

EMPLOYMENT AND TRAINING ADMINISTRATION ADVISORY SYSTEM U.S. DEPARTMENT OF LABOR Washington, D.C. 20210	CLASSIFICATION Unemployment Insurance
	CORRESPONDENCE SYMBOL OUI/DPM
	DATE June 15, 2020

ADVISORY: UNEMPLOYMENT INSURANCE PROGRAM LETTER NO. 25-20

TO: STATE WORKFORCE AGENCIES

FROM: JOHN PALLASCH
Assistant Secretary



SUBJECT: Benefit Accuracy Measurement (BAM) Program Operations in Response to the Coronavirus Disease of 2019 (COVID-19) Pandemic

1. **Purpose.** The purpose of this Unemployment Insurance Program Letter (UIPL) is to provide guidance to State Workforce Agencies on changes in the operation of the BAM program, including BAM sample selection and case management applications, as a result of issues arising from the COVID-19 pandemic. These COVID-19-related issues include the unprecedented increases in Unemployment Insurance (UI) program workloads and the new Unemployment Compensation (UC) programs created in the Coronavirus Aid, Relief, and Economic Security (CARES) Act (Public Law 116-136), including the Federal Pandemic Unemployment Compensation (FPUC) program, which provides a federal payment of \$600 in addition to the state Weekly Benefit Amount (WBA).
2. **Action Requested.** The U.S. Department of Labor’s (Department) Employment and Training Administration (ETA) requests that State Workforce Administrators provide the information in this UIPL and its attachments to the appropriate program staff in order to guide the state in reprogramming and modifying the BAM software applications to ensure the continued proper operation of the BAM program.
3. **Summary and Background.**
 - a. Summary – This UIPL provides guidance to states on the operation of the BAM program, including: 1) required modifications of the BAM software application due to increases in UI claims workload and the enactment of the FPUC program; 2) required revisions to existing BAM sample selection, population count, and case management software applications; and 3) answers to questions received regarding BAM program operations.
 - b. Background – On March 27, 2020, the President signed into law the CARES Act, which includes the Relief for Workers Affected by Coronavirus Act set out in Title II, Subtitle A. The CARES Act was designed to respond to the economic effects of the COVID-19 pandemic. Section 2104 of the CARES Act authorizes the temporary FPUC program, providing eligible individuals with \$600 per week in addition to the WBA received from

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designated UC programs.

States play a fundamental role in ensuring the integrity of the UI program. In the midst of current extraordinary workloads, it remains vital that states continue to operate their programs, both new and existing, in conformity and compliance with federal laws and guidance and promote program integrity. The BAM program is one of the most important tools to measure UI payment integrity. The large increase in UI workloads and the additional provisions of the CARES Act present unique challenges to the accurate and timely reporting of BAM data. This UIPL describes the changes that are required in the BAM sample selection, population counts, and case management software applications.

- 4. Changes in the BAM Program.** The BAM program is an integrity assessment tool. Representative samples of UI payments and disqualifying ineligibility determinations are drawn and comprehensively investigated to determine whether they were properly administered to claimants and whether these claimants were paid the proper amounts, or appropriately denied. Based on the errors identified and information gathered, states can develop and implement corrective actions to ensure accurate administration of state law, rules, and procedures.

See BAM State Operations Handbook (ET Handbook No. 395, 5th edition (ET Handbook 395)) for additional details about BAM program administration. Questions and Answers related to BAM program operations are provided in Attachment IV of this UIPL.

- a. **BAM Sample Selection and Population Counts.** The state selects weekly samples of BAM paid weeks and monetary, separation, and nonseparation denials using either a Common Business-Oriented Language (COBOL) program provided by the Department or a software application developed by the state that complies with the Department's specifications in the ET Handbook 395. With the large increase in UC claims as a result of the COVID-19 pandemic, several data elements in the current software cannot accommodate the population workload counts or the paid benefit amounts that states must report.

