

**** EXAMPLE ******Sample of questions in the “Procedures, Policies and Confidentiality” section of the “Adjudications and BTQ” functional area of Draft Self-Assessment Tool****Procedures, Policies and Confidentiality**

Resources may include manuals, handbooks, desk aids, computer help screens, training guides, organized collections of procedures or policies, or other readily accessible instructions which can help staff do their work correctly, including [ETA Handbook No. 301](#). Instructions will normally include general information such as compilations of relevant laws and regulations, as well as detailed instructions for carrying out individual jobs in the agency. Reviewers may need to look in many places to examine all relevant instructions.

1. Does the state have written policies and procedures for conducting fact-finding and adjudicating unemployment insurance claimant eligibility?

1a. If yes, were the policies and procedures updated or modified during the review period?

2. How are policies and procedures for fact-finding and adjudicating issues made available to staff? (check all that apply)

- Online instruction
- Hard-copy handbook
- Training materials
- Other _____

2a. If policies and procedures are made available in multiple formats, are all formats consistent and up-to-date?

2b. What practices does the state utilize to ensure all formats are consistent and up-to-date? _____

3. Have there been any law changes since the last review that affect the state’s adjudications policies and procedures?

3a. If yes, what law changes has the state implemented, when were they implemented and what was the effect on the state’s adjudications policies and procedures? _____

3b. Have the state’s policies, procedures and training materials been updated to reflect these changes?

4. Have there been any significant organizational changes since the last review that affect the state's adjudications policies and procedures?

4a. If yes, what organizational changes has the state implemented, when were these changes implemented and what was the effect on the state's adjudications policies and procedures? _____

4b. Have the state's policies, procedures and training materials been updated to reflect these changes?

5. Has there been any automation or technology upgrades or releases since the last review that affect the state's adjudications policies and procedures?

5a. If yes, what automation or technology upgrades has the state made? _____

5b. When were the technology upgrades made and what was the effect of the change? _____

5c. Have the state's policies, procedures and training materials been updated to reflect these changes?

6. Does the state utilize any automation in its fact-finding processes?

6a. If yes, what automated fact-finding processes are available to collect claimant information without staff intervention? _____

6b. What automated fact-finding processes are available to collect employer information without staff intervention? _____

6c. What automated fact-finding processes are available for staff to use to collect claimant or employer information? _____

7. Do the state's policies and procedures for fact-finding include guidance regarding rebuttal opportunity to a claimant or employer when there is a controversy in the information provided?

7a. If yes, are the automated processes described above available for the rebuttal process?

7a. If the state uses other automated processes to obtain rebuttals, describe. _____

8. Provide the following adjudications workload data during the review period for the following categories:

	Separation	Non-separation
• Issues Created	_____	_____
• Issues Adjudicated	_____	_____

9. Does the state use the State Information Data Exchange System (SIDES) Web Services and SIDES E-Response to exchange claim information with employers and their representatives in support of the adjudications process?

10. Do the state's policies and procedures provide guidance for investigating and adjudicating the following separation issues? (check all that apply)

- Voluntary Quits
- Discharge for Misconduct
- Gross Misconduct
- Leave of Absence
- Other (explain) _____

11. Do the state's policies and procedures provide guidance for investigating and adjudicating the following non-separation issues? (check all that apply)

- Able and Available
- Alien worker, authorization for employment
- Athlete – reasonable assurance - between seasons
- Claim timeliness – backdating of initial claims and untimely filed continued claims
- Disqualifying/deductible income – Vacation pay, Holiday pay, Pension
- Failure to participate in the Reemployment and Eligibility Assessment program
- Failure to participate in Worker Profiling and Reemployment Services
- Fraud Administrative Penalty
- Job Service/Employment Service Registration
- Multi-claimant: Labor Dispute
- Refusal of suitable work
- Removal of Disqualification, when a controversy exists
- Reporting requirements
- School Employee – reasonable assurance – between or within terms
- School/Approved training
- Seasonality - wages earned during specified periods of time are not useable
- Unemployment Status – Work or remuneration sufficient to be “not unemployed”
- Work search requirements

