

# DRAFT

## UCFE INSTRUCTIONS FOR STATE AGENCIES

### CHAPTER IV - UCFE CLAIMS PROCESS

#### 1. Taking UCFE First Claims.

A new UCFE claim is a request for determination of eligibility for UC for Federal civilian employees. This claim may be based on only Federal civilian employment and wages, or may also include Federal military service and wages or State-covered employment and wages. The claimant may file a UCFE-only claim, or a joint claim: UCFE-UCX, UC-UCFE, or UC-UCFE-UCX; an intrastate, interstate, or combined-wage claim, depending on the source of employment and wages on which unemployment benefits may be payable.

An interstate UCFE claim will be taken when a claimant's Federal civilian service and wages are assignable to a State other than the State in which the claimant files the initial claim. When a claimant has UCFE wages assignable to more than one State and is separately eligible under different States' laws, the claimant may elect to file against either State in the same manner as any claimant with eligibility in different States. The claimant, having employment in more than one State, may also elect to file a combined-wage claim.

a. Presentation of SF-8 by the Claimant. To the extent possible, before a new UCFE claim is taken, the claims interviewer must determine whether the claimant was a civilian employee of the Federal Government during the State's base period that is applicable to his or her claim. A UCFE claimant must be asked to present the SF-8 at the time a new claim is filed for UCFE. In order that the claimant may understand the request more clearly, the claims interviewer should show the claimant a sample copy of an SF-8.

Generally, intermittent or on-call employees, such as substitute postal clerks, crop insurance adjusters, and persons who are paid only "when actually employed" (WAE's), will receive a SF-8 only once during a calendar year. Normally, it will be issued the first time they are placed in nonpay status by the Federal employer.

The SF-8 provides for the SESA's use, the parent Federal agency name, 3-Digit Federal Agency Code, component name/symbol, and complete address to which the request for separation and wage information (Forms ES-931, etc.) should be sent. A Federal agency contact person/organizational unit and complete telephone number should be provided by the Federal agency.

# DRAFT

## UCFE INSTRUCTIONS FOR STATE AGENCIES

Possession of a SF-8 is not proof that a claimant is a Federal employee or that the person has UCFE entitlement.

Individuals entitled to UCFE benefits must meet all the eligibility requirements of the paying State's law in order to receive UCFE benefit payment.

When a claimant does not present an SF-8, the address for the Federal agency should be obtained from the central office listing. Each SESA's central office has the responsibility for maintaining a current list of Federal agency addresses. This information should be updated by the State agency from recently completed Forms ES-931 or from information provided by the UIS.

Instances of failure of the Federal agency to furnish an SF-8 should be called to the attention of the appropriate Federal agency. Notification may be accomplished by correspondence, telephone call, or personal visit. The importance of the form in expediting UCFE claims processing should be stressed. If a Federal installation's failure to issue the forms is either widespread or continuous, the local office should notify the SESA's central office to arrange for appropriate coordination to visit the Federal installation.

b. Interviewing the UCFE Claimant. The claims interviewer will determine whether or not the claimant has previously filed a new UCFE claim, either since his or her most recent separation from Federal civilian employment or, if such employment was of short duration, within the last 12 months. Questions are to be asked orally of each potential new UCFE claimant to determine if he/she should file a new, additional, or reopened claim. These questions may be added to the State UC new-claim form to expedite the interviewing process. The claimant should also be questioned about any out-of-State claims since, instead of taking a new intrastate UCFE claim, an additional or reopened interstate UCFE claim might be appropriate.

If a new UCFE claim was not previously filed, the claims interviewer should then ascertain, the State to which Federal civilian service and wages are assignable, so that the type of new UCFE claim, intrastate, interstate, or combined-wage, may be determined. The SF-50 (item 39, Duty Station) provides this information. Also, if a new intrastate UCFE claim is taken, the SESA should ensure that Federal civilian service and wages previously assigned to another State are not used again in making a UCFE monetary determination. The claims interviewer should, as a minimum requirement, review the claimant's work history since the beginning of the State's base period that is applicable to

**DRAFT**

**UCFE INSTRUCTIONS FOR STATE AGENCIES**

the claim. Completion of Form IB-1 will adequately cover this area for new interstate UCFE claims.

**Forms ES-931, Request for Wage and Separation Information-UCFE are to be sent to all Federal agencies that provided base year and/or lag quarter employment.**

**The same intrastate claim forms (for internal use by the State agency) and procedures used for new State-UC claims will also be used for new UCFE claims, except the letters "UCFE" are to be added on the face of the new-claim form.**

**SESA forms used for UC claimants requesting separation information should not be sent to Federal agencies.**

The benefit year will be determined in accordance with liable State (the State which will pay benefits) Law.

Generally, all interstate forms and procedures published in ET Handbook No. 392 apply to interstate UCFE claims. The optional use of the Claimant/Employer Separation Statement, Form IB-3, does not apply to Federal employment. This form is not to be sent to a Federal agency or a Federal agency's representative. The liable State will initiate an ES-931 to the Federal agency (or its representative) to obtain both separation and wage information.

**2. New Interstate Claims.**

The claimstaker must ensure that the claimant has answered questions 1 thru 17 of the Initial Interstate Claim, Form IB-1, in a complete and legible manner and must complete items A thru M and items 18 thru 20 of the form. If, at the time of filing, the claimant has available a Notice to Federal Employee About Unemployment Compensation, Form SF-8, the claimstaker should ensure that the agency address where wage and separation information may be obtained as stated on the SF-8 is provided on the Form IB-1. Such address should be entered in space for "payroll address" in Item 15, "Work Record" if it is different from the address of the place of employment in the same item. If the claimant does not present an SF-8, the claimstaker should follow intrastate procedures for ensuring that the correct payroll office address is provided to the liable State for use on Form ES-931.

The agent State is required to complete a Form ES-935 and provide it to the liable State with each new UCFE claim. If the claimant does not have proof of earnings, advise the claimant that such

# DRAFT

## UCFE INSTRUCTIONS FOR STATE AGENCIES

proof may be requested by the liable State. Agent State processing of the initial claim should not be delayed pending proof of earnings provided on the Form ES-935.

### 3. Introduction to Form ES-931, Request for Wage and Separation Information-UCFE.

Form ES-931 is used by the local office and the Interstate Claims Office to obtain Federal civilian employment, wage, and separation information whenever an individual files a potential "first claim" (UCFE), as defined in the Federal UCFE regulations (20 CFR 609.2 (j)).

If two or more States are involved, a Form ES-931 may be used by any of the following: agent State (e.g., new interstate UC claim, UCFE service/wages assignable to agent State), liable State (new interstate UCFE claim), or even a third State. A completed Form ES-931 serves as the basis for determining the individual's creditable Federal civilian service and wages, as well as the reason for separation from the most recent Federal employing agency.

a. A Form ES-931 is sent:

(1) to each Federal agency for which the claimant worked during the base period, and/or lag period, up to the date of separation,

(2) to the last Federal agency for which the claimant worked if the most recent Federal employing agency is other than the Federal agency for which the claimant worked during the base period.