The State UI Transaction file includes all records that meet the definition for inclusion in one of the four BAM populations (paid benefits, monetary denials, separation denials, and non-separation denials). The weekly sfsun.dat file consists of aggregate sample and population data for the four BAM populations. This data includes selected characteristics that are used to conduct statistical tests of sample validity. The weekly rec1.dat file consists of claimant data obtained from the state database for cases selected for the four BAM populations. *See* Chapter III of ET Handbook 395 for additional information on the State UI Transaction file, sfsun.dat file, and rec1.dat file.

The UI Transaction file, sfsun.dat file, and rec1.dat files are interdependent and so an error in any of these files creates an issue for administration of the entire BAM program. The BAM COBOL program can accommodate only six digits for all population fields and nine digits for the population amount of benefits paid in the sfsun.dat file. Therefore, states where the number of weeks paid exceeds 999,999 or the amount of payments exceeds \$999,999,999 should temporarily suspend the BAM sampling process until changes to the sfsun.dat, rec1.dat, and BAM case management software have been completed. States should retain each week's UI Transaction file so that these samples and population counts

can be reconstructed retroactively when changes to the software application have been completed.

States with workload counts that can be accommodated by the existing sfsum.dat file (that is, UI weeks paid less than or equal to 999,999 and UC payments less than or equal to \$999,999,999) should continue to enter UC payment amounts based on **ONLY** the state WBA (i.e., not include the \$600 FPUC) in the following files:

- Max Pay field (positions 57 to 59) of the COBOL Control Record (or the equivalent in a State-developed program);
- Amount Paid to Claimant (Item #13) in the UI Transaction file;
- Amount of Offset Applied (Item #14) in the UI Transaction file;
- Amount of Intercept or Withholding (Item #15) in the UI Transaction file;
- Total Amount Paid to Claimant (Item #21) in the UI Transaction file;
- WBA (Before Investigation) (Item #29) in the rec1.dat file; and
- Amount Paid and/or Offset (Item #62) in the rec1.dat file.

Required Changes to the BAM Files

Every state must make the following changes to either the BAM COBOL program or the state-developed Sample Selection and Population Count software by BAM Batch 202027 (i.e., the week ending July 4, 2020). The Department will revise and deploy the BAM case management software applications (Case Conversion, Update Cases, Reopen Cases, and Environment Settings) in June 2020.

i. UI Transaction file:

States must make the following changes to the UI Transaction file. The following data elements will increase from three positions to four positions:

Item No.	Name
13	Amount Paid to Claimant
14	Amount Offset
15	Amount of Intercept
21	Total Amount "Paid" Sum of items 13, 14, and 15

The UI Transaction file specifications are provided in Attachment I of this UIPL.

ii. sfsum.dat file:

States must make the following changes to the sfsum.dat file.

- Increase all population fields from six positions to seven positions.
- Increase the Amount of Population UI Benefits Paid from nine positions to ten positions.

The sfsun.dat file specifications are provided in Attachment II of this UIPL.

iii. rec1.dat file:

States must make the following change to the rec1.dat file.

- WBA (Before Investigation) (Item #29) will increase from 3 positions to 4 positions.

The rec1.dat specifications are provided in Attachment III of this UIPL.

iv. Control Record:

The BAM COBOL sample selection and population count programs require a Control Record. The purpose of the file is to specify the batch from which the BAM paid, monetary, separation, and nonseparation samples are selected, the sample sizes and random start numbers for these samples, the beginning and ending dates of the requested batch, and the maximum WBA in the state, including dependents' allowances (referred to as Max Pay in the file). The record format of the Control Record is included in Chapter III of the ET Handbook 395.

States using the existing COBOL programs must modify the Control Record to increase the Max Pay field from three to four positions (positions 57 to 60). States that have developed their own BAM sample selection and population count programs will have to ensure the same functionality as the Control Record.

Whether a state modifies the BAM COBOL program or a program developed by the state that is the functional equivalent of the BAM COBOL program, the state must ensure that the modified sfsun.dat and rec1.dat files conform to the specifications required in this UIPL. Specifically, each state must ensure that each record in the files consists of 80-character lines. Positions 1 through 79 of each line must contain data or spaces (HEX '20', Octal '040', for example). Position 80 on each line must be coded with a line feed (for example, ASCII - 10, HEX '0A', EBCDIC 25, or Octal '012').

