayments (the unemployment system is run at the state level)
- ❑ Gave the states a deadline of October 21st, 2013 to have the legislation effective
- ❑ Did not provide specifics, but gave the states a general requirement:
 - If the employer, or the employers agent, is the cause of the overpayment, then the employer, or the employers agent, must be penalized for causing the overpayment



Practical Implications for Employers



- ❑ First and foremost, avoid causing an overpayment. How?
 - Provide the supporting documentation necessary to win the claim at the initial claim level, do not wait for the hearing level
 - If we provide all docs at the initial level, then there is no harm in appealing to an unemployment hearing should we lose at the initial level
- ❑ Penalties for causing an overpayment:
 - Varies by state, a few states (VA) are issuing fines to employers
 - Most common penalty is to charge the employer's account for the benefit charges paid to the claimant up until the time the decision was overturned at the hearing level
 - Potentially more severe penalties for “a pattern of behavior”

IWC and S. I .D. E. S.

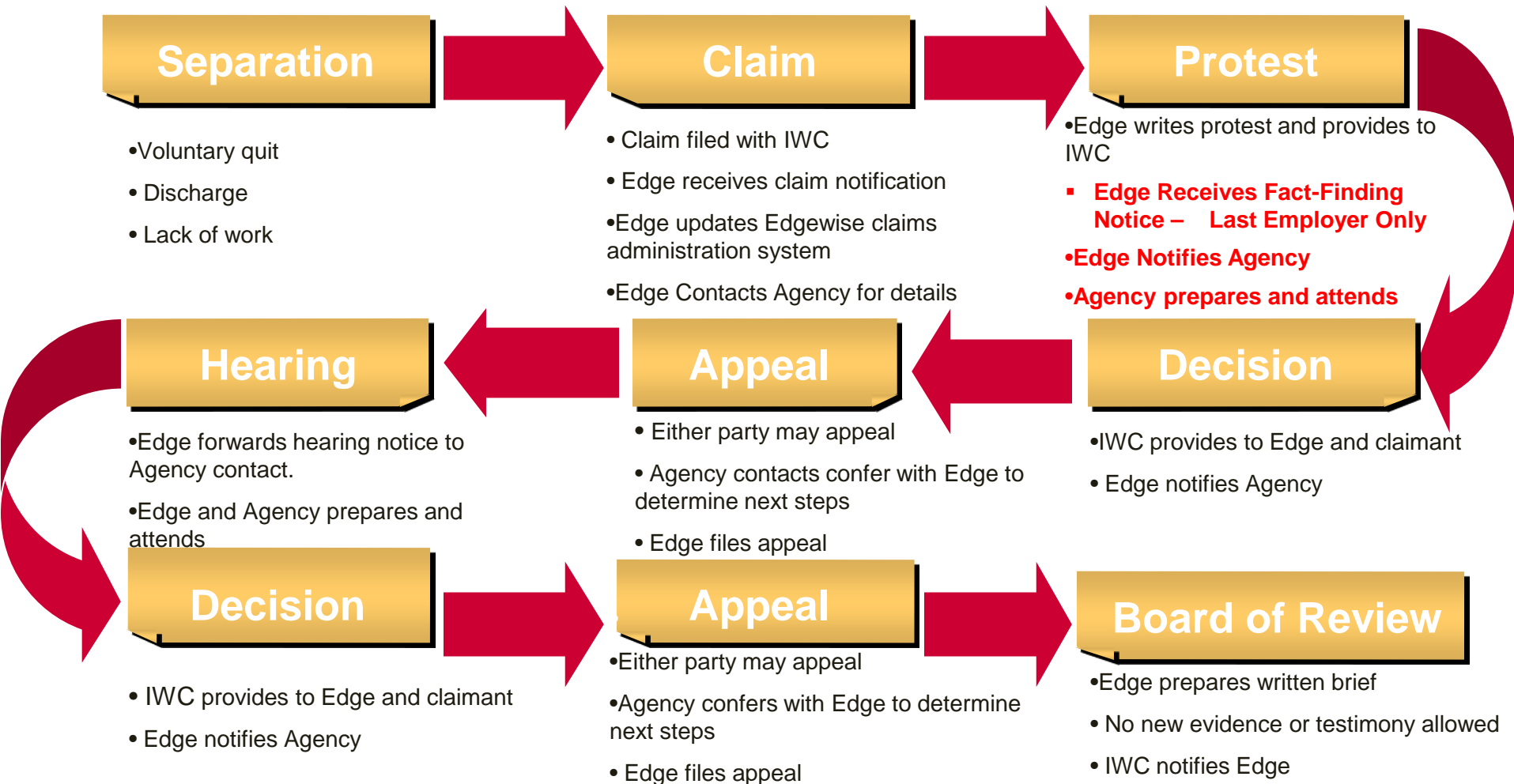
State Information Data Exchange System



- ❑ SIDES is a program initiated by the US Department of Labor to build a standard interface between state workforce agencies and employers for the purpose of electronically exchanging unemployment claims information.



Unemployment Claims Process, Roles and Responsibilities Summary



IWC Fact Finders



Reminders – Before the Interview

Who Should Attend?

Those who can provide the IWC with specific details regarding the separation. Contrary to the unemployment hearing level, the person attending the Fact Finding interview does not necessarily have to be the person directly involved in the claimant's separation, although that is certainly the most desirable situation if at all possible.

Review Fact Finder Notice from IWC

Employers Edge will send to the Agency contact. Confirm contact details are correctly listed on the notice. If the information is incorrect, Agency will need to contact the IWC to have this updated.

Review “Guide to Iowa Fact Finding Interviews”

Employers Edge will send to the Agency contact.



IWC - Fact Finder Checklist



➤ Required Information

- ✓ Dates of employment
- ✓ Rate of pay
- ✓ Job description/Job title
- ✓ Days/Hours worked – FT/PT
- ✓ Vacation/Severance Pay
- ✓ Claimants Supervisor
- ✓ Reason for separation
 - ✓ Quit
 - ✓ Discharge
 - ✓ Lack of work



The IWC will ask... "Was continuing work available?"

What the IWC is looking for...



➤ Discharge Checklist

- ✓ **Details about the final incident that caused the separation**
- ✓ Details about the rule or policy which was violated
- ✓ Did the employer follow internal progressive disciplinary policy?
- ✓ Was the claimant treated fairly with other employees who violated same/similar policy?
- ✓ Were there witnesses?
- ✓ Was the claimant aware of employer's rules/policies?
- ✓ Was the claimant warned and the dates?
- ✓ Was the claimant made aware of the expectations?
- ✓ Did the claimant know his or her job was in jeopardy and the consequences?



What the IWC is looking...

➤ Quit Checklist

- ✓ Did the claimant give notice?
- ✓ Who did the employee give notice to?
- ✓ How did the employee provide notice?
 - ✓ Signed resignation letter
 - ✓ Email
 - ✓ Telephone
 - ✓ Text
 - ✓ Job abandonment
- ✓ What reason did the employee provide for quitting?
- ✓ Were there any changes to job responsibilities, hours, wages, etc.?
- ✓ Did the employer conduct an exit interview?
- ✓ Did the employee give any prior indication of potential discontent?



Questions...

