

HANDBOOK NO. 384
UNEMPLOYMENT COMPENSATION FOR EX-SERVICEMEMBERS (UCX)

**CHAPTER II - DETERMINATION AND ASSIGNMENT OF FEDERAL
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1. Evidence of Federal Military Service and Wages. Each individual released or discharged from active military service receives a DD Form 214, Certificate of Release or Discharge from Active Duty or NOAA Form 56-16, Report of Transfer or Discharge, if formerly employed by the National Oceanic and Atmospheric Administration, except that, Air Force regulations (AFR 35-6(C3)) precludes such issuance if the servicemember immediately reenlists in the Air Force (See section 2.b. below). The NOAA Form 56-16 is used by the State agency in the same manner as the DD Form 214 for determining entitlement to UCX benefits. (NOTE: Any future reference to DD Form 214 also applies to the DD form 215, when appropriate, and the NOAA Form 56-16).

In most cases, the DD Form 214 provides all of the information necessary for the State agency to determine if the ex-servicemember has federal military service and wages for the purpose of Federal law (5 U.S.C. 8521 et. seq.) and for completing a UCX claim's determination.

A military discharge certificate or other military certificate of service will not be used in lieu of a DD Form 214 to establish UCX eligibility. A UCX determination may be issued **ONLY** upon presentation by an ex-servicemember of:

- DD Form 214; or
- "orders to report" and "orders of release"; or
- "orders to report" containing an endorsement of release.

However, before issuing a determination based on the "orders" listed above, the State agency should make every effort to obtain a copy of the DD Form 214, including the use of Form ETA 843 to obtain a copy or to obtain the information necessary to the determination of a UCX claim.

The "orders" standing alone will not be the sole basis of a tentative or final UCX determination. The State agency will make the appropriate determination based on the branch of service response to the ETA 843. If the State agency does not receive a response to the ETA 843 within 30 days, it should request approval of the use of such "orders" from the ETA National Office, through the appropriate ETA Regional Office. The ETA Regional Office will submit such a request to the ETA National Office, Attn: TEUMI.

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a. Criteria for Determining Federal Military Service, except for Members of the National Guard or Reserve. The DD Form 214 for each period of active military service should be examined if one or more days of such service occurred on or after the beginning of the base period that applies to the individual's claim to determine if the period of service met the following requirements of 5 U.S.C. 8521 for Federal military service. To qualify for weeks of unemployment beginning on or after November 15, 1991, the ex-servicemember must have been:

(1) On active duty in the Armed Forces (Army, Navy, Marine Corps, Air Force, or Coast Guard) or the Commissioned Corps of the National Oceanic and Atmospheric Administration. However, members of the National Guard or other Reserve Component of the Armed Forces must have been on continuous active duty in a reserve status for 90 days or more;

(2) Discharged or released under honorable conditions, and if an officer, did not resign for the good of the service; and

(3) Discharged or released after completing the first full term of active military service which the individual initially agreed to serve, unless, the individual was discharged or released before completing such term of active service for one of the following reasons:

(a) The convenience of the Government under an early release program;

(b) Because of medical disqualification, pregnancy, parenthood, or service-incurred injury or disability;

(c) Because of hardship; or

(d) Because of personality disorders or inaptitude after having continuously served for 365 days or more.

b. Criteria Determining Federal Military Service for Members of the National Guard or Reserve. To meet the criteria for Federal service under the Act, the period of military service by a member of the National Guard or other Reserve Component must equal 90 days or more of continuous active duty in a reserve status in the Armed Forces, and the individual must be discharged or released under honorable conditions after completing the first full term of service (unless separated earlier for one of the reasons stated in Section 1.a.(3) above). Note: There is no reserve component for Commissioned Officers of the National Oceanic and Atmospheric Administration.

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NOTE: In some instances, an individual may join a branch of the Armed Forces in a reserve capacity without having previously served a first full term of active service. In such case, to meet the criteria for Federal service under the Act, the ex-servicemember must have at least 90 continuous days of active duty in a reserve status and be discharged or separated from that active duty in a reserve status under honorable conditions (and, if an officer, did not resign for the good of the service). The provisions of 5 U.S.C. 8521(a)(1)(B) relating to completion of the first full term of active service which the individual initially agreed to serve, is not applicable because the ex-servicemember does not have a first full term of active service.

Item 2 of DD Form 214 will show if the person was a member of the National Guard or Reserve component of the Armed Forces by the following entries:

Army	:	ANGUS or USAR
Air Force	:	ANGUS or USAFR
Navy	:	USNR
Marines	:	USMCR
Coast Guard	:	USCGR

Members of the National Guard can be activated into the armed forces of the United States under Title 10 or 32 of the U.S.C. for full time active duty in a reserve status. When activated under Titles 10 or 32 of the U.S.C., the National Guard members must meet the UCX qualifying requirements contained in the first paragraph of this Section 1.b. of Chapter II. Specifically, activation in the armed forces under Titles 10 or 32 § 316 or 502-505 is considered "active duty in a reserve status" for UCX qualifying purposes (see Section 1.a.(1) of this Chapter II).