Form ES-931 is to be prepared in the local office or liable State unit and sent to the Federal agency on the same day the new claim is taken or claim documents are received in the liable State unit.

Form ES-931 is used to obtain wage data in the base period and up to the date of separation which may occur after the base period (lag period or lag quarter wages).

The Standard Form 8 (SF-8) is used by the SESA to complete the parent Federal agency name, 3-Digit Federal Agency Code, component name/symbol, and address on the Form ES-931.

The Form ES-935, Claimants Affidavit of Federal Civilian Service, Wages and Reason for Separation is completed by the claimant with

# DRAFT

## UCFE INSTRUCTIONS FOR STATE AGENCIES

the Form ES-931. The Form ES-935 provides the claimant's statement of the reason for separation and wage information. Forms ES-931 and ES-935 are mailed by the SESA to the Federal agency's address on the SF-8.

**NOTE:** When the SESA does not receive the Federal agency response within 12 days of the request date, the SESA will issue a financial and non-monetary determination on the basis of the claimant's information as provided on the Form ES-935.

States using a computer generated Form ES-931 may include the claimant's statement from the Form ES-935 on a computer printout in lieu of attaching the form.

Generally, wages will be requested for the base period (a one year period specified in State law that precedes the effective date of the claim) and the period subsequent to the base period. Federal law (5 U.S.C. 8504) requires the assignment of all Federal civilian wages, preceding the effective date of a first claim, that establishes a benefit year.

a. Authorization for Release of Information. The Privacy Act of 1974 allows a Federal agency to provide wage and separation information to a SESA from general personnel records, including Official Personnel Folders, in connection with the determination of a former Federal employee's entitlement/eligibility for UC. Such disclosure is considered compatible with the purposes of the system of records and is included within the routine uses permitted for those records.

However, separation information pertaining to probationary employees and other employees without appeal rights in cases of removal may not be maintained in the Official Personnel Folders. Therefore, the release of such separation information may require a signed consent of disclosure unless the individual Federal agency has included the SESA as a user, and the UC program as a purpose of use, in its annual notice published in the Federal Register concerning the system of records used to maintain such information. Although the Form ES-931 provides for obtaining a signed consent from the claimant, when necessary, the lack of a signed authorization does not preclude the Federal agency from responding to the State's request for information, except as stated above.



# DRAFT

## UCFE INSTRUCTIONS FOR STATE AGENCIES

### c. Reverse of Form ES-931

#### IMPORTANT NOTICE

If a completed Form ES-931 is not received in this office by the 12th calendar day from the date the first request was made, this agency may pay benefits to the claimant based on his/her affidavit as provided by Department of Labor's Regulation at 20 CFR 609.6(e)(2). Any benefit payments made to the claimant will be charged to the Federal employing agency(ies) in accordance with Section 1023, P.L. 96-499, Omnibus Reconciliation Act of 1980 (94 Stat. 2599).

#### COMPLETION INSTRUCTIONS TO FEDERAL AGENCY (ALSO: SEE FRONT OF THIS FORM)

As an alternative to completing this form, attaching computer printouts containing complete data are acceptable if procedure and forms were cleared with U.S. Department of Labor (attn: TEUMI) Washington D.C. 20210.

State agency has completed Section 1, Identification Data, and Section II, item 2.A. Report of Wages, Quarter Ending and Year for base-period calendar quarters. Section II, item 1.A. asks if the individual performed "Federal Civilian Service". If the Federal agency response is "NO", Questions 1.B. thru 1.F. are to be completed. Item 1.G. will be answered when the individual has performed "Federal Civilian Service". The information is available on the SF-50 or Payroll records. Provide a separate attachment if necessary.

Items 2.A., 2.B., and 2.C. For item 2.A., enter, either gross wages, when paid, in Federal Civilian Service or "none" if no wages for that period. Do not include as wages: (1) severance pay; (2) lump sum payment(s) for terminal annual leave, or (3) any other type of separation payment. For item 2.B., enter hours, such as 8 and 40 for full-time employee. For item 2.C., enter only Section 1 corrections, such as social security number shown on Federal agency's records.

Item 3.A. Enter data requested, generally self-explanatory.

Items 3.B. and 3.C. Enter dates requested. The date in item 3.C., includes annual and sick leave days if earlier than the date of separation (3.B.) or if employee is not separated.

Item 3.D. Obtain agency findings from SF-50: Item 5-B "Nature of Action" and item 45, "Remarks", or, if SF-50 not used, record equivalent information from other separation document(s) your agency used. See Federal Personnel Manual (FPM) Supplement 296-33 for standards on work connected "Resignation" cases, carefully review FPM requirements applicable since January 1, 1982. If payroll office records are incomplete or inadequate, or if information on SF-50 is not sufficient, check with personnel for additional information and add as part of separation information, ATTACH COPIES OF DOCUMENTS, IF APPROPRIATE.

NOTE: In addition to the separation information reported in item 3.D., a representative of your agency may visit the local office to present information. If your agency desires to provide information in person, please indicate in item 3.D.

Item 3.E. Self-explanatory.

Section III. A. Form is not complete unless it (or attached computer printout) is signed and dated; also enter signer's title and telephone number.

Section III. B. Self-explanatory.

RETURN COMPLETED FORM TO STATE AGENCY!  
(State Agency Address)

**DRAFT**

**UCFE INSTRUCTIONS FOR STATE AGENCIES**

**d. Completion of the Form ES-931.**

(1) Sources of data. Information included in Section I of Form ES-931 by the SESA is obtained from:

- (a) Information on Forms SF-8 and SF-50;
- (b) SSN card; and
- (c) Questioning the claimant.

(2) SESA adaptation. Each SESA is required to reproduce entries contained on Form ES-931, except that item 3e of Section II (regarding severance pay) is optional. In States in which "weeks of employment" or "hours worked" information is required, the SESA may modify item 2.a. of Section II. as necessary; a SESA may also insert the Federal agency's address on the face of the form in lieu of using the reverse for this purpose.

Any other proposed modification of Form ES-931 by a SESA should be submitted to the USDOL National Office through the appropriate Employment and Training Administration Regional Office for review and approval prior to it's use. (This procedure applies also to Forms ES-931A, ES-933, ES-934, ES-936, and ES-939.)

(3) Number of copies and distribution. Sufficient copies of Form ES-931 are to be prepared for SESA use plus an additional copy for retention by the Federal agency. The original and at least one copy will be submitted by the local office to the appropriate Federal agency payroll office except as otherwise directed by the Employment and Training Administration in specific cases. The Federal agency will return the form to the address printed or typed in the return-address space. Indicia return envelopes should not be included in mailings to Federal agencies. When the original Form ES-931 request is sent to the Federal agency, a copy of Form ES-931 should be maintained in the SESA's central office records.

