

Attachment #11: Use of UI Notifications and CUBS Screens to Document WIOA Program Eligibility and Outcomes

April 2017 Revisions are Yellow Highlighted

PURPOSE:

The purpose is to provide guidance on the expanded use of Unemployment Insurance (UI) notifications and screen prints to document eligibility and outcomes for Workforce Innovation and Opportunity Act (WIOA) programs and discretionary grants. These additional options for documentation are the result of rulings by the US Department of Labor and the Division of Unemployment Insurance of the Colorado Department of Labor and Employment.

I. PRINTING CUBS SCREENS

UI is allowing a minimal number of screens to be used to document eligibility and outcomes for WIA programs. Local areas may print the following screens for inclusion in confidential case files:

01	Claimant Profile Data*	W6	Wage Inquiry
03	Non-Base Period Employers	20	Non-monetary Determinations
04	Base Period Employers	30	Letter Browse (for Notice of Decision)*
W5	Pseudo Monetary Determination		

* Certain CUBS screens (01 and 30) are made available for supporting documentation but not necessarily to document eligibility. See below and refer to the DW Eligibility Attachment to see which screens are allowable to document DW eligibility categories.

NOTE: No other CUBS screens may be printed. In addition, CUBS screen prints may not be given to claimants or used for any purpose other than inclusion in a confidential case file.

Please keep the number of CUBS screens printed to a minimum. For example, print no more than one CUBS screen for each of the DW eligibility elements; however, additional allowable screens may be printed for extenuating circumstances.

II. USE OF THE LINKS TO REEMPLOYMENT OR RESEA ORIENTATION LETTER TO DOCUMENT DISLOCATED WORKER PROGRAM OR DISCRETIONARY GRANT ELIGIBILITY (see attachment 1 for sample RESEA orientation letter)

In 2015, Workforce Development Programs, UI, and the local areas throughout the state began implementing the Links to Reemployment initiative. In 2016, Reemployment Services and Eligibility Assessment (RESEA) was implemented in limited locations. In 2017, all local areas are transitioning to RESEA, with the intention of phasing out Links to Reemployment no later than December 31, 2017. Both Links to Reemployment and RESEA serve initial claimants who are most likely to exhaust unemployment benefits and would benefit from workforce and reemployment services. Individuals are selected through Connecting Colorado, based on an

algorithm that ranks individuals who are likely to exhaust all benefits. Those most likely to exhaust are on the top of the list and should be selected in order.

Once claimants have been selected, the local areas mail each selected individual an orientation letter for the respective program. This letter notifies the individual of their requirement to attend a mandatory orientation and complete any required services in order to maintain eligibility to receive unemployment benefits.

The orientation letter for the respective program may be used to document Dislocated Worker Eligibility, as long as the job of dislocation has not changed. Any person referred to Links to Reemployment (R0 service in Connecting Colorado) or RESEA (A0 service) is considered eligible for the DW, whether they attend the orientation or not.

The orientation letter can be used to document eligibility for Dislocated Worker programs and discretionary grants for up to five years from the date of issuance, if the customer is still unemployed or underemployed and looking for work. The orientation letter must include the specific claimant contact and orientation information for inclusion in the eligibility documentation section of the customer case file. The appropriate orientation letter shall be scanned into Connecting Colorado (Store Documents section of ES applicant page) so that the letter may be accessed by any local area.

Even though the orientation letter by itself is the only document needed to meet the specific requirements of DW eligibility, local areas still need to obtain basic WIOA eligibility documentation, including the Affidavit of Immigration, plus proof of age and Selective Service registration. (See PGL WIOA-2015-05: WIOA Eligibility for Title I Programs, Dislocated Worker Eligibility)

If the orientation letter is not available, local areas must rely on other methods to document eligibility, such as the UI Notice of Decision, statement of wages, and 6 weeks of job search logs or LMI data for documentation of layoff, UI eligibility and unlikely to return, etc.

III. USE OF THE UI NOTICE OF DECISION TO DOCUMENT LAYOFF AND UI MONETARY ELIGIBILITY (See attachment 2 for sample UI Notice of Decision)

Local areas have been utilizing the UI Notice of Decision to document a layoff, as well as UI eligibility, when the notice contains the following legal citation:

Colorado Employment Security Act 8-73-108(4)(a)

This citation is specifically defined to mean that the claimant has been laid off due to lack of work, and will be getting a full award of benefits without a disqualification.