NOTE: National Guard members may be involved in State counterdrug activities provided for in 32 U.S.C. 112. However, 32 U.S.C. only authorizes the Secretary of Defense to provide Federal funding for such State counterdrug activities of the National Guard under specified circumstances, and 32 U.S.C. 112 does not provide authorization for the activation of the National Guard into "active duty in a reserve status" in the armed forces of the U.S. In many cases, however, a National Guard member participating in State counterdrug activities provided for in 32 U.S.C. 112 are also activated under 32 U.S.C. 316 or 502-505. In such case, the National Guard member would be eligible for UCX following his/her separation from such active duty in a reserve status if he/she met the qualifying requirements contained in the first paragraph of this Section 1.b. of Chapter II.

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2. Determination of Federal Military Service.

a. Determination of Federal Military Service, Except Former Air Force Members (5 U.S.C. 8521(a)). When a "first claim" is filed, the State agency will reproduce and keep a copy of the ex-servicemember's DD Form 214 in its files. If the ex-servicemember has lost or misplaced the DD Form 214, such information may be obtained from the LCCC or the appropriate branch of the Armed Forces.

If the individual is not identified as a member of the National Guard or Reserve Component, the State agency will determine if the individual was separated from military service after completing a "full term of service" (or if earlier, under one of the conditions outlined above in Item 1.a.(3) above. However, if the claimant was a member of the National Guard or Reserve Component, the SESA will determine whether the claimant completed 90 days or more of continuous active duty.

To qualify a Federal military service for UCX purposes, the ex-servicemember must have been separated "under honorable conditions" and if an officer, must not have resigned "for the good of the service." The State agency will be guided by the narrative reasons for separation shown in item 28 of the DD Form 214, as well as rulings and interpretations of what constitutes Federal military service by the Department of Labor published in Appendix "D".

However, if an ex-servicemember has completed a first "full-term" of active military service and was honorably discharged, a nonconforming narrative reason in item 28 of DD Form 214 will not be considered in determining the individual's eligibility for UCX benefits. In this situation, the nonconforming narrative reason is not applicable. When the individual has met the first "full-term" of active military service requirement, consideration of the nonconforming narrative reasons is precluded. Therefore, if Item 12c of DD Form 214 shows "net service this period" for enlisted personnel of 4 or more years for Navy or Marines, the ex-servicemember will be credited with completing a first "full term of service" and information in item 28 will be ignored. Additionally, any combination of "prior active service" in item 12d of DD Form 214 and "net active service in current period" shown in item 12c that meets or exceeds the 4 years requirement, as applicable, constitutes a "constructive completion" of a "first full term of active service" for the Navy and Marine Corps. Hence, in such cases, item 28 will also be ignored.

The constructive completion concept applies only to members of the regular armed services in active duty service. It does not apply to reservists who are on active duty in a reserve status.

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Active service (regular) and active duty (reservist) cannot be combined for UCX qualifying purposes.

In order for active service to qualify as "Federal service" for purposes of UCX, there are two requirements for service in a regular status and three requirements for service in a reserve status. For either type of active service to qualify, regular or reserve, it must be honorable and meet the preconditions contained of 5 U.S.C. 8521(a)(1)(B). For reserve service to qualify it must fulfill both of these minimum conditions that qualify an individual who has served on active duty in a regular status, and third a condition, relevant only if the other two are fulfilled, is that the individual must have served on active duty in a reserve status for a continuous period of 90 days or more.

For example, a person who first enlists in the armed forces and begins to serve on active duty in a regular status. That person will have satisfied the requirements of "Federal service" for UCX even if separated honorably for a service-incurred injury after 60 days. Those 60 days of service would meet the definition of "Federal service" in section 5 U.S.C. 8521(a)(1). Alternately, an Academy cadet commissioned as Reserve officer who initially agreed to serve on active duty for 5 years but failed to complete those 5 years and was not released for a satisfactory reason under 5 U.S.C. 8521(a)(1)(B) would not meet "Federal service" definition because this person failed to complete the first full term of service he/she initially agreed to serve. This person's active duty in a reserve status does not qualify as "Federal service" for UCX, regardless of the fact that it was for more than 90 continuous days.

