Unemployment Insurance Agency

Michigan Manufacturers Association (MMA) Webinar
March 13, 2020
10:30 a.m. – 11:30 a.m.
Overview: Today’s Agenda

- Work Share Program
- Temporary Layoff Waivers
- Employer Filed Claims (EFC)
- Trade Adjustment Assistance (TAA)
- Questions & Answers
Employers: Unemployment Programs

- Work Share Program
- Temporary Layoff Waivers
- Employer Filed Claims
- Trade Adjustment Assistance (TAA)
Work Share Program

Presenter: Avis Johnson
Office of Employer Ombudsman (OEO)
What is Work Share?

- An option for employers to reduce employee hours instead of cutting the workforce
- Helps employers retain their skilled workforce and helps workers maintain their jobs during a downturn in business
Advantages of Work Share

- Minimizes or eliminates the need for layoffs
- Businesses can reduce employee work hours to reflect decreases in business demand
- Enables a business to retain trained employees and avoid the expense of recruiting; hiring and training new employees when business improves
- Saves money and keeps your skilled workforce intact
- Can be used in almost any type of business or industry
- Employees are spared the hardship of full unemployment and receive more income than if they were fully laid off
How Work Share Works

• Rather than being laid off, employees work a reduced number of hours and receive a portion of their potential weekly unemployment compensation based on the percentage of the reduction in hours.

Example:

*If a worker’s weekly unemployment benefit amount is $360 and their hours and wages are reduced by 20%, the worker would receive a weekly Work Share benefit payment of $72 ( $360 x 0.20 = $72)*
Work Share Eligibility

• Unemployment taxes must be current

• Experience account balance must have “positive reserve”

• Must have paid wages for 12 of the previous quarters
Work Share Requirements

- Employee work hours reduced by at least 15% not more than 45%
- All employees in the affected unit must participate
- Cannot hire new employees into the affected work unit or transfer employees into the unit, nor reduce work hours below the number agreed
- Plans may be approved for up to 52 weeks
Who Can Participate?

- Any employer who has a reduction in production, services or other conditions which will cause potential layoffs

- Participating employees must:
  1. Be eligible for regular unemployment benefits
  2. Be full time employees
  3. Have earned a sufficient amount of wages in order to establish an unemployment claim and receive Work Share benefits

*Work Share does not apply to seasonal, temporary, or intermittent employment*
Details for a Work Share Plan

• You can implement a Work Share plan for one or more departments, shifts, or units. A unit consists of two or more employees.

• You have the flexibility to stop or continue within the timeframe of your approved application.
For more Information: Work Share

For more information about Work Share visit our website a
www.Michigan.gov/uia

or call
1-844-WORKSHR (967-5747)
Temporary Layoff Waivers

Presenter: Ruth Oosterhouse
Benefits – Lansing Office
Short Term Layoff Waiver

Granted when a claimant is laid off with a definite back to work date that is not more than 15 consecutive calendar days from the first day of scheduled unemployment.

Registering for work and seeking work are waived for the 2-week period. The claimant will be required to register for and seek work if the layoff subsequently exceeds the 15 days.
Registration and Seeking Work Waiver (RSW)

• Is requested by an employer that has or will be temporarily laying off employees due to lack of work for a period of 45 days or less.

• The RSW exempts the claimants from the work registration and seeking work requirement for the 45-day period.

• The following conditions must be met for the RSW waiver to apply:
  ❖ The separation reason is lack of work
  ❖ The employer has timely notified Unemployment Insurance Agency, through their MiWAM account or in writing that the layoff is temporary, and work is expected to be available for the claimant within 45 days of the last day worked.

• The employer has the option to request the waiver on-line through their MiWAM account which is the preferred method (because it automatically attaches to the employees claim) or in writing.
Registration and Seeking Work Waiver (RSW) continued:

How to request the waiver On-line:

• Log into your MiWAM account

• [https://miwam.unemployment.state.mi.us/EmpMiWAM/](https://miwam.unemployment.state.mi.us/EmpMiWAM/)

• Click on UI Tax; then click on Account Services

• Under benefits services click on Seeking Work Waiver, enter the last day of work and back to work date and then submit.

• If information highlights red, it does not meet one of the criteria and cannot be submitted.

• Requests must be received before the layoff occurs (no later than the week prior to the layoff)

• If the request meets all of the criteria the waiver will automatically attach to the employee’s claim when they file.
Screenshot from Employer MIWAM
Common Obstacles Encountered with the RSW:

- Waivers requests must be received timely and cannot be backdated.

- The last day worked via the employer’s request must match the date the claimant entered when filing in order for the waiver to apply.

- Waivers cannot be extended. The claimant is required to return to work before a new waiver can be considered.