- b. **BAM Data Elements.** Data from each case sampled for BAM are entered into a database on the state's Unemployment Insurance Database System (Sun Server). The data are obtained both from existing records and from case investigations. See Chapter IV of ET Handbook 395. The following section describes specific data elements that must be updated to accommodate the large increase in UI workload. Additionally, the Department will modify the BAM Case Conversion, Update Cases, Reopen Cases, and Environment Settings software with a planned release in June 2020.

States must reopen completed BAM cases to revise data as a result of the release of the revised software (for example, entering the FPUC amount or improper payments that exceed \$999) will reopen these cases using Reopen Code '9'. Case completion timeliness will not be recalculated.

- i. For sampled UC payments where FPUC was paid to the claimant for that week, states must enter the amount of this supplemental federal payment in data element d7. This data element is currently defined as Tax Rate for Last Employer. As of the release of the BAM revised software associated with this UIPL, states should stop collecting the tax rate information for the d7 element. The data element will be redefined as:

(d7) Federal Supplemental Payment

Definition: Enter the amount of any federal supplemental payment associated with the UI claim (for example, FPUC dollars) that are paid to the claimant for the Key Week (KW), whether paid in a single payment or as a separate payment for the KW sampled. Enter whole dollar amount of the federal supplemental payment.

Format: money (4,0)

- ii. Other changes to data elements in the BAM database are summarized in the following tables.

Data Elements in b_master as Currently defined as of May 2020:			Data Elements in b_master as Revised in June 2020:		
Element Name	Data Type	Item Name	Element Name	Data Type	Item Name
e9	money(3,0)	WBA Before	e9	money(4,0)	WBA Before
e10	money(3,0)	WBA After	e10	money(4,0)	WBA After
h2	money(3,0)	Amount Should Have Been Paid	h2	money(4,0)	Amount Should Have Been Paid
h3	<=\$50,000	Total Amount OP	h3	<=\$99,999	Total Amount OP
h5	money(3,0)	Tot KW OP	h5	money(4,0)	Tot KW OP
h6	money(3,0)	Tot KW UP	h6	money(4,0)	Tot KW UP

Data Element in b_errisu as Currently defined in May 2020:			Data Elements in b_master as Revised in June 2020:		
Column	Type	Name	Column	Type	Name
ei1	money(3,0)	Amount of KW Error	ei1	money(4,0)	Amount of KW Error

Data Elements in b_dca_master as Currently defined in May 2020:			Data Elements in b_dca_master as Revised in June 2020:		
Element Name	Data Type	Item Name	Element Name	Data Type	Item Name
Wbabef	money(3,0)	WBA Before	wbabef	money(4,0)	WBA Before
Wbaaft	money(3,0)	WBA After	wbaaft	money(4,0)	WBA After

5. Inquiries. Please direct questions to the appropriate Regional Office.

6. References.

- Section 2104 of the Coronavirus Aid, Relief, and Economic Security (CARES) Act (Pub. L. 116-136), including Title II Subtitle A, Relief for Workers Affected by Coronavirus Act;
- The Families First Coronavirus Act, (Public Law 116-127), specifically Division D, the Emergency Unemployment Insurance Stabilization and Access Act of 2020;
- 20 C.F.R. Part 602, Quality Control in the Federal-State Unemployment Insurance System;
- UIPL No, 10-20, *Unemployment Compensation (UC) for Individuals Affected by the Coronavirus Disease 2019 (COVID-19)*, issued March 12, 2020, https://wdr.doleta.gov/directives/corr_doc.cfm?DOCN=8893;
- UIPL No. 13-20, *Families First Coronavirus Response Act, Division D Emergency Unemployment Insurance Stabilization and Access Act of 2020*, issued March 22, 2020, https://wdr.doleta.gov/directives/corr_doc.cfm?DOCN=8634;
- UIPL No. 13-20, Change 1, *Families First Coronavirus Response Act, Division D Emergency Unemployment Insurance Stabilization and Access Act of 2020*, issued May 4, 2020, https://wdr.doleta.gov/directives/corr_doc.cfm?docn=5374;
- UIPL No. 15-20, *Coronavirus Aid, Relief, and Economic Security (CARES) Act of 2020 – Federal Pandemic Unemployment Compensation (FPUC) Program Operating, Financial, and Reporting Instructions*, issued April 4, 2020, https://wdr.doleta.gov/directives/corr_doc.cfm?DOCN=9297;
- UIPL No. 15-20, Change 1, *Coronavirus Aid, Relief, and Economic Security (CARES) Act of 2020 - Federal Pandemic Unemployment Compensation (FPUC) Program Reporting Instructions and Questions and Answers*, issued May 9, 2020, https://wdr.doleta.gov/directives/corr_doc.cfm?DOCN=3946; and
- Employment and Training (ET) Handbook No. 395, 5th Edition, *Benefit Accuracy Measurement State Operations Handbook* (November 2009).