The statute is clear that to fall within the definition of "Federal service", one must meet the requirements of § 8521(a)(1), § 8521(a)(1)(A), and § 8521(a)(1)(B)(i) or (B)(ii). An officer need only meet the requirements of §§ 8521(a)(1) and 8521(a)(1)(A); the requirements of §§ 8521(a)(1)(B)(i) and (B)(ii) are inapplicable on the basis that they do not appear to address the specific terms under which officers serve. Officers serve under a commitment or obligation for a specified period of time after commissioning, and this period of service is tantamount to the first full term of service "which the individual initially agreed to serve" within the meaning of § 8521(a)(1)(B). For an officer who had no prior service, such an initial period of service is in all respects the equivalent of the first term of enlistment of an enlisted member.

NOTE. The U.S. Army also informed this Department that it has advised all transition centers to provide information on DD Forms 214 concerning if the servicemember completed his/her first term of entitlement.

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The U.S. Army, U.S. Air Force, U.S. Navy and the U.S. Marine Corps have informed this Department that the term of enlistment may range from 2 to 6 years.

b. Determination of Federal Military Service and Wages for Former Air Force Members (5 U.S.C. 8521(a)). Air Force regulation (AFR 35-6(C3)) precludes the issuance of DD Form 214 if former Air Force members immediately re-enlist. Additionally, DD Form 214 that the Air Force issued in the past did not clearly identify the applicable enlistment periods and have frequently been found to provide insufficient basis for the State agency to accurately determine if the initial enlistment periods were completed under honorable conditions.

Effective October 1, 1993, the Air Force is entering, in block 18 of DD Form 214, the statement: "Member (has)(has not) completed first full term of service."

The Air Force has agreed to add two items in block 18 of DD Form 214 to assist State agencies in making accurate determinations. It has added "Term of Current Enlistment" to enable a State agency to know for what period (2 - 6 years) the former Air Force member enlisted, and "Continuous Active Military Service Date," which will indicate how long an individual served without a DD Form 214. Block 12a will show the Date Entered Active Duty This Period, and Block 12b, will show Separation Date This Period. From these two entries the State agency can determine if the former Air Force member completed the last enlistment. Whether the enlistment was for a 2 - 6 year period will show under TERM OF CURRENT ENLISTMENT. By comparing this information with Blocks 12a and 12b, the State agency can determine if the full enlistment period was completed. Block 12d, TOTAL PRIOR ACTIVE SERVICE, shows the total of all active military service before the most recent enlistment period.

3. Reviewing the Character of Service. The character of service is shown in item 24 of the DD Form 214 (item 12 of NOAA Form 56-16), as appropriate, e.g., "Honorable", "Under Honorable Conditions (General)", "Under Other Than Honorable Conditions", "Bad Conduct" or "Dishonorable". In some instances, the character of service will be shown as "Uncharacterized," "Drop from rolls" or "Void enlistment" which means that the person's discharge was "Under Honorable Conditions."

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The later three types of separations in the preceding paragraph are always "Uncharacterized" and are considered to be under honorable conditions unless otherwise noted in item 24 of the DD Form 214. These entries mean that the individual's character of discharge was "Under Honorable Conditions" and that the time in service was too short for a fair rating. The phrases "Entry Level Separation," "Drop from rolls" and "Void enlistment" are deviations from the term "Uncharacterized" which is an authorized entry in item 24 according to the DOD Instructions Number 1336.1. However, we have been informed by the DOD that those three phrases and "Uncharacterized" are synonymous and are therefore considered to be separations under honorable conditions.

An ex-servicemember separated by the military under any of the above "Uncharacterized" conditions must have completed less than 180 days of continuous military service to receive an uncharacterized separation. Any ex-servicemember that has been on active duty in excess of 180 continuous days of military service should be issued a characterization by the military.

An ex-servicemember's period of service should be considered Federal military service under the Act, if the individual's separation was "honorable", or "under honorable conditions" if the narrative reason(s) for separation shown on the DD Form 214 conforms to narrative reasons for separation supplied by the DOD.

If the narrative reason for separation does not conform, the military service cannot be used as the basis of UCX entitlement as it does not meet the requirements of 5 U.S.C. 8521(a).

For an ex-servicemember's discharge to be determined to have been due to "inaptitude," the word inaptitude must be included in the narrative reason for separation.

If the "Narrative Reason For Separation," is blank or appears incomplete, the State agency should send a Form ETA 843 to the appropriate branch of service requesting the specific reason for separation or clarification. For example, if only the word "unsuitability" is shown on DD Form 214, an ETA 843 should be sent to ascertain if the narrative reason for separation was "unsuitability due to inaptitude."

4. Use of Form ETA 843, UCX Request for Military Information.
The ETA 843 should be used to obtain a copy of the DD Form 214, to obtain or clarify the "narrative reasons for separation," or to obtain or clarify any other information omitted from or shown on the DD Form 214. A copy of the DD Form 214 should be attached to the ETA 843, and any question asked by the State agency should be specific and complete. The branch of service should not be asked a general question such as whether or not the ex-servicemember is eligible for UCX benefits under 5 U.S.C. 8521 et seq.