(4) Preparation of Form ES-931. The Form ES-931 is initiated by the SESA and forwarded to the Federal agency the same day the claim is filed. In order to expedite the claims process, the Form ES-931 does not need to be typed, as long as it is legible.

(5) Heading. Completion by local office (SESA).

(a) Local Office. Enter the identification and location of the office preparing the form. In addition, a

# DRAFT

## UCFE INSTRUCTIONS FOR STATE AGENCIES

telephone number (including area code) of a contact person and/or office must be provided in the "local office" box.

(b) Date new claim filed. Enter the actual date the new UCFE claim is taken. The "actual date" may not necessarily be the effective date of the claim.

(c) Date of request. Enter the date Form ES-931 is prepared and sent to the Federal agency.

(d) Date to LCCC. Enter date information was transmitted to the LCCC.

### (6) Section I. Completion by local office.

(a) Item 1. Enter the claimant's full name plus maiden name, if any, in parentheses--e.g. Elliot, Sara (Johnson). Obtain data from item 1 of the SF-50, other official document, State new-claim form, or by questioning claimant.

(b) Item 2. Enter all of the SSN(s) shown in item 2 of the claimant's SF-50 or on any SSN card(s) presented by the claimant, or obtained from any other official document, such as a W-2 Form, identifying each number, in parentheses, as to source: e.g., SF-50. Include the dashes between digits (e.g., 123-45-6789).

(c) Item 3. Enter the date of birth (e.g., 3-1-80) shown on item 3 of claimant's SF-50, other official document, State new-claim form; or obtain by questioning claimant. Completion of this item is necessary to assist the Federal agencies identification of a former employee's records.

(d) Item 4. If the claimant has an official document which shows his/her position (job) title, this information can be used to complete item 4. This information may be obtained from item 7 or item 15 of the SF-50. Otherwise, question the claimant as to his/her position (job) title.

(e) Item 5. Enter the city and State (or city and country, if outside U.S.--e.g., Ottawa, Canada) of the claimant's most recent Federal civilian employment with the agency to which Form ES-931 is addressed. Obtain data from: claimant's SF-8; item 39 of claimant's SF-50, other official documents presented; or by questioning claimant.

(f) Item 6. Enter the date of separation or the date of the last day of active pay status. The latter date is to be entered if it is earlier than the date of separation or if the

# DRAFT

## UCFE INSTRUCTIONS FOR STATE AGENCIES

employee has not been separated. Completion of item 6 will assist Federal agencies in the identification of a former employee's records. Obtain above information from item 4 (Effective Date) of SF-50, from other official documents presented, or by questioning claimant.

(g) Items 7a and 7b. Make appropriate entry.

(h) Items 8a and 8b. Mark appropriate boxes.

(i) Claimant's signature. A signed Privacy Act release statement is no longer required from a claimant. However, if a State law requires all claimants to sign a Privacy Act release statement, then the UCFE claimant would also be required to sign a Privacy Act release statement.

### (7) Section II. Federal Agency Reply.

(a) Item 1. Self-explanatory.

(b) Item 2.A. Under "Report of Wages," enter the specific periods for which wage information is being requested. All requests should cover a minimum of 6 quarters. The request should include the entire period up to the date of the claimant's separation, not just the period the claimant worked for the Federal agency.

States with laws determining unemployment benefits on the basis of weeks of employment instead of wages in calendar quarters, or requiring other wage or employment information for a determination, must adapt item 2a of Form ES-931 to suit their needs.

(c) Other Items Under Section II. Self-explanatory.

(8) Review of Form ES-931 by the SESA. Prior to mailing to the Federal agency personnel/payroll office, each Form ES-931 will be reviewed for completion and accuracy, and to verify the correctness of the State of assignment and to ensure that a copy of the Affidavit, Form ES-935, is attached to the Form ES-931. This supervisory review will include comparing Form ES-931 entries with information contained on the corresponding SESA new-claim form. A copy of the Form ES-931 will be sent to the SESA's central office with other UCFE claim documents. The same process should be followed for Federal agencies who use a contractor to process UCFE claims before sending the forms to the contractor.

The SESA's central office is to retain one copy of each

# DRAFT

## UCFE INSTRUCTIONS FOR STATE AGENCIES

Form ES-931 mailed in a tickler file for necessary follow-up action. Upon receipt of the properly completed Form ES-931, the tickler file copy may be destroyed.

(9) Action by Federal Agency Upon Receipt of Form ES-931. Upon receipt of Form ES-931, the Federal agency will complete the following items of Section II, "Federal Agency Reply."

(a) Section II Item 1.A. The Federal agency will indicate, by marking the "Yes" or "No" box, whether or not the claimant performed Federal civilian service during the 6 quarters (or other period) specified in item 2.A. If the Federal agency marks the "No" box, it should complete Questions B. through (D)., E.(1) thru (3). and F. If additional space is needed, a separate attachment should be used to explain why the claimant's service was not considered to be Federal civilian service.

The U.S. Secretary of Labor is responsible for interpretation of the term "Federal civilian service." This responsibility is delegated to the SESA by agreement.

(b) Item 1.5. The Federal agency will enter the individual's State or (if outside U.S.) country of last employment with that agency. This information, as instructions to the Federal agency for item 1b direct, is obtained from item 39, "Duty Station," as shown on the individual's SF-50, or, if SF-50 was not used by the Federal agency for this employee's separation, the information is obtained from the duty station or similar entry as shown on the Federal agency's equivalent separation from employment document.

(c) Item 2 - Wages

Item 2.A., "Report of Wages." The Federal agency will enter the amount of Federal civilian wages for each of the 6 quarters requested by the SESA. If there were no such wages for any or all of the calendar quarters requested, the word "None" will be inserted in the appropriate space(s).

"Federal wages" (civilian) are defined in the Federal UCFE law (5 U.S.C. 8501(2)), as all pay and allowances, in cash and in kind, for Federal civilian service. The U.S. Secretary of Labor is responsible for interpretation of this term. The Secretary has determined that such pay and allowances include, among other things, all payments for annual leave, lump-sum payments for terminal leave, and cost-of-living allowances.

# DRAFT

## UCFE INSTRUCTIONS FOR STATE AGENCIES

(10) SESA processing upon receipt of completed Form ES-931. As provided in the State Agreement with the U.S. Secretary of Labor, the SESA must determine if the claimant performed Federal civilian service. The Form ES-931 provides findings of fact to be used by the SESA to make an appropriate determination. When a Federal agency returns a Form ES-931 which is incomplete or obviously in error as to the information entered on the form, including data which would affect the monetary determination (e.g., Federal civilian wages reported), the SESA should telephone the Federal agency official as noted on the Form ES-931. The Federal agency should be requested to follow-up with verification of the telephone information in writing and/or a completed Form ES-934.

When it is determined that the claimant performed Federal civilian service, the use of all wages (Federal Civilian Wages) is appropriate within the base year. However, when it is determined that the claimant's employment was not Federal civilian service, it must be determined if his/her employment was otherwise covered for UC purposes.