12. Do the state's policies and procedures require written determinations contain the following information? (check all that apply)

- The reason for the disqualification or ineligibility
- Applicable requalification requirements
- An explanation of the appeal rights and timeframe for filing a timely appeal

12a. If an employer submits potentially disqualifying information after the last day for providing a timely response, how is this matter handled? _____

13. Do the state’s policies and procedures define the detection date of an issue in accordance with [ETA Handbook No. 301](#)?

13a. Is the issue detection date input into the system manually or is it created automatically?

- Automatic
- Manual

13b. If automatic, is the system following the proper policies and procedures to define the detection date?

14. Do the state’s policies and procedures define the standard for a “reasonable attempt” to obtain information by phone deemed to be critical to the outcome of a determination to be forty-eight (48) hours from the time of the request?

15. Do the state’s policies and procedures correctly define a determination for reporting purposes using the following criteria in accordance with [ETA Handbook No. 401](#)? (check all that apply)

- A decision which has the potential to affect the claimant's past, present or future benefit rights and for which a determination of eligibility was made
- Determinations made because of misrepresentation, fraud, and/or overpayments
- A claimant's separation for a reason "other than lack of work" that results in a nonmonetary determination
- If controversy exists about whether the claimant satisfies the conditions of an indefinite disqualification (i.e., until re-employed for a specific period or has earned a specific sum of money) that results in a nonmonetary determination
- Investigation of a claimant's explanation for late reporting or failure to report as directed that results in a nonmonetary determination

16. Are the following determinations defined as being not reportable in accordance with [ETA Handbook No. 401](#)? (check all that apply)

- Determination, relative to issues, made solely for deciding whether charges should be made to an employer's experience-rating account
- Routine exploration of fact or questioning claimants associated with the claims taking process except under circumstances of controversy
- Claimant's acceptance of the claims taker’s conclusion that the week's earnings require a reduction in the benefit amount for that week
- Claimant's acceptance of benefits for only a portion of a week claimed, when the state law provides for reduced benefits in cases where the claimant was ill or otherwise unavailable for work during part of the week

- A determination on whether or not a stated period of time elapsed since a disqualifying act, satisfying the disqualification, which is part of the function of taking claims
- A determination on whether or not the claimant meets the minimum wage and employment qualifying requirement to establish a benefit year
- Determinations on the existence of and/or number of dependents
- A determination on whether the claimant meets state requirements for establishing a subsequent benefit year (e.g., 30 days of bona fide work since exhausting a benefit series)

17. Does the state have policies and procedures for adjudicating issues for Extended Benefits claims or for claims under any temporary federal additional or extended benefit program in effect during the review period?

17a. If yes, when were the policies and procedures last updated? _____

18. Does the state have procedures to inform claimants that confidential information provided for the unemployment compensation claim may be requested and utilized for other governmental purposes, including verification of eligibility under other governmental programs, in accordance with [20 CFR 603.11](#)?

18a. If yes, how is this information provided to the claimant? _____

18b. When is this information provided to the claimant? _____

19. Does the state have procedures to inform employers that wage information and other confidential information provided relating to an unemployment compensation claim may be requested and utilized for other governmental purposes, including verification of an individual's eligibility for other governmental programs in accordance with [20 CFR 603.11](#)?

19a. If yes, how is this information provided to employers? _____

19b. When is this information provided to the employer? _____

Comments:

Document any issues detected in adjudications that adversely affected the state's performance during the review period or that may affect future performance and the state's ability to meet the UI Performs Core Measures standards; to effectively administer fact finding and adjudications; or that affects customer service.

Consider the state’s strengths and weaknesses in managing its policies, procedures and confidentiality practices related to the adjudications and BTQ processes that have been identified through this review.

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