However, there are 21 other citations that also mean that the claimant is being granted a full award without a disqualification. USDOL has recently reviewed all of these UI citations and has determined that if any one of them appears on the UI Notice of Decision, the Notice may be used to document layoff and UI eligibility. **These citations always start with 8-73-108(4), but can end with a different letter from (a) through (v).** Each letter signifies a different definition. The intent of the law is to determine who is responsible, and 8-73-108 (4) indicates 'through no fault of their own.' Thus the claimant is considered out of work and not responsible for the separation when any of the 'a' through 'v' definitions is used with 8-73-108(4).

The UI Notice of Decision **cannot** be used to document layoff and UI eligible when the following citation is used: **Colorado Employment Security Act 8-73-108(5)(e)**

This citation indicates that a disqualification has been applied against the claim.

NOTE: Please note that not all claimants receive a Notice of Decision. Only claimants who had some type of issue on their claim will receive this notice. Workforce Local areas will need to use other forms of documentation in these cases.

IV. USE OF CUBS 03 and 04 SCREEN PRINTS TO DOCUMENT LAYOFF ONLY (See examples below)

- The CUBS 04 screen covers the base period of a claim and contains two codes that identify the reasons for a job separation, one for the claimant's stated reason and one for the employer's stated reason. The CUBS 03 screen covers the time period after the base period of the claim and contains the separation codes for that time frame.
- The 09 code indicates the separation reason is due to lack of work. An 03 or 04 screen can be used to document a layoff:
 - if both the Claimant and Employer Separation columns have 09 codes (see Sample 1 below). **Or,**
 - if the Claimant column has 09, but the Employer column has 00 **and** the Due Date is past (see Sample 2 below). **Or,**
 - if the Claimant column has 09 and the Employer has OA, **and** the CUBS 20 screen indicates a full award of benefits without a disqualification (see section IV below).Any other code will not be acceptable as a reason for separation. For example, a code 20 indicates that there was a discharge; however, the reason for discharge is undefined. An 03 or 04 screen with a code 20 cannot document a layoff.
- In cases where the coding in the Claimant and Employer Separation columns are different from the combinations listed above, the 03 or 04 screen cannot be utilized as there is a disagreement between the employer and claimant regarding the separation reasons.
- The case manager may print the CUBS screen and place it in the case file. The case manager should also mark the printout as documenting layoff for DW eligibility in lieu of a layoff notice and yellow highlight both the 09 code(s) and the name of the employer.

04 Screen Sample 1: Acceptable Documentation of Layoff for DW

An 04 screen from CUBS that shows code 09 in both Claimant and Employer Separation columns (**CLMNT SEP, EMPL SEP**) and will be accepted as documentation of layoff in situations where a layoff letter is not available.

03/01/2005

- BASE PERIOD EMPLOYERS -

04

SSN: 123 45 6789 0

NAME: Duck, Donald

BYE: 12/14/2002

NO. OF EMPLOYERS: 01

EMPLOYER NO: 01 ACCOUNT: 001234.00-8 NAME: **Disney Land Inc.**

REIMBURSIBLE: N SEASONAL: N START: END:
 EMPLOYER FACT FINDING -- DUE DATE: 12/31/2001 RECEIPT DATE: 12/21/2001 2ND:
 N
 CLAIMANT FACT FINDING -- DUE DATE: 12/13/2001 RECEIPT DATE: 12/13/2001 2ND:
 N

WAGES	WAGE SOURCE	START DATE	END DATE	CLMNT	EMPL
				SEP	SEP
QTR 1: 13335.20	3	05/28/1974	12/13/2001	00	09
QTR 2: 14818.49	3	05/28/1974	12/13/2001	09	00
QTR 3: 13542.74	3			00	00
QTR 4: 14939.73	3			00	00
TOTAL: 56636.16	0			00	00

PAY RATE: 3600.00 UNIT: 6 LAST EMPLOYER: N TYPE:

00
 INITIAL POTENTIAL CHARGE: 10140.00
 CURRENT POTENTIAL CHARGE: 10140.00
 FOR MORE THAN 1 EMPLOYER DEPRESS PF2

04 Screen Sample 2: Acceptable Documentation of Layoff for DW

An 04 screen from CUBS that shows 09 in only the Claimant Separation column (CLMNT SEP) will be accepted **only** if the Employer Fact Finding period has expired (see date in blue). This may be used as documentation of layoff in situations where a layoff letter is not available.