The alternatives are:

(a) the employment was provided under contract between a company and the Federal agency. The employer for UC purposes would be the company. Therefore wage and separation information should be obtained from the company.

(b) The individual was an independent contractor hired by the Federal agency. Eligibility must be determined under State law.

The SESA has the responsibility to determine benefit eligibility whenever a claim is filed. Even when it is determined that the claimant did not perform Federal civilian service, further investigation must be conducted to determine if the claimant is otherwise eligible for UC under State or Federal law.

#### 4. Action by SESA When Form ES-931 Is Not Returned by Federal Agency.

If Form ES-931, addressed to a payroll/personnel office located within the United States:

a. is not returned by the Federal agency within 10 days after it was mailed; and

b. the Federal agency has failed to notify the SESA in writing that return of the form will be delayed.

# DRAFT

## UCFE INSTRUCTIONS FOR STATE AGENCIES

(1) The SESA will send to the Federal agency a duplicate Form ES-931 containing the notation "SECOND REQUEST" (underscored in red), followed by the statement, in parentheses "(Mailed (appropriate date))." Second requests addressed to payroll offices located outside the United States are to be mailed when 21 days have elapsed.

(2) After 12 days have elapsed since the first Form ES-931 was sent to the Federal agency, the claimant affidavit should be used to make a determination, when appropriate, and pay UCFE benefits providing credible evidence of Federal employment is on file.

c. At the time the SESA sends the initial Form ES-931 to the Federal payroll office, as well as any "SECOND REQUEST" of Form ES-931, the following statement should be attached:

"If a completed Form ES-931 is not received by the State Employment Security agency by the 12th day from the date the first request was made, the State agency may pay benefits to the claimant based on his/her affidavit as provided by Secretary of Labor's Regulation 20 CFR 609. Any benefit payments made to the claimant will be charged to the Federal employing agency(ies) in accordance with Section 1023, P.L. 95-499, Omnibus Reconciliation Act of 1980 (94 Stat. 2599).

d. After the "SECOND REQUEST", Form ES-931 has been sent, the SESA need not make any further effort to obtain wage and separation information from the Federal agency.

e. If SESA can obtain credible UCFE wage and separation information from the claimant, it will use the Form ES-935, for the purpose of paying UCFE benefits to eligible claimants and will retain copies of all Forms ES-931 sent to a Federal agency, as well as the Form ES-935, to support the payment of UCFE benefits.

### 5. Louisiana Claims Control Center (LCCC).

a. Requests to the LCCC. For initial UCFE claim taken, the SESA will send one batch of inquiry data each day to LCCC via the Internet telecommunications link or the SESA may mail inquiry data to LCCC twice each week on magnetic tape.

Machine-readable claims control inquiry to LCCC may still be used, but is not recommended. State agencies may only submit a

# DRAFT

## UCFE INSTRUCTIONS FOR STATE AGENCIES

second, machine-readable inquiry to LCCC for the following situations: claimant with two or more social security numbers; joint UCFE/UCX initial claim filing; or corrected inquiry to replace an original inquiry logged at LCCC with incorrect data. SESAs are encouraged to use the Internet method because of its speed and economy.

The LCCC will prescribe the format and content of the machine readable inquiry used by the SESA, as well as transmittal form, to request UCFE data and will inform SESAs regarding request procedures. If a SESA elects to transmit UCFE data via the Internet system, the SESA will create records instead of machine readable inquiries in the prescribed UCFE formats using the Job Control Language (JCL) required for transmission.

### b. SESA Procedures With the LCCC.

(1) When a claimant files a new claim which requires the preparation and mailing of Form ES-931, the central office of the paying State will be responsible for promptly preparing and sending to the LCCC an inquiry which identifies: the claimant's name; SSN; the date of new claim filing; the local office number as shown on the ES-931; a SESA transmittal number; a second SSN if appropriate; and the name of the paying State. All data will be encoded according to the format which the LCCC has prescribed separately. The SESA will not delay transmission of the inquiry to the LCCC pending a return of the ES-931 to the SESA by the respective Federal agency.

(2) SESA communications with LCCC concerning UCFE inquiries will be initiated solely by members of the State central office staff. Local office employees will not generate communications with LCCC.

(3) The SESA will not delay payment of UCFE benefits pending receipt of a reply from LCCC.

(4) SESAs may request the removal of inquiry data from the LCCC by the submission of a properly formatted, machine-readable inquiry which includes the key phrase of "CANCEL." The SESA may submit corrected inquiries to LCCC for the removal of erroneous or outdated inquiry data.

(5) When the SESA is informed that prior inquiries were made by the same or another SESA on a UCFE claimant, it will immediately ascertain if the claimant's wages were already assigned for UCFE entitlement. If so, the SESA should assure that all or part of the assigned wages are not used again or that a duplicate benefit claim is not established and paid.

# DRAFT

## UCFE INSTRUCTIONS FOR STATE AGENCIES

(6) In the case of a possible interstate duplication, the SESA will immediately contact any other SESA that was reported to have made a "prior inquiry." The SESA should take appropriate action to ensure which State is the correct State of assignment. If two or more State agencies cannot resolve the correct State of assignment, the UCFE case should be referred to the USDOL National Office, via the appropriate Regional Office, for final resolution.

(7) The SESA may transmit batches of UCFE claims control inquiries to LCCC via either the Internet system or via magnetic tape. Internet transmissions may be daily and do not require any accompanying transmittal correspondence. Magnetic tape transmissions may be made twice weekly and require accompanying correspondence which shows: the name of the requesting SESA, a batch number and date of submittal, the number of inquiries in the batch, and the name and SSN of one UCFE claimant whose machine-readable inquiry is in the batch to provide additional identification of the material.

State agencies may contact LCCC regarding claims control inquiries by calling 800-535-8100 or writing to:

U.S. Department of Labor  
Louisiana Claims Control Center (LCCC)  
P. O. Box 94246, Capitol Station  
Baton Rouge, Louisiana 70804-9246

(8) SESA will keep a log on all transactions made to LCCC.

### c. LCCC Procedures.

(1) Data inquiry (including the State agencies batch number) received by the LCCC will be entered into its computer system for access by the claimant's Social Security Account number. Canceled notices will be purged from the system.

(2) The LCCC will use the Internet system to make its first response to State agencies who make inquiry via Internet. The LCCC will respond to machine-readable inquiries by listing all State agencies with previously recorded claims control inquiries at the LCCC for a given SSN. All other responses will be sent via first class mail.

(3) In those instances in which the LCCC has received a machine-readable inquiry for a claimant for whom it had previously received a machine-readable inquiry from the same or

# DRAFT

## UCFE INSTRUCTIONS FOR STATE AGENCIES

another SESA, it will notify the SESA with respect to each instance in which it received a machine-readable inquiry pertaining to the claimant in the past 24 months.