- The Short-Term Waiver (15-day) will “override” the RSW (45-day) if the claimant enters a last day work and back to work date within 15 days.

- Claimants must file their claim correctly, ensuring the employer is listed by name.
Helpful Hint for Claimant

- Enter the EAN and FEIN number or if you do not know the number, click on “I Don’t Know my employer’s EAN or FEIN”.
- If you see your employer(s) you have worked for, click on the hyperlink.
  - This will populate the Employer Questions,
  - If you do not see your employer(s) listed that you have worked for since you last claimed benefits, you will need to add them manually.

To add manually:
- click on “Click here to add an Employer”
No employer, no place for waiver to attach.

- Claimant must see an employer to complete the claim filing process.
Resources

• Unemployment Insurance Agency website
  • https://www.Michigan.gov/UIA

• Form UIA 1711, Unemployment Compensation Notice To Employees – is a form employers are required to give their employees upon separation and contains important information for the unemployed worker to identify the employer. This is not a waiver form.

• For account questions please contact the UIA Office of Employer Ombudsman at 1-855-484-2636.

• Waiver requests or questions:
  • Fax to (517) 393-8901
  • Contact –Ruth Oosterhouse, Centralized Response Team manager, at oosterhouser@michigan.gov

• Fact Sheet 160, Claiming Unemployment Benefits in Michigan
What is the Employer Filed Claims Program?

The EFC program allows authorized employers to submit unemployment claims information online on behalf of their full-time workers who are temporarily or permanently laid off.

This fast, secure way of transferring claims information allows the employer to better manage the accuracy of the information provided to LEO-UIA. Using EFC also means employers will have a record of all approved layoffs to match against incoming unemployment charges to your account.
Is The Employer Filed Claims Program Right For You?

1. Have at least one or more layoffs a yearly.

2. Have full-time, permanent employees that file for unemployment benefits at least once a year.

3. Have a Michigan Web Account Manager (MIWAM). This is how to access and submit a file.
Benefits To EFC Program Participants

- An exclusive team of UI customer service professionals and a toll-free hotline to service the needs of EFC program participants and their workers.
- A temporary waiver of the work registration requirement are available to assist employers with workforce retention efforts during short-term layoffs.
- Informational meetings and custom help resource materials are available for employers and their workers prior to a known layoff.
Authorization Process

- Consult with an EFC Analyst regarding the file specification to ensure all necessary claim information and software is available for claims submission.
- Review email of the Memo of Understanding (MOU), File Specification and Sample File.
- Company officer signs MOU
- EFC Analyst authorizes your employer account for Employer Filed Claims
- Informational seminars for upcoming layoff can be scheduled and informational fliers are drafted.
膜 of Understanding
(Contract/Agreement)

- Submit an electronic file on every layoff for one or more employees.
- The file will be submitted to UIA by the 8th business after the effective date of layoff.
- The federal requirements relating to verification of each worker's SSN have been met, by the use of W-2 verification system (SSNVS).
- All documents will be mailed to each claimant based on the contact information submitted by your company.
- UIA agrees to electronically transmit a weekly list of benefit payments.
- **Waivers** based on your layoff, are submit during the file process (Applying is not necessary).
If you are an hourly, full-time worker, and are laid off because of lack of work, or as part of a plant shutdown, (employer name) will file an application for benefits on your behalf.

Your claim will be filed no earlier than (8th day after last date worked). You should not take any action until after that time. Labor and Economic Opportunity/Unemployment Insurance (LEO/UI) will send you a notice informing you of your eligibility for benefits.

You must logon to MIWAM or call MARVIN to certify for benefit payments. We strongly encourage you to create a MIWAM account (MARVIN online) to file a claim, if needed, and track the status of your payment. MIWAM will allow you to easily make changes to your claim and respond to information requests.

- For the weeks ending (date) you should certify with MIWAM during the week of (date) to claim all benefits.
- If you make a mistake with your certification, you must contact the LBA at 1-866-666-1111 immediately and speak to a representative. To reach LEO you need to first select your language, then press button number 3 (English) at the first menu and then press button number 3 (LEO) at the second menu.

Please refer to your Monetary Determination (MDR) 1995’s, MRA or MIWAM account for the following information:
- Current reporting schedule
- Michigan Works registration date
- Seeking work and work search requirement

Important Contact Information

Michigan Work Opportunity Development Program: 1-888-389-8262
MARVIN: 1-866-666-1111
LEO: 1-800-848-6781
For questions about your claim: 1-866-389-8262

LEO is a program operated by Michigan Department of Labor and Economic Opportunity. Auxiliary aids services and other accommodations are available to individuals with disabilities.