03/01/2005 - BASE PERIOD EMPLOYERS -
 04

SSN: 123 45 6789 0 NAME: Duck, Donald BYE: 12/14/2002

NO. OF EMPLOYERS: 01

EMPLOYER NO: 01 ACCOUNT: 001234.00-8 NAME: Disney Land Inc.
~~REIMBURSIBLE: N SEASONAL: N START: END:~~
 EMPLOYER FACT FINDING -- DUE DATE: 12/31/2001 RECEIPT DATE: / / 2ND:
 N
 CLAIMANT FACT FINDING -- DUE DATE: 12/13/2001 RECEIPT DATE: 12/13/2001 2ND:
 N

WAGES	WAGE SOURCE	START DATE	END DATE	CLMNT	EMPL
				SEP	SEP
QTR 1: 13335.20	3	05/28/1974	12/13/2001	00	00
QTR 2: 14818.49	3	05/28/1974	12/13/2001	09	00
QTR 3: 13542.74	3			00	00
QTR 4: 14939.73	3			00	00
TOTAL: 56636.16	0			00	00

PAY RATE: 3600.00 UNIT: 6 LAST EMPLOYER: N TYPE:

00
 INITIAL POTENTIAL CHARGE: 10140.00
 CURRENT POTENTIAL CHARGE: 10140.00
 FOR MORE THAN 1 EMPLOYER DEPRESS PF2

V. USE OF THE CUBS 20 SCREEN TO DOCUMENT LAYOFF ONLY (See attachment 3 for sample CUBS 20 screen)

The use of the CUBS 20 screen to document a layoff should be used as a last resort. Assessing the reason for the layoff can be very technical when postponements and reductions are identified in the decision code.

To simplify and reduce confusion when interpreting the UI decision coding to determine a layoff, please follow these general guidelines: If you see a number other than a 0 in the third section, do not use this document. However, reviewing the reason for a specific decision on the 30 screen may provide insight as to whether a person was considered laid-off by the Division of UI.

There are many instances of CUBS 03 and 04 screens that do not contain the 09 code in the either the Claimant or Employer Separation columns. In such cases, local areas should check the CUBS 20 screen for the code that appears in the column titled: **Letter Sent**. This code will always have 6 digits that are split in three sections, separated by dashes. There can be multiple codes listed under Letter Sent. However, if any of the codes listed has a 01, 02, or 03 in the first section **AND** a 0 in third section of the code (such as 02-201-0), this indicates a full award of UI benefits with no disqualifications, and the 20 screen can be used to document a layoff or separation not attributable to the claimant.

The CUBS 20 screen may also contain any **reversals of decisions** that originally resulted in disqualifications. When such a reversal results in a full award with no disqualifications, the Letter Sent code will have a 01, 02, or 03 in the first section, **333** in the second section, and a 0 in the third section of the code (such as 02-333-0). In these instances, the 20 screen can be used to document a layoff or separation not attributable to the claimant. At the same time, it is possible for a full award to be reversed to an award with a disqualification. When this happens, the code in the Letter Sent column will have a 333 in the middle section and a 2, 3, or 4 in the third section (such as 02-333-4). This type of reversal means that the CUBS 20 screen cannot be used to document a layoff.

A print of this screen should be placed in the case file with the appropriate Letter Sent code highlighted. (**Please Note:** The CUBS 30 screen further documents the 20 screen by providing the result of the review of the separation, the decision issued, and who is responsible for the separation.)

VI. USE OF W5 AND 04 SCREENS TO DOCUMENT UI MONETARY ELIGIBILITY

W5 Screen – Pseudo Monetary Determination

The W5 Pseudo Monetary Determination screen shows wages earned by the claimant in the current claim base period. If this screen shows \$2,500 or more in total wages earned, it can be used to document UI monetary eligibility.

04 Screen – Acceptable Documentation for Monetary Eligibility

The W5 and W6 screens are the most accurate screens to document monetary eligibility for UI, but the 04 screen may be used if quarterly earnings exceed \$2,500. The 04 screen can be used to document monetary eligibility for workforce purposes by viewing the base period wages listed for the first 4 of the 5 quarters; however, any discrepancies or out of state wages will not show on the 04 screen.