(a) The LCCC notice of duplication to the SESA will report the following with respect to each duplicate previously received: the name of the claimant; SSN; name of prior State of inquiry; respective local office; and date of claim.

(4) LCCC will purge the computer system of a UCFE inquiry whenever the date on which the new claim was filed becomes 24 months old.

### 6. Introduction to Form ES-935 Claimant's Affidavit of Federal Civilian Service, Wages and Reason for Separation.

The Form ES-935 should be taken as part of the initial claims process based on materials submitted by the claimant, when the claimant presents credible evidence of Federal employment such as an SF-50, earnings and leave statements, or W-2. One copy of the Form ES-935 should be attached to the Form ES-931 to be forwarded to the Federal agency. One copy should be retained by the SESA and placed in the claimant's folder as documentation to support a monetary and nonmonetary determination if the completed Forms ES-931, ES-931A or ES-934 has not been received from the Federal agency by the 12th day after the form/s were sent to the Federal agency. When a Form ES-931, Form ES-931A or Form ES-934 is received after a determination has been made based on information contained in Form ES-935, a redetermination should be made, if appropriate, in accordance with State law. Information supplied by a Federal employer after a determination has been made should be given the same consideration and should have the same effect as material information supplied by a State-UC covered employer under similar circumstances.

The Form ES-935 should identify the documentary evidence submitted by the claimant to show he or she performed civilian service for the Federal Government. If at the time the UCFE claimant completes a Form ES-935, he or she does not have documentary evidence to indicate performance of Federal service, the claims interviewer should advise the claimant to bring such documents to the local office at the earliest opportunity.

**DRAFT**

**UCFE INSTRUCTIONS FOR STATE AGENCIES**

**a. Form ES-935.**

(STATE AGENCY NAME)  
**ES-935 CLAIMANT'S AFFIDAVIT OF FEDERAL CIVILIAN SERVICE,  
WAGES AND REASON FOR SEPARATION - UCFE**

STATE AGENCY:	LOCAL OFFICE:	CONTACT: TELEPHONE:																									
CLAIMANT'S NAME:  SOCIAL SECURITY NUMBER: _____  BIRTH DATE: (MM/DD/YY) ____/____/____	FEDERAL AGENCY & 3 DIGIT FEDERAL AGENCY CODE  EMPLOYMENT ADDRESS	TYPE OF CLAIM: ___NEW ___ADDITIONAL  DATE CLAIM FILED: (MM/DD/YY)  EFFECTIVE DATE OF CLAIM: (MM/DD/YY)  DATES OF EMPLOYMENT: (MM/DD/YY) FROM: TO:																									
DUTY STATION: (CITY, STATE OR COUNTRY)																											
<b>2. FEDERAL WAGES /DOCUMENTARY EVIDENCE</b>																											
<table style="width: 100%;"><tr><td style="width: 50%; text-align: center; vertical-align: top;">A. REPORT OF WAGES</td><td style="width: 50%; text-align: center; vertical-align: top;">B. DOCUMENTARY EVIDENCE</td></tr><tr><td style="padding: 5px;"><table style="width: 100%; border-collapse: collapse;"><thead><tr><th style="text-align: left;">QUARTER ENDING</th><th style="text-align: left;">YEAR</th><th style="text-align: left;">GROSS WAGES</th></tr></thead><tbody><tr><td>19</td><td></td><td>\$</td></tr><tr><td>19</td><td></td><td>\$</td></tr><tr><td>19</td><td></td><td>\$</td></tr><tr><td>19</td><td></td><td>\$</td></tr><tr><td>19</td><td></td><td>\$</td></tr><tr><td>19</td><td></td><td>\$</td></tr></tbody></table></td><td style="padding: 5px;"></td></tr></table>			A. REPORT OF WAGES	B. DOCUMENTARY EVIDENCE	<table style="width: 100%; border-collapse: collapse;"><thead><tr><th style="text-align: left;">QUARTER ENDING</th><th style="text-align: left;">YEAR</th><th style="text-align: left;">GROSS WAGES</th></tr></thead><tbody><tr><td>19</td><td></td><td>\$</td></tr><tr><td>19</td><td></td><td>\$</td></tr><tr><td>19</td><td></td><td>\$</td></tr><tr><td>19</td><td></td><td>\$</td></tr><tr><td>19</td><td></td><td>\$</td></tr><tr><td>19</td><td></td><td>\$</td></tr></tbody></table>	QUARTER ENDING	YEAR	GROSS WAGES	19		\$	19		\$	19		\$	19		\$	19		\$	19		\$	
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TOTAL GROSS WAGES _____																											
SEVERANCE PAY: DID YOU RECEIVE OR ARE YOU ENTITLED TO RECEIVE SEVERANCE PAY PROVIDED BY ANY FEDERAL LAW OR AGENCY- EMPLOYER AGREEMENT? ___YES ___NO IF YES COMPLETE THE FOLLOWING INFORMATION.																											
WEEKLY AMOUNT \$ _____ NO. OF WEEKS: _____ TOTAL ENTITLEMENT \$ _____																											
SEVERANCE PAY PERIOD: FROM: ____/____/____ TO ____/____/____ DATE(S) OF PAYMENT: _____																											
PENSION: ARE YOU ENTITLED TO RECEIVE A PENSION FROM ANY BRANCH OF THE FEDERAL GOVERNMENT? ___YES ___NO IF YES, ENTER GROSS MONTHLY PENSION \$ _____																											
REASON FOR SEPARATION:																											
I, the claimant, understand: that penalties are provided by law for an individual making false statements to obtain benefits; that any determination based on this affidavit is not final; that it is subject to correction upon receipt of wage and separation information from the Federal agency for which I worked; that benefit payments made as a result of such determination may have to be adjusted on the basis of information furnished by the Federal agency; and that any amount overpaid may have to be repaid or offset against future benefits.																											
I, the Claimant, swear, or affirm, that the above statements, to the best of my knowledge and belief, are true and correct.																											
SIGNATURE OF CLAIMANT    DATE                      SIGNATURE OF LOCAL OFFICE REPRESENTATIVE                      DATE																											

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## UCFE INSTRUCTIONS FOR STATE AGENCIES

b. Number of Copies and Distribution. Prepare sufficient copies of Form ES-935: one copy for the monetary determination file, one copy for the nonmonetary determination file, one copy for the claimant, and one copy to be attached to the Form ES-931 for forwarding to the Federal agency.

c. Completion. Items on Form ES-935 are self-explanatory. Block 9.c., Documentary Evidence, must be completed in all cases. Block 12, Reason for Separation, should, if possible, be completed on the face of the form. If additional space is needed, the reverse side of the form may be used.

d. Federal civilian employees' salary rates. For completion of Block 9b, "Gross Wages," refer to the most recent UIPL showing a list of Federal Annual Salary Rates, as an aid in determining the claimant's wages.