7. Attachments.

- Attachment I: UI Transaction file
- Attachment II: sfsun.dat file
- Attachment III: rec1.dat file
- Attachment IV: BAM Program Operation Questions and Answers

UI Transaction File

Item #	Name	Field Length	Positions	Formats
1	State I.D.	2	1-2	FIPS Code
2	Batch #	6	3-8	YYYYWW
3	Social Security #	9	9-17	Actual #
4	Claim Date	8	18-25	MMDDYYYY
5	Transaction Date	8	26-33	MMDDYYYY
6	Sample Select. Ind.	1	34	1 or 2
7	Transaction Type	1	35	1 to 4
8	Gender	1	36	1, 2 or 8
9	Date of Birth	6	37-42	MMYYYY or 010001
10	Ethnicity	1	43	1 to 5 or 8
11	Program Type	1	44	1 to 9
12	UI Duration	1	45	1 to 5
13	Amount Paid to Claimant	4	46-49	Whole Dollars
14	Amount Offset	4	50-53	Whole Dollars
15	Amount of Intercept	4	54-57	Whole Dollars
16	Claim Type	2	58-59	00-04, 11-15
17	Filing Status	1	60	1 to 3
18	Workshare Pct.	2	61-62	00 to 99
19	Run Date	8	63-70	MMDDYYYY
20	Adjustment Ind.	1	71	1 or 2
21	Total Amount "Paid" Sum of items 13, 14, and 15	4	72-75	Whole Dollars
---	Filler	5	76-80	Zero-filled; can be used by state for edit codes

sfsun.dat File

Record Format for sfsun.dat file (All Fields are Numeric)			
Item #	Name	Field Size	Positions
1	Batch	6	1-6
2 ¹	Sample Type	1	7
3	Sample Size	2	8-9
4	Population Size	7	10-16
5 ²	Random Start #	6	17-22
6 ³	Skip Interval	6	23-28
7	Initial Case Selected	6	29-34
8	Sample – Male	2	35-36
9	Population – Male	7	37-43
10	Sample – Female	2	44-45
11	Population – Female	7	46-52
12	Sample – Gender Missing	2	53-54
13	Population – Gender Missing	7	55-61
14	Sample – White	2	62-63
15	Population – White	7	64-70
16	Sample – Non-white	2	71-72
17	Population – Non-white	7	73-79
18	Sample – Ethnicity Missing	2	80-81
19	Population – Ethnicity Missing	7	82-88
20	Sample – Age < 25	2	89-90
21	Population – Age < 25	7	91-97
22	Sample – Age 25-34	2	98-99
23	Population – Age 25-34	7	100-106
24	Sample – Age 35-44	2	107-108
25	Population – Age 35-44	7	109-115
26	Sample – Age 45-64	2	116-117
27	Population – Age 45-64	7	118-124
28	Sample – Age 65+	2	125-126
29	Population – Age 65+	7	127-133
30	Sample – Age Missing	2	134-135
31	Population – Age Missing	7	136-142