04 Screen Sample 3: Acceptable Documentation of UI Monetary Eligibility for DW.

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EMPLOYER FACT FINDING -- DUE DATE: 12/27/2016 RECEIPT DATE: 01/24/2017 FORM: P
CLAIMANT FACT FINDING -- DUE DATE: 12/12/2016 RECEIPT DATE: 12/12/2016 2ND: N
```

	WAGES	WAGE SOURCE	START DATE	END DATE	CLMNT SEP	EMPL SEP
QTR 1:	9588.00	3			00	0A
QTR 2:	14476.00	3	02/03/2003	12/12/2016	10	00
QTR 3:	10832.00	3			00	00
QTR 4:	11292.00	3			00	00
TOTAL:	46188.00	0			00	00

PAY RATE: 28.00 UNIT: 1 LAST EMPLOYER: Y TYPE: 00
INITIAL POTENTIAL CHARGE: 13416.00
CURRENT POTENTIAL CHARGE: 13416.00
FOR MORE THAN 1 EMPLOYER DEPRESS PF2
TRANSACTION OPTION:

VII. USE OF THE W6 SCREEN FOR UI MONITARY ELIGIBILITY OR JOB OF DISLOCATION

The W6 screen shows a list of all wages reported to UI for a particular claimant over the last 5 years. Wages are listed in employer account number order (lowest to highest). When the W5 screens has less than \$2500 in wages, the W6 screen may show wages in additional quarters that can be used to document UI eligible. But for the most part this screen is more useful for helping verify the job of dislocation.

Samples Attached

1. RESEA Orientation Letter, UIW-2 Form (see p. 7 below)
2. UI Notice of Decision (see pp. 8-9 below)
3. CUBS 20 Screen (see p. 10 below)



DEPARTMENT OF LABOR AND EMPLOYMENT
 Unemployment Insurance Division
 P.O. Box 400
 Denver, Colorado 80201-0400
 303-318-9000 or 1-800-388-5515

Date 03/01/2017

Jane Claimant
 1234 Main Street
 Denver, CO
 80202

Dear: Jane

MANDATORY REEMPLOYMENT SERVICES AND ELIGIBILITY ASSESSMENT ORIENTATION

Reemployment Services and Eligibility Assessment (RESEA) is a program designed to prepare you for your next successful career move. Our partners at your local workforce center will introduce you to a wide range of services and resources that can help you return to work more quickly. Based on your employment history and skills, you have been selected to participate in an RESEA orientation.

You must attend the mandatory RESEA orientation. If you do not attend, you run the risk of losing or having a delay in payment of unemployment benefits.

Why is this workforce center **RESEA orientation mandatory**? Our goal is to help you find sustainable employment sooner and reduce the amount of time you are between jobs while we provide you with partial wage replacement. To improve your chances of getting hired, it is important that you stand out from the competition, which is what our workforce professionals can do for you!

There are a series of activities that **you must complete before** attending your scheduled RESEA orientation. Visit www.colorado.gov/cdle/reemployment to complete the following required activities:

- Create or update your Connecting Colorado account
- Review local labor market information
- Complete and print an online self-assessment
- Complete and print your weekly work-search log
- Attend your orientation
- Attend your one-on-one meeting

Bring this letter with you to your scheduled RESEA orientation at your local workforce center. Plan on spending **2 hours** at this orientation where we can discuss next steps and go over your reemployment plan.

Date 03/14/2017

Time 9 AM

Workforce Center Location

Westside Workforce Center - Office of Economic Development
 1200 Federal Blvd.
 Denver, CO 80204

If you have a conflict with the date and time, please call your local workforce center **at least one day in advance** of your scheduled appointment at 123.123.1234 to reschedule. Keep in mind that even if you reschedule your appointment, your unemployment benefits may be withheld for the week of the originally scheduled orientation depending upon the reason for rescheduling.

IMPORTANT! This document contains important information about your unemployment compensation rights, responsibilities and/or benefits. It is critical that you understand the information in this document. If needed, call 303-318-9000 for assistance in the translation and understanding of the information in the document you have received.

¡IMPORTANTE! Este documento contiene información importante sobre sus derechos, obligaciones y/o beneficios de compensación por desempleo. Es muy importante que usted entienda la información contenida en este documento. Si necesita asistencia para traducir y entender la información contenida en el documento que recibió, llame al 303-318-9333.

Colorado Department of Labor and Employment, Unemployment Insurance Program
P.O. Box 8988, Denver, CO 80201-8988

Claimant Social Security Number 123-45-6789	Date Mailed 07/10/2012
Employer Account Number 987654.00-3	Last Day of Claim 06/08/2013
Employer Charging Information Chargeable	Deputy ID 0986
	Issue ID 01

Joseph A Claimant
251 East 12th Avenue
Denver, CO 80201

NOTICE OF DECISION

Section of Law Used: 8-73-108 (4)(a)

Decision:

YOUR EMPLOYMENT ENDED WHEN YOUR HIRING AGREEMENT WAS COMPLETED.

IT IS DETERMINED YOU ARE ENTITLED TO BENEFITS ATTRIBUTABLE TO THIS EMPLOYMENT PROVIDED THAT YOU CONTINUE TO MEET ALL WEEKLY ELIGIBILITY REQUIREMENTS.

Any party to this decision may disagree with (appeal) it. To appeal, turn over this form and fill out the information on the other side. This decision is final unless we receive a written appeal no later than 20 calendar days from .

Claimant: Continue to request payment on CUBLine Online or CUBLine while you are waiting to hear about your appeal.

