

received 5/17/10



STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

Department of Labor and Training

Center General Complex
1511 Pontiac Avenue
Cranston, RI 02920-4407

Telephone: (401) 462-8000
TDD: (401) 462-8006

Donald L. Carcieri
Governor
Sandra M. Powell
Director

May 14, 2010

Gay Gilbert, Administrator
Office of Workforce Security
200 Constitution Avenue NW
Room S-4231
Washington, DC 20210

Dear Ms. Gilbert:

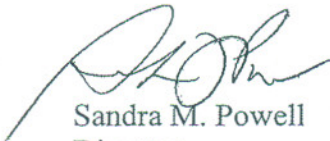
The State of Rhode Island is applying for the one-third Unemployment Compensation Modernization incentive payment pursuant to Section 2003(a) of the American Recovery and Reinvestment Act of 2009, Public Law 111-5.

Rhode Island Employment Security law (RIGL section 28-42-3(3) attached) has contained an alternate base period provision since October 4, 1992. The alternate base period definition is a permanent provision of our state law and is not subject to discontinuation under any circumstances other than repeal by our state legislature.

Rhode Island intends to use approximately \$4.3 million of these funds to increase staffing in our Unemployment Insurance (UI) call center to address the backlogs in UI claims intake and processing that we have been experiencing due to our high unemployment rate. The remainder of our \$7.8 million incentive payment will be placed in our Employment Security Fund and be available to pay UI benefits.

If you have any questions on this application, please feel free to contact me or Raymond Filippone, Assistant Director of Income Support, at 401-462-8415 or rfileppone@dlt.ri.gov.

Sincerely,



Sandra M. Powell
Director

Cc: H. O'Brien

Attachment

State of Rhode Island General Laws

TITLE 28 Labor and Labor Relations

CHAPTER 28-42 Employment Security – General Provisions

SECTION 28-42-3

§ 28-42-3 **Definitions.** – The following words and phrases, as used in chapters 42 – 44 of this title, have the following meanings unless the context clearly requires otherwise:

(3) "Base period", with respect to an individual's benefit year means the first four (4) of the most recently completed five (5) calendar quarters immediately preceding the first day of an individual's benefit year. For any individual's benefit year and for any individual deemed monetarily ineligible for benefits for the "base period" as defined in this subdivision, the department shall make a re-determination of entitlement based upon the alternate base period which consists of the last four (4) completed calendar quarters immediately preceding the first day of the claimant's benefit year. Notwithstanding anything contained to the contrary in this subdivision, the base period shall not include any calendar quarter previously used to establish a valid claim for benefits; provided, that notwithstanding any provision of chapters 42 – 44 of this title to the contrary, for the benefit years beginning on or after October 4, 1992, whenever an individual who has received workers' compensation benefits is entitled to reinstatement under § 28-33-47, but the position to which reinstatement is sought does not exist or is not available, the individual's base period shall be determined as if the individual filed for benefits on the date of the injury;



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May 20, 2010

Gay Gilbert, Administrator
Office of Workforce Security
200 Constitution Avenue NW
Room S-4231
Washington, DC 20210

Dear Ms. Gilbert:

This is an addendum to Rhode Island's application for the one-third Unemployment Compensation Modernization incentive payment pursuant to Section 2003(a) of the American Recovery and Reinvestment Act of 2009, Public Law 111-5. We have been notified by your staff that our original application did not include the good faith certification statement required by UIPL 14-09, Change 1.

I hereby certify that this application is submitted in good faith with the intention of providing benefits to unemployed workers who meet the eligibility provisions on which the application is based.

If you have any additional questions on this application, please feel free to contact me or Raymond Filippone, Assistant Director of Income Support, at 401-462-8415 or rfilippone@dlt.ri.gov.

Sincerely,

Sandra M. Powell
Director

Cc: H. O'Brien