

**Middle Class Tax Relief and Job Creation Act of 2012  
Unemployment Insurance Demonstration Projects  
Application Checklist**

This tool is provided to states for use before submission of an application for a demonstration project pursuant to Section 2102 of the Middle Class Tax Relief and Job Creation Act of 2012 to ensure that a state’s application is complete when submitted to the Secretary of Labor. The use of the tool is not mandatory.

Checklist Item	Y	N	Remarks
<b>Statutory Application Requirements</b>			
<i>UIPL 15-12, Section 7</i>			
1. Narrative description of the proposed demonstration project, including: <ul style="list-style-type: none"> <li>• The measure or model to be tested.</li> <li>• Information on the design of the demonstration.</li> <li>• The time period of the demonstration project.</li> </ul>			
2. A detailed project plan, including: <ul style="list-style-type: none"> <li>• A development and implementation plan with schedule, including anticipated date of first enrollments.</li> <li>• A description of milestones and deliverables.</li> <li>• A plan for ongoing monitoring.</li> </ul>			
3. Description of the authority under state law to undertake the demonstration project and operate it during the entire proposed period of the demonstration, including: <ul style="list-style-type: none"> <li>• A copy of the relevant provisions of state law, OR</li> <li>• An official opinion that the state has authority via interpretation.</li> </ul>			
4. “Withdrawal standard” waiver request, if applicable, including: <ul style="list-style-type: none"> <li>• A statement of which provisions of Federal law the state is requesting authority to waive.</li> <li>• A statement of the specific aspects of the project to which the requested waiver would apply.</li> <li>• An explanation of why the waiver is necessary.</li> <li>• A description of the provisions of state law or an official opinion interpreting state law that the state identifies as authorizing it to make withdrawals from the state’s account in the UTF if the Secretary grants the requested waiver as part of her approval of the demonstration project.</li> </ul>			
5. “Methods of administration” waiver request, if applicable, including:			

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<ul style="list-style-type: none"> <li>• A statement of which provisions of Federal law the state is requesting authority to waive.</li> <li>• A statement of the specific aspects of the project to which the requested waiver would apply.</li> <li>• An explanation of why the waiver is necessary.</li> <li>• A description of the provisions of state law or an official opinion interpreting state law that the state identifies as authorizing it to make withdrawals from the state’s account in the UTF if the Secretary grants the requested waiver as part of her approval of the demonstration project.</li> </ul>			
<p>6. Description of goals and outcomes of the project, including:</p> <ul style="list-style-type: none"> <li>• How the demonstration project will expedite reemployment of state UC claimants, OR</li> <li>• How the project would improve the effectiveness of the state’s UC law in reemploying state UC claimants.</li> </ul>			
<p>7. Assurance, with supporting analysis, that the project would operate for a least one calendar year.</p>			
<p>8. Assurance, with supporting analysis, that the state’s evaluation of the project will cover the entire period of the demonstration project.</p>			
<p>9. Assurance that the demonstration project, from beginning to end, will not result in any increased net costs to the state’s account in the UTF, including:</p> <ul style="list-style-type: none"> <li>• The state’s detailed analysis that is the basis for asserting no net costs.</li> <li>• A mechanism for continuous review of trust fund status to ensure no net costs over the life of the demonstration project.</li> <li>• A description of what the state will do if experience during the demonstration indicates there is a net cost to the UTF.</li> <li>• A description of the proposed information the state will collect and report, including the reporting format, to allow the Secretary to monitor progress and ensure no net costs to the state’s trust fund.</li> </ul>			
<p>10. A description of the state’s plan to conduct an impact evaluation of the demonstration project to determine the project’s effects on individual skill levels, earnings, and employment retention, including:</p> <ul style="list-style-type: none"> <li>• Information on who will conduct the evaluation.</li> <li>• Information on how the evaluator will be selected.</li> <li>• A detailed description of the methodology and design of the evaluation.</li> </ul>			

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<ul style="list-style-type: none"> <li>Detailed information on the data the state will collect to support the evaluation.</li> <li>The costs and source of funding of the evaluation.</li> </ul>			
11. A description of performance measures for goals and outcomes, including the planned data collection for measuring outcomes, in addition to those required by the Secretary.			
12. Assurance that the state will provide any reports required by the Secretary.			
13. Assurance that employment in the demonstration project meets the state’s suitable work requirement (including that the employment will meet the requirements of the Fair Labor Standards Act of 1938, 29 USC 201 et seq.) and the labor standards requirement set out in section 3304(a)(5), FUTA.			
14. Application signed and dated by the Governor.			
<b>Supporting Information for the Secretary’s Priorities</b> <i>UIPL 15-12, Section 8</i>			
15. A detailed description of stakeholder outreach and engagement, including: <ul style="list-style-type: none"> <li>Engagement in the development of the demonstration project including steps to obtain stakeholder and public input such as public hearings, meetings and webinars.</li> <li>Consultation on the potential short-term impact on the state’s trust fund and UI tax rates.</li> <li>Summary of comments and input and how these are reflected in the proposal</li> </ul>			
16. A description of employer and labor representative (where applicable) engagement and participation in the proposed project, including explanations of employer buy-in and participation, such as partial employer funding for subsidies, participant retention agreements, credentialing agreements, etc.			
17. A description of the infrastructure (staffing, information technology system(s), monitoring, etc.) the state plans to use to implement the demonstration project.			
18. Assurance that the state will utilize and will not duplicate the existing system infrastructure to implement and/or administer the demonstration project.			
19. Assurance that the staffing of the project ensures that UC claimants will receive fair and impartial assistance.			
20. A description of how participating employers will meet the Fair Labor Standards Act standards for participants they employ.			
21. Assurance that the jobs and training into which the			

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demonstration places participants are designed to lead to permanent, good jobs.			
22. A description of how the demonstration project will affect the UC entitlement of an individual participant.			
<p>23. Assurance that the demonstration project will include each of the additional worker protection requirements of Section 8, Paragraph g, of this guidance:</p> <ul style="list-style-type: none"> <li>• An individual’s participation in the program will be voluntary;</li> <li>• An employer will not use a program participant to displace (including a partial displacement, such as a reduction in the hours of non-overtime work, wages, or benefits) any current employee as of the date of participation;</li> <li>• Employer participants may not permit a program participant to perform work activities related to any job for which:             <ol style="list-style-type: none"> <li>1. Any other individual is on layoff from the same or substantially equivalent position;</li> <li>2. The employer has terminated the employment of any employee or otherwise reduced the workforce of the employer with the intention of filling or partially filling the vacancy so created with the work activities to be performed by a program participant;</li> <li>3. There is a strike or lockout at the worksite that is the participant’s place of employment; or</li> <li>4. The job is created in a manner that will infringe in any way upon the promotional opportunities of currently employed individuals as of the date of participation.</li> </ol> </li> </ul>			
24. Assurance that the state will consider the viability of employer businesses when considering them for participation in the demonstration in order to promote permanent jobs for the participants.			
25. Assurance that the state will develop processes for auditing and monitoring employer participants and will require participant employers to make their payroll and personnel records available for audit.			

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<p>26. Agreement to participate in the national evaluation of the demonstration project, including:</p> <ul style="list-style-type: none"><li>• Collection and maintenance of data elements prescribed by the Secretary.</li><li>• Making available to the Department's evaluators all data for both the treatment and control groups as required.</li><li>• Providing access to demonstration operating personnel and participants.</li></ul>			
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