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(The military agency is not authorized to make that determination.)

If the narrative reason for separation shown on the DD Form 214 is clear and complete, an ETA 843 should not be used to obtain additional information simply because the claimant disagrees with the narrative reason provided. Under such circumstances, the claimant should be informed that the Federal law provides that the findings of the branch of service must be accepted as "final and conclusive" for determining UCX entitlement (5 U.S.C. 8523-(b)(1)(A)) and 20 CFR 614.23).

SESAs are reminded that they should not apply their own interpretation in determining whether or not a narrative reason for separation is acceptable. The narrative reason for separation should be either "acceptable" or "unacceptable" based on the lists of acceptable narrative reasons for separation provided by DOL.

NOTE: Questions about the acceptability of narrative reasons for separation should be addressed to the National Office, Attention: TEUMI, through the appropriate Regional Office.

a. Ex-servicemember Disagrees with Narrative Reason For Separation. If the claimant disagrees with the military findings, it is his/her responsibility to obtain a correction to the DD Form 214 or DD Form 215 from the appropriate branch of the military service. However, in accordance with 20 CFR 614.22, the State agency should assist the claimant with requesting a correction and advise the claimant of UCX claims filing procedures.

5. Assignment of Military Service and Wages with "First Claim". All Federal military service and wages, including lag period service and wages, must be assigned to the State in which a "first claim" (UCX) is filed in accordance with 5 U.S.C. 8522. The "first claim" is defined as the first claim filed, for unemployment compensation, after separation from the latest period of Federal military service which establishes a benefit year. Therefore, the "first claim" may be an intrastate or interstate UI, UCX, UCFE or Joint claim. When the "first claim" filed is an interstate claim, as the State in which the claim is filed, the agent State is the State of assignment for the UCX wages.

The State to which military service and wages are assignable is responsible for sending an inquiry to the LCCC to ensure that wages were not previously assigned. However, the assignment of the military service and wages is not complete unless a benefit year is established. Therefore, if an intrastate or interstate claim does not result in a benefit year, the military service and wage assignment will be corrected, as appropriate.

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The rules for assignment of Federal military service and wages must be followed literally. There is no authority for considering a claim filed in or from (by telephone, Voice Response System, etc.) one State to be "constructively" filed in another State, even though the claimant may speak directly with claims interviewers in the other State or staff of the other State are located in the office of the filing State. The State of filing is the State in which the claimant is physically located. The rules of assignment are not affected by where military service was performed or where the separation from active duty occurred.

To record all assignable Federal military service and wages, the State agency must obtain information from the claimant concerning each period of active military service to determine if any day of the period of service (including any day of military accrued leave, for which a lump-sum payment was made, as allocated under the State law to such period) occurred on or after the beginning of the base period applicable to the claim, including the paying State base period on a combined wage claim.

The State of assignment is responsible for establishing controls to ensure that military service and wages (including a lump-sum payment for military accrued leave, as allocated under State law) assigned to the lag-period will be posted to wage files or are otherwise recorded and available for use on a second benefit year. The lag period covers all employment and wages subsequent to the base period of the "first claim".

a. Intrastate "First Claim", including Combined Wage. When the first claim filed subsequent to the latest period of active duty is an intrastate claim, it may be any of the following types: UI, UCFE, UCX, or joint UCX/UI/UCFE combinations, depending on the type of wages in the base period, including a combined wage claim. However, if the claim results in a benefit year, it is a "first claim" for wage assignment purposes. Therefore, Federal military service and wages must be assigned to the applicable State even if they are not used in the monetary determination (i.e., none of the Federal military service and wages are in the base period of the first claim).

b. Interstate "First Claim", including Combined Wage. When the "first claim" is an interstate claim, it may be any of the program types shown above for intrastate claims except UCX only. In such cases, assignable Federal military service and wages must be assigned to the applicable State (filing/agent) even if they are not used in the monetary determination. An interstate UCX only "first claim" is impossible because the Federal military service and wages are not assignable the liable State. However, the "first claim" may be an interstate combined wage claim, if the individual is monetarily ineligible in the filing

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State on the basis of combining all employment and wages (service and wages) in the base period. In such cases, the Federal military service and wages are transferrable to the paying State for use in the determination of a combined wage claim. **Note:** The transferring (in this case, also the agent) State should submit a UCX claims control inquiry to the LCCC to ensure that the wages have not been previously assigned.

6. Permanence of the Military and Service Assignment. When Federal military service and wages are assigned to one State, they cannot be assigned to another State, unless the original assignment was in error (e.g., no benefit year was established) or they are transferred for use on a combined wage claim in accordance with the requirements of 20 CFR 616. Refer to Appendix A, 5 U.S.C. 8522.

