

EMPLOYMENT AND TRAINING ADMINISTRATION ADVISORY SYSTEM U.S. DEPARTMENT OF LABOR Washington, D.C. 20210	CLASSIFICATION Reemployment/EUC
	CORRESPONDENCE SYMBOL OUI/OWI
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ADVISORY: **TRAINING AND EMPLOYMENT GUIDANCE LETTER NO. 20-11, Change 1**

TO: STATE WORKFORCE AGENCIES
 STATE WORKFORCE LIAISONS
 UNEMPLOYMENT INSURANCE DIRECTORS
 EMPLOYMENT SERVICE DIRECTORS

FROM: JANE OATES /s/
 Assistant Secretary

SUBJECT: Reemployment Services (RES) and Reemployment and Eligibility Assessment (REA) Activities for Recipients of Emergency Unemployment Compensation (EUC)

1. Purpose. To respond to questions from states about new requirements for the EUC RES/REA for certain recipients of EUC.

2. References.

- *Middle Class Tax Relief and Job Creation Act of 2012*, Public Law (Pub. L.) 112-96 (February 22, 2012), Title II, Sections 2001-2184 (Extended Benefits, Reemployment and Program Integrity Improvement Act);
- *Supplemental Appropriations Act, 2008*, as amended, Pub. L. 110-252 (June 30, 2008), Title IV, Sections 4001-4007 (EUC Act);
- Wagner-Peyser Act, as amended, 29 U.S.C. 49 et seq.;
- Workforce Investment Act of 1998 (WIA), as amended, 29 U.S.C. 2801 et seq.;
- WIA Regulations, 20 CFR parts 652 and 660-671;
- Unemployment Insurance Program Letter (UIPL) No. 41-94, *Unemployment Insurance Program Requirements for the Worker Profiling and Reemployment Services System*;
- UIPL No. 12-01, *Outsourcing of Unemployment Compensation Administrative Functions*, and its Change 1;
- UIPL No. 23-08, *Supplemental Appropriation Act, 2008, Title IV—Emergency Unemployment Compensation*, and its Changes 1-6;
- UIPL No. 04-10, *Extension of Temporary Provisions – Emergency Unemployment Compensation, 2008, Federal Additional Compensation, and Extended Benefits*, and its Changes 1-9;
- UIPL No. 30-11, *State Responsibilities Regarding Limited English Proficient (LEP) Individuals*;
- UIPL No. 10-12, *Fiscal Year (FY) 2012 Unemployment Insurance (UI) Reemployment and Eligibility Assessment (REA) Grants*;

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- Training and Employment Guidance Letter (TEGL) No. 20-11, *Reemployment Services and Reemployment and Eligibility Assessment Activities for Recipients of Emergency Unemployment Compensation*;
- UIPL No. 41-94, *Unemployment Insurance Program Requirements for the Worker Profiling and Reemployment Services System*; and
- General Administration Letter (GAL) 5-77, *Eligibility Review and Reemployment Assistance Programs for UI Claimants*.

3. Background. Providing effective reemployment services to the unemployed (including the long-term unemployed) and minimizing improper payments are high priorities for the U.S. Department of Labor (Department) and its partners, the state workforce agencies. Section 2142 of the Middle Class Tax Relief and Job Creation Act of 2012 (the Act) added subsection (i) to Section 4001 of the EUC Act, requiring that states operating an EUC program provide RES and “in person” REAs to individuals who began receiving EUC First Tier benefits or who transitioned from First Tier to Second Tier benefits on or after March 23, 2012. The RES/REA activities that Section 4001(i)(2)(A) of the EUC Act makes mandatory are:

- 1) The provision of labor market and career information;
- 2) An assessment of the skills of the individual;
- 3) Orientation to the services available through the American Job Centers (formerly known as One-Stop Career Centers) established under Title I of Workforce Investment Act (WIA); and
- 4) A review of the eligibility of the individual for EUC relating to the job search activities of the individual (see description of the new Section 4001(b)(4) of the EUC Act below).

The four activities listed above are mandatory. States may provide additional services as described in Section 4001(i)(2)(B) of the EUC Act, as amended, and may include the provision of:

- 1) Comprehensive and specialized assessments;
- 2) Individual and group career counseling;
- 3) Training services;
- 4) Additional reemployment services; and
- 5) Job search counseling and the development or review of an individual reemployment plan that includes participation in job search activities and appropriate workshops.

Note: TEGL No. 20-11 (Background section on page 3) indicated after “Training Services,” (number 3 listed above) that “the Department has interpreted this to mean referrals to appropriate training.” However, as part of these optional services, states may also choose to provide training services directly (see item H., Training Services, in the Attachment to this TEGL).

Section 4001(i)(1)(B) of the EUC Act, as amended, requires individuals (who begin receiving EUC First Tier benefits or who transition from First Tier to Second Tier benefits on or after March 23, 2012) who are referred to RES/REA services to participate in these services to receive EUC benefits. To remain eligible for benefits week-to-week, these individuals – and all EUC claimants – must “actively seek work,” which includes:

- Registering for employment services as prescribed by the state agency;
- Engaging in an active search for work that is appropriate in light of the labor market and the individual's skills and capabilities, and includes an appropriate number of employer contacts as prescribed by the state;
- Maintaining a record of his/her work search, including employers contacted, method of contact, and date of contact; and
- When requested, providing the work search record to the state agency.

Claimant Notifications: States must notify individuals of the requirement to participate in RES/REA services and take reasonable steps to ensure individuals understand what is required of them and the effect that failing to meet the requirements will have on their eligibility for EUC benefits. UIPL No. 30-11, *State Responsibilities Regarding Limited English Proficient (LEP) Individuals*, provided sample Tag lines that states should include in their notices to communicate important information to claimants, such as appeal instructions or appointment times. The Employment and Training Administration's (ETA) Regional Offices sent translations of the sample Tag lines, in the ten most common languages spoken nationally (Spanish, Chinese, French, German, Tagalong, Italian, Vietnamese, Korean, Polish, and Russian), to states in their respective regions. Any states needing another copy of these translations should contact the appropriate ETA Regional Office.

4. Action Requested. State Administrators are requested to provide this information to the appropriate staff.

5. Inquiries. Inquiries should be directed to the appropriate Regional Office.

6. Attachment. Reemployment Services and Reemployment and Eligibility Assessments (RES/REAs) for Recipients of Emergency Unemployment Compensation (EUC): Questions and Answers