



## NEW YORK STATE WORKFORCE DEVELOPMENT SYSTEM TECHNICAL ADVISORY

### Workforce Development System Technical Advisory # 11-10

**TO:** Workforce Development Community

**DATE:** September 7, 2011

**SUBJECT:** Failure to Report (FTR) Guidelines Relating to the Re-Employment and Eligibility Assessment (REA) Program.

**Purpose:** To disseminate new guidelines concerning failure-to-report (FTR) occurrences by Re-Employment and Eligibility Assessment (REA) participants.

**Action:** WIB Directors and REA Managers/Supervisors should communicate the new FTR guidelines to all REA staff and ensure their understanding and compliance.

**Background:** The United States Department of Labor has provided the New York State Department of Labor (NYSDOL) with REA Grants to provide enhanced services to recipients of regular Unemployment Insurance (UI) benefits. New federal guidance requires grant recipients to address each FTR and have the circumstances adjudicated by the UI Division (UID). This guidance now includes the first FTR **for a REA specific appointment**, which is a change from past procedures.

**Policy:** Any FTR incurred by a REA participant, **for a REA specific appointment**, will result in a four (4) week hold on claimant UI benefits. "REA specific" appointments are defined as only those appointments labeled in the Re-Employment Operating System (REOS) as "1<sup>st</sup>, 2<sup>nd</sup>, 3<sup>rd</sup> REA" and "rescheduled 1<sup>st</sup>, 2<sup>nd</sup> and 3<sup>rd</sup> REA". This includes a REA specific appointment that is missed for the first time. If REOS does not automatically choose the option to hold UI payment, staff must manually override the system according to procedures contained in Attachment A.

Any appointment missed by a REA participant that results in a second or subsequent FTR will also result in a four (4) week hold on claimant UI benefits. This includes re-employment services appointments, REA specific appointments, workshops, etc. REOS will automatically choose the option of placing a UI hold on any second or subsequent FTRs and no manual override is necessary.

Once benefits have been placed on a four week hold, they can be restarted when the REA participant reports to the One-Stop Career Center, as long as the participant continues to be eligible for UI benefits. It may be necessary to have the claimant complete a QNMD01 questionnaire (Attachment B), as outlined below.

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### Address Changes:

If the FTR is due to non-receipt of the appointment letter (i.e., address change), it is not necessary for the claimant to complete the QNMD01 questionnaire. In such cases, and presuming that the claimant is still UI eligible, once (s)he reports to the One-Stop Career Center, *all* UI benefits, including any which were “held”, will be available within 7 – 10 days after the REA staff person enters the appropriate activities into the One-Stop Operating System (see Attachment C).

### Benefits Held Prior to the Claimant Reporting to the One-Stop Career Center:

If the FTR is due to reasons other than an address change, days and/or weeks of UI benefits which *were held prior to reporting to the One-Stop Career Center* may be paid retroactively if the claimant completes a QNMD01 questionnaire. This questionnaire will serve as the basis for the UID’s determination of continued eligibility. The questionnaire is voluntary.

### Subsequent UI Payments:

Future benefits will be restarted and available to the claimant within 7 – 10 days after reporting to the One-Stop Career Center, as long as the claimant is still UI eligible. The QNMD01 questionnaire is not required to restart future benefits.

Staff will process FTRs according to the attached procedures. This policy pertains **ONLY** to FTRs incurred by REA participants (not control group participants, walk-ins or other non-REA claimants).

***Inquiries may be directed to:*** Gloria Hessel ([gloria.hessel@labor.ny.gov](mailto:gloria.hessel@labor.ny.gov))

### ***Attachments:***

- A. How to Place an FTR Hold in REOS
- B. QNMD01 Questionnaire
- C. FTR procedure for REA participants – Effective August 8, 2011
- D. FTR to One Stop Procedure (August 19, 2011)