32 ⁴	Sample – UI Program	2	143-144
33 ⁴	Population – UI Program	7	145-151
34 ⁵	Sample – UCFE/UCX	2	152-153
35 ⁵	Population – UCFE/UCX	7	154-160
36	Sample – Program Missing	2	161-162
37	Population – Program Missing	7	163-169
38 ⁶	Sample - <= \$50 Paid	2	170-171
39 ⁶	Population - <= \$50 Paid	7	172-178
40 ⁶	Sample - \$51-100 Paid	2	179-180
41 ⁶	Population - \$51-100 Paid	7	181-187
42 ⁶	Sample - \$101-150 Paid	2	188-189
43 ⁶	Population - \$101-150 Paid	7	190-196
44 ⁶	Sample - \$151-200 Paid	2	197-198
45 ⁶	Population - \$151-200 Paid	7	199-205
46 ⁶	Sample -> \$200 Paid	2	206-207
47 ⁶	Population -> \$200 Paid	7	208-214
48 ⁶	Sample – Amount Paid Missing	2	215-216
49 ⁶	Population - Amount Paid Missing	7	217-223
50 ⁶	Sample – Amount Paid	5	224-228
51 ⁶	Population – Amount Paid	10	229-238
52 ^{6,7}	Sample – Amount Paid Variance	8	239-246
53 ^{6,7}	Population – Amount Paid Variance	8	247-254

¹ The first records are UI paid claims (sample type = 1), followed by monetary denials (sample type =2), separation denials (sample type = 3), and nonseparation denials (sample type =4).

² Reported with six digits, implied decimal (.xxxxxx).

³ Reported with one implied decimal (xxxx.xx).

⁴ UI program codes include regular UI, UI-UCFE, UI-UCX or UI-UCFE-UCX (program type codes 1, 2, 3, and 4 in the UI transaction file).

⁵ Program codes include UCFE and/or UCX only (program type codes 5, 6 and 7 in the UI transaction file).

⁶ For the monetary, separation, and non-separation denials, this item must equal zero.

⁷ Reported with three implied decimal places (xxxxx.xxx).

Rec1.dat File

Record Format for rec1.dat file					
Item #	Flag	Name	Field Size	Positions	Formats/Codes ¹
1		Social Security #	9	1-9	9-digit SSN (state use only)
2		State ID	2	10-11	2-digit FIPS Code
3		Batch Number	6	12-17	YYYYWW
4		Claim Date (Week Ending or Effective Date)	8	18-25	MMDDYYYY
5		Local Office Number	4	26-29	State-assigned #
6		U.S. Citizen	1	30	1 to 3 or Blank
7		Education	2	31-32	00 to 12, 14 to 16, 20 or Blank
8	2	Voc/Tech Training	1	33	1 to 3 or Blank
9	2	In Training	2	34-35	00, 11 to 14, 21 to 24 or Blank
10	2	Occupation Code (Last Employer)	3	36-38	3-digit major and minor O*NET code or Blank
11		Date of Birth	8	39-46	MMDDYYYY or Blank
12		Gender	1	47	1, 2 or Blank
13		Ethnicity Classification	1	48	1 to 6, 9 or Blank
14		Program Code	1	49	1 to 8 or Blank
15		Combined Wage	1	50	1 to 6 or Blank
16		Benefit Yr. Beginning	8	51-58	MMDDYYYY or Blank
17		Initial Claim Filing Method	1	59	1 to 6 or Blank
18	2	# Prior Nonsep Issues	2	60-61	2 digits or Blank
19	2	# Prior Nonsep Issues (Disqualifying)	2	62-63	2 digits or Blank
20		Reason for Separation (Before Investigation)	2	64-65	10 to 69 or Blank
21		Date of Separation (Before Investigation)	8	66-73	MMDDYYYY or Blank
22	2	Recall Status (Before Investigation)	1	74	0, 1, 2 or Blank
23	2	NAICS Last Employer	4	75-78	NAICS code (first 4 digits) or Blank
24		# Base Period Employers (Before Investigation)	2	79-80	2 digits or Blank
25		Base Period Wages (Before Investigation)	6	81-86	6 digits (whole dollars) or Blank
26	2	NAICS Primary Base Period Employer	4	87-90	NAICS code (first 4 digits) or Blank
27		High Quarter Wages (Before Investigation)	5	91-95	5 digits (whole dollars) or Blank
28		# Weeks Worked in BP (Before Investigation)	3	96-98	3 digits or Blank
29		WBA (Before Investigation)	4	99-102	4 digits (whole dollars) or Blank