7. Disagreement on the State of Assignment. When there is disagreement between States concerning the State of assignment and it cannot be resolved, the case will be referred to the appropriate ETA Regional Office for final resolution by the ETA National Office.

8. Correcting Improper Use of UCX Service and Wages. Incorrect use of Federal military service and wages, to establish a benefit year, is generally caused by the claimant failing to advise the claims interviewer that a prior claim had been filed after separation from military service and the State agency's failure to send a timely inquiry to LCCC. Incorrect assignments must be corrected in the manner described below.

a. When no Benefit Payments have been Issued. If no benefits have been paid, the incorrect State should cancel the benefit year and file a backdated substitute initial claim(s) and continued claim(s), as appropriate, under the Interstate procedures against the correct State (Refer to ET Handbook No. 392). The correct State must be advised of the reason for the backdating and provided with copies of all prior factfinding, including ETA 841s (ES-970s) and ETA 843s.

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"Weekending dates" on duplicate claim forms should represent the same weeks as those shown on the original claim forms, but the "date claim taken" should be the date duplicate claim forms were prepared. A statement of improper filing by the incorrect State will be sufficient justification for the correct State to honor the predated claim(s). The following statement should be included under "Remarks" on the initial claim:

"Federal military service and wages were assigned to
(State) in error. The service and wages were
previously assigned to your State with the claim filed
_____."

The correct State will honor the backdated claim and take the necessary actions to determine the individual's eligibility effective with the date the claim was originally filed.

b. When Benefit Payments Have been Made by the Incorrect State. The procedure outlined in "a" above should be followed. Any payments made by the incorrect State should be transferred to the correct State. If the benefits paid by the incorrect State exceed the amount the correct State would have paid, the resulting excess amount should be established as an overpayment to be collected or waived, according to the law of the correct State. The correct State will not reimburse the incorrect State for any UCX overpayments which are charged to the claimant and collected by the correct State. The recovered Federal funds will be credited by the correct State to the FEC Account and Federal agency on the quarterly ETA 191 report. An adjustment payment will be issued by the correct State to rectify any underpayment by the incorrect State.

IMPORTANT NOTICE: If a State is found to have failed to implement a system which ensures timely inquiries to the LCCC, as required by 20 CFR 614.1(d)(2)(ii), and such failure consistently and systematically results in wages being incorrectly used by that State, the State may be determined out of compliance with the Federal requirements and required to assume liability for improperly disbursed Federal funds and reimburse the FEC account, under the provisions of 20 CFR 614.1(d)(4)(ii), without a transfer of payments to the correct State.

(1) **Letter of Transmittal by Incorrect State of Assignment.** The letter of transmittal to the correct State of assignment should contain as much of the following information as is pertinent:

- (a) Claimant's name and social security number;
- (b) Date of new claim;

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- (c) Effective date of claim in incorrect State;
- (d) List of attachments (such as copies of ES-970);
- (e) Any factfinding and eligibility determinations;
- (f) Monetary determination, showing State UI and UCX portions separately by week;
- (g) List of payments made showing State UI and UCX portions separately by week.

9. Withdrawal of UCX Claim. Under the UCX equal treatment requirements at 20 CFR 614.9(a)(1), the provisions of the applicable State law governing claims filing apply to UCX claims, except where the result would be inconsistent with the provisions of Federal law, 20 CFR Part 614 or the UCX operating procedures issued by the U.S. Department of Labor (the Department). Accordingly, the Department has determined that if a State law permits a regular UI claim to be withdrawn (and the benefit year cancelled), then the same rule applies to a UCX claim.

When a UCX first claim is withdrawn under provisions of State law, the individual's Federal military service and wages to that State are no longer properly assigned, in accordance with the requirement of 20 CFR 614.8(b). Consequently, the wage assignment must be cancelled in accordance with the procedures provided in "a" below.

It is important to note that the UCX equal treatment requirements at 20 CFR 614.13 also provide that claimants' rights to UCX shall be protected from waiver in the same manner and to the same extent as the rights of persons to State UI are protected under the applicable State law. This equal treatment includes protection against discrimination and obstruction in regard to seeking, applying for, and receiving any right to UCX.

a. Cancellation of Wage Assignment. To cancel the wage assignment when a first claim is withdrawn, the SESA will immediately send a subsequent inquiry, containing the identical information as the original inquiry plus an entry of the "CANCEL" in fields 63-68, to the LCCC. Refer to Item 10 below for complete instructions.

10. Communicating Inquiries to the Louisiana Claims Control Center (LCCC). For each new "first claim" taken, without regard to the program type and whether intrastate or interstate, the State agency will transmit a UCX inquiry to the LCCC, in the prescribed format, to verify the validity of the DD Form 214 presented and simultaneously record a wage assignment. Note:

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Records to cancel a wage assignment are transmitted together with inquiry/assignment records.