### 7. Introduction to The Form ES-934, Request for Additional Information Regarding Federal Findings-UCFE.

The SESA will use the same methods provided by State law, procedures, etc., to obtain or verify wage and separation data, resolve differences in data, and to make determinations. If, however, missing or clarified data is needed, Form ES-934 should be used to obtain information from a Federal agency.

The claimant, either before a determination is made or within the State appeal period, may indicate that the findings of the Federal agency contain errors or omissions, or that the claimant wishes further information or reconsideration of the original findings. In such a case, Form ES-934 should be sent to the Federal payroll office by the SESA.

Form ES-934 may be sent to the Federal agency before a nonmonetary determination is issued, or it may be sent as a result of a claimant's request for information or reconsideration after the determination is issued. If a determination has been issued, the appeal period under State law determines the time limits within which a Form ES-934 may be filed by a claimant. In some States, the initiating of a request for information or reconsideration of Federal findings, will protect the claimant's appeal rights. If State law requires the filing of an appeal or any other action in addition to initiating such request in order to protect the claimant's appeal rights, he or she should be advised to take such action. A signed Privacy Act release statement is no longer required from a claimant. However, if a State law requires all claimants to sign a Privacy Act release statement, then a UCFE claimant would also be

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**UCFE INSTRUCTIONS FOR STATE AGENCIES**

required to sign a Privacy Act release statement.

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**UCFE INSTRUCTIONS FOR STATE AGENCIES**

a. Form ES-934.

(STATE AGENCY NAME)

LOCAL OFFICE:

**REQUEST FOR INFORMATION OR RECONSIDERATION  
OF FEDERAL FINDINGS-UCFE**

**SECTION I. IDENTIFICATION DATA**

1. NAME (LAST, FIRST, MIDDLE, MAIDEN(IF ANY))      2. SOCIAL SECURITY NUMBER      3. DATE OF BIRTH (MM/DD/YY)  
4. POSITION TITLE:      5. PLACE OF EMPLOYMENT (CITY, STATE, OR COUNTRY)      6. DATE OF SEPARATION (MM/DD/YY)  
7. FEDERAL AGENCY, 3 DIGIT FEDERAL AGENCY CODE AND ADDRESS      8. REQUEST DATE: ES-931 \_\_\_\_\_ ES-931A \_\_\_\_\_  
9. CLAIMANT'S EMPLOYMENT IS: \_\_\_\_\_ REGULAR FULL-TIME \_\_\_\_\_ INTERMITTENT OR PART-TIME

**SECTION II. REQUEST FOR INFORMATION/RECONSIDERATION**

1. REQUEST: (BE SPECIFIC: IF ADDITIONAL SPACE IS NEEDED, PROVIDE A SEPARATE ATTACHMENT).  
2. LIST THE SUPPORTING DOCUMENTS SUBMITTED BY CLAIMANT (DUPLICATE COPY(IES) MAY BE ATTACHED).  
3. SIGNATURE (STATE AGENCY REPRESENTATIVE)      4. DATE(MM/DD/YY)

**SECTION III. FEDERAL AGENCY REPLY**

INSTRUCTIONS: RESPOND FULLY TO THE INFORMATION REQUESTED IN SECTION II, ITEM 1., "REQUEST" ABOVE WITHIN 4 WORKDAYS. IF ADDITIONAL SPACE IS NEEDED, PROVIDE A SEPARATE ATTACHMENT.

CERTIFICATION: I CERTIFY THAT THE ABOVE OR ATTACHED INFORMATION PROVIDED IN SECTION III HAS BEEN REVIEWED BY ME AND TO THE BEST OF MY KNOWLEDGE IS ACCURATE AND COMPLETE.

SIGNATURE OF OFFICIAL/DATE      TYPE OR PRINT NAME & TITLE      PHONE

NAME OF FEDERAL AGENCY AND 3 DIGIT FEDERAL AGENCY CODE.

MAIL TO STATE AGENCY ADDRESS:

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**UCFE INSTRUCTIONS FOR STATE AGENCIES**

**CHAPTER V - UCFE MONETARY DETERMINATION BY SESA**

In making a determination with respect to eligibility for UCFE benefits, the SESA should apply the eligibility and disqualification provisions under State law to the findings provided by the Federal agency. When the Form ES-931 is not returned by Federal agency in 12 days, benefit eligibility will be determined based on information provided by the claimant on Form ES-935. Information received from the Federal agency after a determination has been made will be given the same consideration as information supplied by a State-UC covered employer under similar circumstances.

**1. Notice of Monetary Determination of UCFE Claims.**

Each notice of monetary determination on a UCFE claim must show the wages reported by Federal agencies and must identify the agencies and the periods for which the wages are reported. UCFE claimants may request reconsideration or additional information from the Federal employing agency.

Notice of appeal rights of the claimant and any other interested parties must be clearly stated on the determination. Any determination by a SESA with respect to periods of service, wages and reasons for separation shall be subject to review and appeal according to State law.

a. **UCFE-UCX Joint Monetary Determination.** The joint determination must be identified as UCFE-UCX. Although Federal civilian and military service and wages are combined in a single determination, the State determination form must show separately Federal civilian employment and Federal military service. Thus, if a claimant worked for the Federal Government as a civilian and was also in active military service during the State's base period that applies to the claim, his/her Federal employment and wages should be shown as U.S. civilian and U.S. military, or other appropriate designation which identifies separately the two kinds of service.

All base year Federal civilian wages must be used in the monetary determination, even if the inclusion reduces the duration or the weekly amount of benefits to which the claimant is entitled.

**b. Combined Wage Claims.**

**(1) Use of Federal Civilian Service and Wages.**

Federal civilian service and wages may be used in a combined-wage claim in the same manner and under the same conditions as

# DRAFT

## UCFE INSTRUCTIONS FOR STATE AGENCIES

State-covered employment and wages. The State to which Federal service and wages are assignable may use or transfer all or part of such service and wages in the same manner as it uses, or transfers, State covered employment and wages. (Consult ET Handbook No. 399).

Once a claimant elects to file a claim under the combined wage arrangement, all employment and wages in the base period of the claim must be used to establish the combined claim. The paying State must request and use all Federal civilian service and wages in its base period. The transferring State must transfer all available service and wages even if such service and wages are not in its base period. (See ET Handbook No. 399, Appendix A, 20 CFR 609.8.)

(2) **Requesting transfer of UCFE wages.** The paying State should prepare and transmit a Request for Transfer of Weeks/Wages, TC-IB4 to the transferring State and an inquiry to the LCCC.

If the paying State does not receive a prompt and complete transfer of all Federal wages and services from the transferring State, after all efforts have been exhausted, the paying State should request assistance from its appropriate regional office to expedite the transfer. (See ET Handbook No. 399, Chapter V, for additional procedures.)

(3) **Responding to a UCFE Wage Transfer Request.** The transferring State should be guided by the following procedures in transferring UCFE wages:

(a) Upon receipt of a TC-IB4, the transferring State should promptly prepare a Form ES-931 to request all employment and wages in the base period of the paying State and lag quarter or lag period wages to the date of separation.