CASUAL LABOR: 1-800-222-6848, DETROIT, MICHELLE L. 1-800-222-6848

LEO
EFC
Monetary Determination

- UIA 1575C
- Your employer filed your claim.
- Waiver information.
- Claim summary, Weekly Benefit, Weeks Allowed and more.
**EFC**

**Additional Claim Letter**

- **UIA 1220 – Additional Claim**
- **Your employer filed your claim...**
- **Waiver information**
- **Reporting schedule**
EFC Contact Information

TOM SANFILIPPO, MANAGER
313-456-2229

BRAD JEMERSON, ANALYST
313-456-3807

TAWANA ROGERS, ANALYST
313-456-2855

EFC@MICHIGAN.GOV
Trade Adjustment Assistance (TAA)

Presenter: Samuel Johnson
Benefits – Special Programs
Trade Adjustment Assistance

Potentially useful for Human Resources

Provides assistance to workers who lose their jobs as a result of foreign trade (increase in imports, shift in production or acquisition of services from another country).

The intent is to help laid off workers return to work as quickly as possible at a comparable wage.
How Could TAA Be Useful to Employers?

TAA provides additional benefits and services to workers beyond regular unemployment insurance.

Most benefits are available to workers who have a partial separation (hours reduced to less than 80%).

Might be applicable if there have been layoffs in the past 12 months related to foreign trade.

Applies to workers at a specific location, even if foreign trade has not affected other locations.
TAA Eligibility

- Individuals must have a qualifying separation on or after the impact date and before the expiration date of the certification to be eligible to apply for services.

*Workers who have a documented separation in the future (on or after the impact date and before the expiration date of the certification) may be eligible for Classroom Training and Registered Apprenticeships*
Major Components of TAA

- Case Management Services
- Training
- Job Search Allowances
- Relocation Allowances
- Reemployment Trade Adjustment Assistance (RTAA)
- Trade Readjustment Allowances (TRA)
- Health Coverage Tax Credit (HCTC)
Training

• There are 2 types of training:
  • Employer-Based
  • Classroom

Please Note: Eligibility is determined by Michigan Works! and must be approved before enrolling in training.
Employer-Based Training

There are three types of Employer-Based Training:

- On-the-Job Training (OJT)
- Customized Training
- Registered Apprenticeships
Allowances: Job Search & Relocation

• Job Search Allowances: Assist workers to secure suitable work outside of their normal commuting areas
  o May be granted when suitable work is not available within 5 miles of your residence
  o Reimbursement of 90% of allowable costs, up to $1,250

• Relocation Allowances: Enable workers and their families to relocate within the U.S. for suitable work
  o Must have a valid offer of suitable work that is more than 5 miles from your residence
  o Reimbursement of 90% of reasonable and necessary expenses incurred transporting you, your family, and your household items
  o Additional lump sum benefit of up to $1,250 in addition to reimbursement of necessary expenses
Health Coverage Tax Credit (HCTC)

• HCTC covers 72.5% of the premium amount paid by eligible individuals for qualified health insurance coverage

• Available each month you are TRA or RTAA eligible:
  o Collecting TRA payments
  o Collecting Unemployment
  o Collecting the RTAA wage subsidy

• Qualified insurance coverage includes:
  o COBRA
  o A spouse’s group plan for which his/her employer pays less than 50% of the cost
  o A non-group health insurance plan

• [https://www.irs.gov/Credits-&-Deductions/Individuals/HCTC](https://www.irs.gov/Credits-&-Deductions/Individuals/HCTC)
Reemployment Trade Adjustment Assistance (RTAA)

RTAA is a wage subsidy to help bridge the salary gap between old wage and new wage.

Individuals must be at least 50 years old and within the eligibility period to qualify.

New job must pay less than the old job and less than $50,000 per year (not counting overtime).
Unemployment and TRA ($)

(Appplies only if there is TAA Training)

Potential Break in Payments

52 weeks of UI and TRA
Regular Unemployment

Up to 65 weeks
Basic TRA
For Basic TRA:
Must be in training OR have a waiver from training

Additional TRA
For Additional TRA:
Must be in training by the end of Basic TRA

Up to 13 weeks
Completion TRA
For Completion TRA:
Training Benchmarks must be met
The Process

• A petition is submitted to the U.S. Department of Labor (USDOL)

• Petitions can be submitted as follows:
  ✓ Company
  ✓ Union or other duly authorized representative
  ✓ Three or more workers
  ✓ State of Michigan
  ✓ Michigan Works! representative

• USDOL investigates and issues a determination.
Resources

To file a petition or inquire:
State of Michigan, Workforce Development
(517) 335-5858
TAA@michigan.gov

United States Department of Labor website:
https://www.doleta.gov/tradeact/
Questions and Answers
Thank you!