Therefore, an inquiry will be sent to the LCCC for each claimant with active military service in the base period of the "First claim" filed, whether or not the claimant presents a DD Form 214 and whether or not a UCX determination was made. Only one claims control inquiry should be submitted to the LCCC with respect to UCX service and wages for each new claim. However, if the "first claim" involves the use of UCFE employment and wages, an inquiry pertaining to the UCFE wages must also be sent.

State agency staff communications with the LCCC should be handled solely by designated members of the State's central office staff, preferably the UCX/Federal Programs Coordinator or backup. Local office staff will not communicate directly with the LCCC.

a. Log of UCX Transactions with LCCC. State agencies will keep a log on all transactions made to the LCCC as shown below:

LOG OF UCX TRANSACTIONS BETWEEN SESA AND LCCC

I	II	III	IV	V	VI	VII	VIII	IX
LAST NAME AND SSN	TRANS- MITTAL NO.	DATE OF CLAIM	DATE INQUIRY SENT TO LCCC	METHOD OF TRANS- MITTAL (e.g. INTERNET OR MAGNETIC TAPE)	DATE(S) FOLLOWUP(S) SENT	DATE SESA REC"D	TIME INTRVL (VII- IV)	CMTS

b. Preparation and Transmission of DD Form 214 Inquiries. For each "first claim" filed, the State agency will immediately prepare the prescribed 80 character inquiry record for transmission to the LCCC via the designated Communications Network/or by magnetic tape. Each UCX inquiry/cancellation record will contain the State code, Local Office Number, the UCX claimant's Social Security Number (SSN) as shown on the DD Form 214, the claimant's first name, middle initial, and last name, any other SSN belonging to the claimant, Separation Date from Active Military duty, Indicator as to copy of DD Form 214 presented to the local office, and Branch of Service, Date of Initial Claim Filing, and when appropriate, "CANCEL" (entered in the fields 63-68) to delete a previous inquiry/assignment from the LCCC files.

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(1) LCCC Inquiry Record Format.
File: SESA UCX Claims Control Inquiry/Cancel Request
Record: SESA-INQ-REC

Field No.	Position From To	Picture	Data Element Name
1		99	STATE-CODE
2		X(4)	Local-off (ALPHANUMERIC)
3		9(9)	SSN -214 (NORMAL ORDER)
4		A(12)	NAME-FIRST (ALPHA, LEFT JUSTIFIED)
5		A	NAME-INITL (ALPHA OR SPACE)
6		A(17)	NAME-LAST (ALPHA, LEFT JUSTIFIED)
7		9(9)	SSN-OTHER (NUMERIC > or = ZEROS)
8		9(5)	SEP-DATE (YYDDDD SEP'D ACTV DTY)
9		9	DD 214 COPY (0 THRU 8)
10		99	SERV-BRANCH (01 THRU 05)
11		A(6)	CANCEL-REQ (SPACES or "CANCEL")
12		9(6)	DTE-CLM-FLD (YYMMDD or ZEROS)
13		A(6)	FILLER (SPACES)

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(2) DATA ELEMENT DESCRIPTION FOR LCCC INQUIRY RECORD

FIELD LABEL	DESCRIPTION
1 STATE CODE	is a two byte field indicating the standard MAIPS/FIPS State code.
2 LOCAL OFFICE	is a four byte alphanumeric field indicating the code assigned to the local office in which the UCX claim was filed.
3 SSN-214	is a nine byte numeric field representing the Social Security Number under which the DD Form 214 was issued.
4 NAME FIRST	is a 12 byte alphabetic field for the claimant's first name.
5 NAME-INITIAL	is a one byte alphabetic field for the claimant's middle initial.
6 NAME-LAST	is a nine byte alphabetic field for the claimant's last name.
7 SSN-OTHER	is a nine byte numeric field indicating any other Social Security Number possibly assigned to the claimant. This field should otherwise be zero filled.
8 SEP-DATE	is a five byte numeric field indicating the actual date of separation from active duty as shown on the DD Form 214. It is represented in Julian date format (YYD00).
9 DD 214-COPY	is a one byte numeric field indicating what copy, if any, was presented to the local office at initial claim filing and ranges from a value of 0 through 8.
10 SRVC BRCH	is a two byte numeric code indicating which branch of service from which the claimant was discharged. <div style="margin-left: 20px;"> 01 - ARMY 04 MARINE CORPS 02 - NAVY 05 COAST GUARD 03 - AIR FORCE </div>
11 CANCEL	is a six byte alphabetic field. If a SESA desires to cancel a UCX inquiry, complete field numbers one through six and field numbers eight through 12. The contents of field number 11 should only be used to "Cancel" and it should only be used to cancel an existing inquiry. <u>This field should be left blank (space filled) for transmittal of regular inquiries.</u>
12 DATE CLAIM FILED	is a six byte numeric field representing the date the initial UCX claim was filed. The dated is in YYMMDD format. Otherwise, this field should be zero filled.
13 FILLER	is a six byte field which is space filled.