(b) All available service and wages in the base period of the paying State shall be transferred without restriction as to their use in the determination of entitlement and payment of benefits under the provisions of the paying State's law.

(c) The "transferring State" must also include its request of Federal service and wages that fall within its base period and up to date of separation in order to determine if the claimant would be monetarily eligible for benefits under the transferring State's law and to assign and record to its wage file all assignable wages.

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**UCFE INSTRUCTIONS FOR STATE AGENCIES**

(d) The transferring State should forward to the paying State copies of all UCFE forms completed by a Federal agency(ies), so that all appropriate information can be used by the paying State.

**2. Assignment of Transferred Wages.**

If Federal civilian service and wages are assignable to a transferring State, the assignment of such service and wages are transferred to the paying State if a first claim results from filing a combined-wage claim.

That portion of the service and wages that is not used to establish the combined wage claim is assignable when the combined wage claim results in a benefit year to the transferring State. Therefore, the transferring State must record to its wage file, or cause to be recorded at the appropriate time, all assignable lag period wages upon receipt of a TC-IB5 (Form IB-5) showing that a benefit year has been established.

If the combined wage claim filed in the other State does not result in a benefit year, the potentially liable State which originally notified the LCCC should prepare and transmit a UCFE inquiry request to LCCC marked "CANCEL" in item 10 or the appropriate field of the computer record format.

a. **UCFE Wages not Transferable.** Federal civilian wages that have been used as the basis of a determination of entitlement or have been determined to be unavailable for use as the result of a determination issued prior to the receipt of the request for transfer may not be transferred for use on a combined-wage claim.

b. **Determination of Federal Share of Benefits on UCFE Combined-Wage Claims.** The paying State will issue a Report of Determination of a Combined Wage Claim, TC-IB5 (Form IB-5) to the transferring State of UCFE wages in the same manner as for State covered wages. When a combined wage claim is not established, the TC-IB5 (form IB-5) will be transmitted to the transferring State returning the transferred wages.

# DRAFT

## UCFE INSTRUCTIONS FOR STATE AGENCIES

c. Charging of UCFE Benefits Paid on a Combined Wage Claim. The quarterly statement of charges to a transferring State, i.e., the Statement of Benefits Paid to Combined Wage Claimants, Form IB-6, is not prepared and used to charge UCFE benefits. The transferring State is not notified of UCFE charges. UCFE benefits attributable to transferred wages are to be charged to the Federal Government by the paying State in the same manner as charges for a regular intrastate or interstate UCFE benefits paid. The Federal agency's pro rated share of benefits is calculated in accordance with procedures outlined in this Chapter.

### 3. SESA Allocation of a Lump-sum Payment for Terminal Annual Leave and Severance Pay.

The SESA will determine, under State law, the period to which a lump-sum payment for terminal annual leave is allocable for monetary determination purposes and the effect of the payment. If an employer has an option under State law as to the period the payment will be allocated, the United States, as an employer, considers that it is allocated to the date of separation from Federal civilian employment, as shown on Form ES-931.

The explanatory note to item 2.A. of Form ES-931 instructs the Federal agency not to include as Federal civilian wages, in this item of the form, any Federal civilian severance pay reported in item 3.E. or any lump-sum payment for terminal annual leave reported in item 3.A. of the form. Thus, such a lump-sum payment or severance pay will not be included as base period and/or lag wages in item 2.A. of Form ES-931, even though, under some State laws, all or part of the lump-sum terminal leave payment will be allocated to the base and/or lag period.

Federal civilian severance pay and lump-sum payment for terminal annual leave or severance pay are considered wages. However, these wages must not be included as base period wages in determining monetary eligibility. If these payments are deductible from the weekly benefit amount, they should be used in accordance to State Law to make such deductions.

Item 3.A. of Form ES-931 contains the question: "Did this person receive a lump-sum payment(s) for terminal annual leave on or after the beginning date of the base period shown in items above?" If the Federal agency answers this question "Yes," by marking the appropriate box, or if the former employee is currently entitled to such payment but has not yet received it, the Federal agency will then report in item 3a of the form, for each such payment or entitlement, the beginning and ending dates of the period over which the leave would have extended had the

# DRAFT

## UCFE INSTRUCTIONS FOR STATE AGENCIES

worker remained in Federal civilian employment, the amount paid or payable, the date paid (if applicable), the hourly rate of pay, and the hours of duty per workday and per basic workweek. On the basis of this information (modified or clarified by information received from the Federal agency on Form ES-934), the SESA requesting the employment and wage information will determine the period to which the lump-sum payment is allocable under the State law. If any or all of the lump-sum payment is allocated by the SESA to the claimant's base period, the payment so allocated will not be available for a later claim.

Since some State laws require severance pay information, item 3.E. may be included on Form ES-931 which contains the question: Did this person receive or is he/she entitled to receive severance pay provided by any Federal law or agency-employee agreement? If the Federal agency answers "Yes," the Federal agency will then report in item 3.E, the weekly amount, total entitlement, number of weeks, and the beginning and ending dates over which the payments would have extended had the worker remained in Federal civilian employment.

Some UCFE claimants, such as WAE's (individuals who are paid "when actually employed"), will be in non-pay status (i.e., not permanently separated from employment with the Federal agencies concerned) when they file their new UCFE claims. Such claimants may be entitled to receive lump-sum payments for terminal annual leave if they should be separated from Federal civilian employment at a later date. Federal agencies are required to notify State agencies when employees who were in non-pay status and for whom Forms ES-931 have been completed, subsequently receive such lump-sum payments. However, to assure compliance with this requirement and correct treatment of lump-sum terminal-leave payments, State agencies will request Federal agencies to so notify them and will also annotate non-pay status UCFE claimant's records as to their potential entitlement to these terminal leave payments. Claimants should be questioned as to subsequent receipt of lump-sum payments upon their future reporting to the local office, especially during UCFE periodic interviews.

#### 4. Effect of Backpay Award on UCFE Monetary Determination.

A backpay award is a payment of wages covering a period of suspension or other non-pay status to which an employee subsequently is determined to be entitled. In all cases in which backpay is awarded after the Federal agency has completed and transmitted a Form ES-931 to a State, the Federal agency will inform the SESA by letter of the amount of the award, the date on which it was paid, and the period covered by the award.

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**UCFE INSTRUCTIONS FOR STATE AGENCIES**

The SESA will send the Federal agency a Form ES-931 requesting a corrected report of Federal civilian wages to include the amount of backpay wages determined to be in the claimant's base period. If, under State law, a SESA would redetermine State benefit rights after a claimant received a backpay award from a covered employer, it should also redetermine a UCFE claimant's benefit rights on the same basis.

**EXCEPTION:**

If as the result of a Back-pay award, an UCFE overpayment is created, and State law requires the employer to recover the overpayment, the SESA will notify the Federal agency, in writing, to collect the amount overpaid from the employee.