30		MBA (Before Invest.)	5	103-107	5 digits (whole dollars) or Blank
31		Monetary Redeterm. (Before Investigation)	1	108	1, 2 or Blank
32		Remaining Balance (As of week paid or denial)	5	109-113	5 digits (whole dollars) or Blank determination)
33		# Dependents Claimed (Before Investigation)	2	114-115	2 digits, 00 or Blank
34		Dependents Allowance (Before Investigation)	3	116-118	3 digits (whole dollars) or Blank
35	2	First CWE Date	8	119-126	MMDDYYYY or Blank
36	2	Date of First Payment	8	127-134	MMDDYYYY or Blank
37	2	Key Week Cert. Method	1	135	1 to 3 or Blank
38	3	Filing Method Week Claimed/Paid	1	136	1 to 6 or Blank
39		(Relocated to Item # 62)	3	137-139	Blank
40		(Relocated to Item # 63)	3	140-142	Blank
41		(Relocated to Item # 64)	3	143-145	Blank
42		(Relocated to Item # 65)	3	146-148	Blank
43		(Relocated to Item # 66)	3	149-151	Blank
44	2	Required to Seek Work	1	152	1 to 5 or Blank
45	2	ES Registration Required	1	153	1 to 4 or Blank
46	2	Actively/Currently Registered w/ ES	1	154	1 to 4 or Blank
47	2	Reason ES Reg. Deferred	1	155	1 to 6 or Blank
48	2	# of ES Referrals	2	156-157	2 digits or Blank
49	2	Union Referral Status	1	158	0 to 3 or Blank
50	5	Union Service	1	159	0 to 3 or Blank
51	5	Union Assistance Requested	1	160	0 to 4 or Blank
52	5	Claimant Union Assisted	1	161	0, 1, 2 or Blank
53	5	Monetary Denial Reason	2	162-163	00 thru 59 or Blank
54	5	Nonmonetary-Nonseparation Denial Reason	2	164-165	00 thru 79 or Blank
55	5	Claim Type	1	166	0 to 5
56	5	Initial Determination Appealed ⁶	1	167	0 to 3 or Blank
57	5	Result of Initial Determination Appeal ⁶	1	168	0 to 6 or Blank
58	5	Sample Type	1	169	1 to 4
59		Ethnicity	1	170	0, 1 or Blank
60	5	Separation Issue No.	2	171-172	0 to 99, -2 or Blank
61	5	Nonseparation Issue No.	2	173-174	0 to 99, -2 or Blank
62	4	Amount Paid and/or Offset	5	175-179	5 digits (whole dollars) or Blank
63		Total Earnings (Before Investigation)	4	180-183	4 digits (whole dollars) or Blank
64		Earnings Deduction (Before Investigation)	4	184-187	4 digits (whole dollars) or Blank

65	Other Deductible Income (Before Investigation)	6	188-193	6 digits (whole dollars) or Blank
66	Other Deduction (Before Investigation)	5	194-198	5 digits (whole dollars) or Blank
1 Unless otherwise noted, refer to ET Handbook No. 395 Chapter IV for paid claims, and Chapter VIII for denied claims for data element codes.				
Flags				
2 Required for UI paid claims cases only; optional for denial cases.				
3 Required for UI paid claims cases and any denial decision when a week was claimed; leave blank for denial decisions if no week was claimed.				
4 Required for UI paid claims cases. For denial cases, leave blank if there is no payment associated with the denial determination. Otherwise, enter the amount paid, offset, intercepted, withheld or deducted for the weeks affected by denial determination.				
5 Data element added for denied claims.				
6 Appeal status at time case was selected for sample; data element can be updated if status changes before case is closed.				

BAM Program Operation Questions and Answers

A. FPUC Payments

1. **Question:** If the BAM unit finds the Key Week (KW) is totally overpaid (that is, (h2) Amount That Claimant Should Have Been Paid is \$0 for regular UC and element (ei2) =10, 11, or 12) after investigation due to earnings or failure to meet other eligibility requirements, is the claimant still eligible for FPUC for the KW?