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(3) Electronic Transmission of Inquiries to LCCC. To ensure timely transmissions and to promote timely responses, electronic transmissions should be scheduled no less frequently than daily. Such transmissions may be created and accomplished without staff intervention and do not require any accompanying transmittal correspondence.

To electronically transmit inquiries, the State agency is required to create records in the required format using the required Job Control Language (JCL).

(4) Using Magnetic Tape to Send Inquiries to LCCC. When a State agency uses magnetic tape to transmit UCX inquiries to LCCC, a transmittal form will be completed and included with each submission. The transmittal form will contain the name of the State agency's UCX liaison, State Code, State name, number of records transmitted, a transmittal number and additional information pertaining to the tape as follows:

- (a) OS/Standard Label or None.
- (b) DSN (Data Set Name).
- (c) VOL=SER=(tape number)
- (d) BPI of tape (1600 or 6250).
- (e) Number of records on tape.
- (f) Machine type which generated the tape.
- (g) Date of transmission/mailing.

All tapes must have external Labels and should be sent in protective cases which will be returned to the State agency.

The tape Transmittal Number for each State will be a number beginning with one (1). For example, typical transmission numbers are 93-1, 93-2, 93-3, .. 93-365, 94-1.

Electronic transmission is the preferred method to send inquiries to the LCCC since it results in more timely responses. All SESAs are encouraged to utilize this method.

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(5) Facsimile of Transmittal Form.

(State)
EMPLOYMENT SECURITY AGENCY

(transmittal date)

TO: Louisiana UCFE/UCX Claims Control Center
1001 North 23rd Street
P.O. Box 94246, Capitol Station
Baton Rouge, Louisiana 70804-9246

		-			
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(transmittal No.)

FROM: Mr./Mrs./Ms. _____

(sender's name)

_____ (phone #)

_____ (State code)

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SUBJECT: TRANSMITTAL OF UCX-DD 214/UCFE CLAIMS CONTROL INQUIRIES

Enclosed are UCX/UCFE claims control inquiries for _____
Specifications: (State name)

Each record is 80 bytes.

Number of UCX inquiry records: _____

Number of UCX Cancel Requests: _____

Number of UCFE inquiry records: _____

Number of UCFE Cancel Requests: _____

(TOTAL RECS)

Record length (LRECL) is 80 characters.

Block size (BLKSIZE) is 200 records.

Record format (RECFM) is fixed blocked (FB).

Tape label is (check one): OS/Standard () or None ().

Data Set Name (DSN) is: _____

Tape Number (VOL=SER=) is: _____

Machine type is check one: IBM/compatible (), UNISYS (),
Other () specify: _____

Attached are copies of both the external and tape label.

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11. Non-receipt of Timely Response to Inquiry. If the State agency does not receive a reply from the LCCC within 10 days of its initial request, it will send a follow-up request by mail and a photo copy of the claimant's separation document. Follow-up requests will identify the claimant by Name, SSN, and batch number and date. Additional follow-ups should be made by telephone (800-535-8100). Follow-up inquiries to the LCCC will be sent to:

U.S. Department of Labor
Louisiana Claims Control Center
P.O. Box 94246, Capitol Station
Baton Rouge, Louisiana 70804-9246

12. The LCCC Replies to Inquiries. When the LCCC receives an electronic inquiry from a State agency, it will prepare and transmit an electronic response that includes the claimant's pay grade, service branch, character of service, entry date, separation date, days lost, and number of days accrued leave back to the State agency. The LCCC will also advise the State agency of any prior inquiries pertaining to the same claimant.

When the LCCC receives a request for DD Form 214 information via magnetic tape, the LCCC will prepare a computer generated response that contains the same information included in the electronically transmitted record and forward to the State agency via mail.

When the LCCC asks the appropriate branch of the Armed Forces why Copy No. 5 of a UCX claimant's DD Form 214 was not sent to the LCCC, it will attach Copy No. 4 of the claimant's DD Form 214 to its inquiry. If the military branch can supply the document or the DD Form 214 information needed, the LCCC will immediately provide such information to the appropriate State agency.

13. State Agency's Handling of LCCC Responses. It will be the State agency's responsibility to resolve differences in DD Form 214 information received from the LCCC and the DD Form 214 information furnished by the claimant. In some instances, these differences may not have any material consequences on the UCX claim or benefit payments. When there is an obvious material difference, the SESA should promptly request from the LCCC that the DD Form 214 information that it received from the LCCC be verified against the information shown on Copy 5 received by the LCCC. If material differences remain, it is the State agency's responsibility to request verification of "questioned items" from

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the appropriate branch of the military service by use of Form ETA 843. If the material differences remain after reply from the military service, the possibility of a fraudulent claim should be considered.