Answer: No. The claimant must be eligible for at least \$1 of underlying state benefits for the KW to be eligible to receive the FPUC payment for that week (see UIPL No. 15-20 Change 1, Attachment, Section A. Issuing Payments Q&As). If the amount due to the claimant for regular UC is zero dollars, the BAM unit must ensure the agency also addresses the FPUC dollars for the period of denial. This should be addressed in the case summary and recorded appropriately in element (h3). Note that FPUC is not treated as deductible income.

If the BAM unit is reviewing a denied claim and finds that the claimant is eligible for at least \$1 of underlying benefits, then the FPUC payment is also due for the weeks affected by the denial. This information should be resolved by the BAM unit or referred to the appropriate department to ensure payment is made when it is due.

2. **Question:** How should FPUC payments be handled within the BAM program?

Answer: FPUC dollars are from a temporary federally-funded program and must be excluded from the BAM population. Therefore, elements (e9) Weekly Benefit Amount Before Investigation, (e10) Weekly Benefit Amount After Investigation, (f13) Original Amount Paid and/or Offset for Key Week, (h2) Amount That Claimant Should Have Been Paid, (h5) Total Overpayment Amount for the Key Week, (h6) Total Underpayment Amount for the Key Week, and (ei1) Dollar Amount of Key Week Error will exclude the amount of FPUC dollars paid. Similarly, the coding for improper denials which result in payment will exclude the FPUC dollars paid.

However, FPUC dollars paid must be recorded into elements (h3) Total Whole \$ Amount of Overpayments (include Key Week) and (h4) Total Whole \$ Amount of Underpayments (include Key Week). The case summary should include a brief statement on FPUC dollars paid.

Effective with the release of the revised BAM software by the Department announced in this UIPL, the state must enter the FPUC dollar amount in the newly-defined element (d7) Federal Supplemental Payment, described in section 4.b.i. of this UIPL. For any cases that include FPUC payments that a state has already closed (*e.g.*, generally all cases with a key week on or after week-ending April 4, 2020), the state must reopen and update the record using Reopen Code '9'. As stated in this UIPL, BAM units will no longer record the tax rate in the BAM PCA investigation.

3. **Question:** Should the amount of FPUC dollars paid be included in the comparison tables (b_comparison) elements (cm3) Sample Dollars Paid and element (cm4) Population Dollars Paid?

Answer: No. FPUC dollars are from a temporary federally-funded program and should be excluded from the BAM population and sample. Pursuant to UIPL No. 15-20, Attachment I, the FPUC amount paid is also excluded from the ETA 5159 report (*i.e.*, ar5159).

The BAM sfsun file must exclude these FPUC dollars in these positions:

50 ⁶		Sample – Amount Paid	5	202-206
51 ⁶		Population – Amount Paid	9	207-215

These fields are used in calculating the weighted dollars paid for estimates.

Additionally, the rec1.dat file should exclude the FPUC amount from DCI elements prepopulated. For example, it may prepopulate elements (e9), (e11), and (f13) (etc.).

29	WBA (Before Investigation)	4	99-102	4 digits (whole dollars) or Blank
30	MBA (Before Invest.)	5	103-107	5 digits (whole dollars) or Blank
62	Amount Paid and/or Offset	5	175-179	5 digits (whole dollars) or Blank

If the record includes FPUC dollars in any of these fields, then the BAM unit must update such elements using the appropriate BAM application.

B. PEUC and PUA Claims in BAM

4. **Question:** Should UC claims filed for the sole purpose of checking eligibility for Pandemic Emergency Unemployment Compensation (PEUC), Pandemic Unemployment Assistance (PUA), Extended Benefits (EB), and Trade Readjustment Allowances (TRA) be included in the BAM samples?

Answer: No. UC claims filed for the sole purpose of checking eligibility for PEUC, PUA, EB, and TRA should not be included in the BAM samples.

5. **Question:** Are PEUC and PUA claims excluded from the BAM samples? How should PEUC/PUA claims be handled if selected in the BAM sample?

Answer: Yes. All paid and denied PEUC and PUA claims will be excluded from the BAM Paid Claims Accuracy (PCA) and Denied Claims Accuracy (DCA) sampling frames. This is consistent with the policy followed for previous temporary programs. Per the instructions in ET Handbook 395, Chapter III, the State UI Transaction file, Program Type (Data Element 11) must be coded “8” (Other) and Unemployment Duration Code (Data Element 12) must be coded “5” (Other federal extended benefits program).

If a PEUC or a PUA claim is selected for the BAM sample (PCA or DCA) because it was not properly coded in the State UI Transaction file, it must be coded as such: PCA data element (c1) Program Code equals “8” or DCA data element (22) Program Code equals “8”. Such cases will not be investigated by the BAM unit and the BAM supervisor will not sign-off on them. The BAM unit must sample additional cases in subsequent batches to compensate for the number of PCA and DCA sample cases deleted due to improper coding of a PEUC or PUA claims in the State UI Transaction file.

C. Impacts following Temporary BAM Suspension

6. Question: My state received approval from the Department to suspend the BAM program for Batch Range 202014 through 202026 so that BAM investigators could help process initial claims and adjudication in Operations. Now that the BAM investigator has returned to the BAM unit, what should happen if he or she is assigned one of the cases he or she processed while helping in Operations?

Answer: Any case that an individual BAM investigator handled while helping in Operations should be assigned to another BAM staff member to complete the investigation.

7. Question: My state received approval from the Department to suspend BAM investigations for the quarter-ending June 30, 2020. How does this suspension affect the minimum annual sampling number of cases?

Answer: If the state received approval from the Department to temporarily suspend BAM investigations, the state is not be expected to make-up cases for the period to which the suspension applies. The minimum annual sampling requirement is reduced by the total number of cases that would have been sampled during the period that the approved temporary suspension covered.

8. Question: My state received approval from the Department to suspend BAM investigations for the quarter-ending June 30, 2020. How does this suspension affect the timeliness performance measures?

Answer: The state is expected to complete sampled PCA cases, Batch 201927 through Batch 202013, no later than September 30, 2020. Additionally, BAM units must complete outstanding open (Batch range 201927 through 202013) DCA cases by October 28, 2020. If the state experiences any timeliness issues in completing BAM cases, the Department will consider the circumstances, including the approved BAM suspension, when determining the state’s corrective action as part of the State Quality Service Plan activities.

D. Work Search Verifications

9. Question: Given the economic effects of COVID-19, my state is having challenges in receiving responses to requests for information when conducting work search

verifications. In some cases, the businesses are closed. In many others, checking to see if someone applied for work in prior weeks is not a priority for the business. Is there a possibility of modifying the verification requirement for the current time?

Answer: An employer statement that providing the information is not a priority is not the same as the employer indicating no information will be provided. The BAM unit must make an exhaustive attempt to obtain information from an employer listed as a contact. If the employer responds that the entity does not have the information or does not know whether the claimant made a contact, then the investigator has met the exhaustive attempt requirement and the contact should be coded as unverifiable. If the business is closed, then the investigation could conclude the contact is unverifiable once the exhaustive attempt has been made.

10. Question: My state allowed for permissible flexibilities in determining whether an individual met the able to work and available to work requirements during periods of the pandemic. The state also modified and suspended the work search requirements. How should a BAM investigator account for these temporary policy changes?

Answer: Section 4102(b) of the Families First Coronavirus Act, specifically Division D, the Emergency Unemployment Insurance Stabilization and Access Act of 2020 (EUISAA) (Public Law 116-127), provides states with emergency temporary flexibility to modify or suspend the work search requirement in response to the spread of COVID-19. *See* UIPL Nos. 10-20, 13-20, and 13-20 Change 1 for additional details. If the state chooses to exercise such flexibility regarding work search, the BAM unit should apply the law and policies in effect in the state during the temporary emergency in evaluating able, available and work search compliance. If the claimant's satisfaction of the work search requirement is established under such a provision, the case file must have a copy of the emergency declaration or applicable official policy (See ET Handbook 395 Chapter VI, p. VI-4) as supporting documentation for the determination made as a result of the BAM investigation. However, if the key week was paid prior to the start of or after the lapse of state's emergency temporary modification, then the investigation must enforce established law during the period of payment and follow normal BAM investigative procedures. (See UIPL No. 13-20, Change 1, Attachment 1, Q&A #8).