If the ex-servicemember present Copy No. 4 and the SESA makes an inquiry to the LCCC to verify the legitimacy of Copy No. 4 and the LCCC indicates that Copy No. 5 contains all of the same required data elements, the SESA should accept the information as factual and immediately proceed to issue the ex-servicemember a UCX determination and, if appropriate, pay UCX benefits provided all the State eligibility requirements are met.

If the ex-servicemember alleges he/she lost or was not issued Copy No. 4 of the DD Form 214, he/she should be requested to present his/her Copy No. 1 of the DD Form 214. Copy No. 1, a condensed form, is issued to all separatees. Copy No. 4, a complete profile, is also issued to all separatees.

If the ex-servicemember presents only Copy No. 1 of his/her DD Form 214 or is unable to present either Copy No. 1 or Copy No. 4 of his/her DD Form 214, he/she should be informed that it is his/her responsibility to obtain a legible and complete Copy No. 4 of DD Form 214 in order that a determination may be made as to his/her entitlement to UCX benefits. However, the SESA should also explain that it will attempt to assist him/her to establish a UCX claim by initiating a request to the LCCC. UCX benefits may be paid based upon receipt of the several essential items of DD Form 214 information from the LCCC.

If the LCCC has no record of his/her military service or cannot otherwise obtain it, the SESA may further assist the ex-servicemember to obtain Copy No. 4 by using the procedures outlined in Chapter VI, page VI-19 of this Handbook. The claims interviewer should also explain to the claimant that no UCX benefits can be determined or paid pending receipt of Copy No. 4 of DD Form 214 from the military branch or the claimant or receipt of equivalent determination information from the LCCC. Under such circumstances the claimant should be encouraged by the SESA to continue to report to the local claims office to continue to file continued claims in order to protect any benefit rights to which he may later be determined to be entitled.

If pertinent data on a UCX claimant's DD Form 214 (Copy No. 1 or No. 4.) was omitted or is questionable, the SESA should, at the time the UCX claim is filed, assist the claimant to obtain omitted data or to verify data using procedures outlined in Chapter VI of this Handbook.

NOTE: Any data omitted from either Copy No. 1 or Copy No. 4 of a DD Form 214, will also have been omitted from the LCCC's Copy No. 5 of DD Form 214 since all copies are part of a manifold set.

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If the ex-servicemember did not present Copy No. 4 of DD Form 214, the SESA should not send any further inquiry to the LCCC. Instead, the SESA should attempt to help the ex-servicemember to obtain Copy No. 4. The LCCC will not initiate liaison with the Armed Forces to obtain its Copy No. 5 for a UCX claimant who did not present a DD Form 214 when attempting to file a claim.

When a State agency is informed that a prior inquiry has been made by the same or another State, it will immediately ascertain if the claimant's UCX wages were already properly assigned. If so, the State should ensure that wages previously used are not used again as the basis of another UCX determination. In the case of a prior inquiry by another State, the State agency will immediately contact any other State(s) and take appropriate action to ensure which State is the correct State of assignment. An ex-servicemember's UCX wages are considered correctly assigned to the State in which he/she filed a "first claim" since the latest separation from Federal military service whereby a benefit year was established. If the States involved cannot resolve the correct State of assignment, the UCX case should be referred to the appropriate ETA Regional Office for transmittal to the National Office for final resolution.

If the LCCC responds that it has no DD Form 214 Copy Number 5 in its files, the State agency will send a photocopy of the claimant's DD Form 214 to the LCCC within 2 weeks of being so notified. The LCCC will not initiate liaison with the Armed Forces to obtain its Copy No. 5 for a UCX claimant who did not present a DD Form 214 when attempting to file a claim.

If the SESA is not informed promptly of the results of the LCCC follow-up with the Armed Forces, the SESA will send a follow-up to the LCCC within 30 days of the date it sent the reproduced copy of the claimant's DD Form 214 to the LCCC. Additional follow-ups should be by telephone.

14. State Agency Follow-up On LCCC Request for DD Form 214 From Armed Forces. If the State agency is not informed promptly of the results of the LCCC follow-up with the Armed Forces, the State will send a follow-up to the LCCC within 30 days of the date it sent the reproduced copy of the claimant's DD Form 214 to the LCCC. Additional follow-ups should be by telephone.

If the DD Form 214 cannot be verified by information supplied by the Armed forces within 45 days after the State agency sent a reproduced copy to the LCCC, the State agency will stop its follow-up with the LCCC. It will be the State agency's responsibility to determine, to the extent possible, whether the ex-servicemember had in fact presented a legitimate DD Form 214.