**5. Federal Civilian Severance Pay.**

Severance pay is not to be considered Federal civilian wages, and the period after separation from Federal civilian employment in which severance payments are made will not be considered Federal civilian service for UCFE purposes. Whether or not Federal civilian severance pay is considered disqualifying or deductible from weekly UCFE benefits will be determined in accordance with the provisions of State law.

**6. UCFE/UCX/UC Joint Monetary Determinations and Federal Share of Cost.**

**a. Inclusion of Federal Civilian or Military Service and Wages, or Both in the State's Base Period.** If Federal wages (UCFE and/or UCX) are included in the State's base period, the charge to the Federal Government of the cost of unemployment compensation paid to the claimant will be based on the ratio of his/her total Federal wages to the total of all Federal and State-UC wages in the State's base period. When a charge is made to the Federal Government, all assignable Federal and State-UC wages in the State's base period must be considered in the computation. The base period used in the computation of the ratio of the Federal share of benefits paid to a claimant will be the base period of the paying State under whose State UC law the claim was paid, whether the claim is an intrastate, interstate, or combined-wage claim.

(1) State agencies should not use Form IB-6, Statement of Benefits Paid to Combined Wage Claimants, to request reimbursement for benefits attributable to Federal wages, since UCFE and/or UCX benefit costs shall be charged to the Federal Government by the paying State in the same manner as regular intrastate or interstate UCFE and/or UCX claims.

# DRAFT

## UCFE INSTRUCTIONS FOR STATE AGENCIES

### (2) Examples:

(a). The computations listed below were made after benefits had been paid for a week of unemployment, in which the claimant was paid a \$100 weekly benefit. The computations are applicable to intrastate, interstate, and combined wage claims. The weekly benefit used is after the claimant's weekly benefit had been reduced, if any, by earnings or other income. The Federal share of benefits paid to a claimant will always be based on what the claimant was actually paid.

(b). Computations showing Federal shares of benefit cost.

Examples:	A	B	C	D	E
State-UC Wages	\$4,000	\$10,000	None	\$ 9,000	\$ 500
Federal Wages	6,000	None	10,000	1,000	9,500
Total Base Period Wages	10,000	10,000	10,000	10,000	10,000
Federal Ratio of Wages	60%	None	100%	10%	95%
Weekly Benefit Amount	100	100	100	100	100
Cost charged to:					
Federal fund	60	None	100	10	95
State-UC Fund	40	100	None	90	5

It should be noted that in "Example D" above that \$10 would be charged to the Federal Government, even though the claimant's State UC wages may have qualified him/her for maximum benefits. Also, in "Example E," \$5 would be charged to the State, even though the claimant's State UC wages may not have qualified him/her for benefits under the State UC law.

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**UCFE INSTRUCTIONS FOR STATE AGENCIES**

**7. UCFE - Assignment to State Other Than That of Last Official Duty Station.**

a. **Covered Employment Subsequent to Federal Civilian Employment.** If, at the time of filing a first claim, the claimant resides in a State (including the District of Columbia, the Commonwealth of Puerto Rico, or the Virgin Islands) in which it is determined he/she worked in covered employment after separation from his/her most recent Federal civilian employment, that State is the State that his/her Federal civilian service and wages will be assigned, even though his last official station was in another State.

b. **Last Official Duty Station Outside the United States.** If a claimant's last official station was not within one of the 50 States, the District of Columbia, the Commonwealth of Puerto Rico or the Virgin Islands, the claimant's Federal civilian service and wages will be assigned to the State, as defined by 20 CFR 609.2(M), where he/she resides (including the District of Columbia, the Commonwealth of Puerto Rico, or the Virgin Islands) at the time he/she files his/her first claim, provided he/she is personally present in a State, when he/she files the first claim.

**8. Examples of Determination of State of Assignment.**

a. **UCFE - Incorrect State of Assignment Adjustments.** The State to which Federal civilian service and wages have been incorrectly assigned is referred to as the "incorrect State." The State to which Federal civilian service and wages should have been assigned is called the "correct State." Assignment of Federal civilian service and wages to the incorrect State may result from:

- (1) misinformation from the claimant;
- (2) lack of information as to whether the claimant's employment subsequent to Federal civilian service was subject to coverage under a State UC law;
- (3) an erroneous interpretation of Federal or State law in the local office; or
- (4) an error by the Federal agency in the designation of official duty station.

When there is any question as to the accuracy of information given by the claimant, local office representatives should make

# DRAFT

## UCFE INSTRUCTIONS FOR STATE AGENCIES

every effort to check such information before completing the claim. Local office staff should review the claimant's work history; question the claimant to ensure inclusion of all Federal and non-Federal work and the State coverage of any non-Federal work; and request the central office to check the employer liability file when in doubt as to coverage of employment subsequent to Federal civilian employment.

The correction of errors should be accomplished by adjustments between the States involved, as described below.

b. When Federal Civilian Service and Wages Have Been Assigned Incorrectly, But No Benefit Payments Have Been Made by the Incorrect State. If no payment of benefits have been made, the adjustment may be made in substantially the same manner as when interstate claims have been sent to an incorrect State. The incorrect State should inform the correct State of the date the new claim was filed, the date of each continued (and, if applicable, additional or reopened) claim, the period covered by each continued claim, and any eligibility or disqualification information applicable to the claim.

This information should be furnished by forwarding the originals of all completed Forms ES-931 and, if applicable, Forms ES-931A and ES-934, which were received from Federal agencies in connection with the UCFE claim, and duplicate claims on interstate claim forms, identified as UCFE, for the periods claimed.

These duplicate claim forms will include a Form IB-1 for the new claim (plus, if applicable, such form(s) for any additional or reopened claim(s)) and the necessary Forms IB-2 for continued claims. The following statement should be included under "Remarks" on each claim form:

"The Federal civilian service and wage of this claimant were assigned to (State) in error. The Federal service and wages should have been assigned to (State). This claim is substituted for the claim dated (appropriate date) which was processed by this State."

The week-ending dates on the duplicate claim forms should be the same dates as those shown on the original forms, but the date of taking the claim should be the date on which the duplicate claim forms were prepared. The statement quoted above, properly signed, will be sufficient reason for predating. The correct State should establish a new UCFE claim and make a monetary determination based on the date the claim was originally filed. If the information on the completed Form(s) ES-931 and, if

**DRAFT**

**UCFE INSTRUCTIONS FOR STATE AGENCIES**

applicable, Form(s) ES-931A is not sufficient, Form ES-934, requesting additional information, will be sent to the Federal agency. The incorrect State will keep the claim record card or other appropriate documents as a record of the transfer of the claim in case questions arise later concerning the assignment of the Federal civilian service and wages.

When it is discovered that a UCFE claim was taken incorrectly as an interstate claim and that the correct State is the State in which the claim was taken, the correct State should prepare duplicate new, continued, and if applicable, additional or reopened, intrastate claim forms on the basis of entries on its claim record.

The incorrect State should forward only the reports received from Federal agencies, e.g., completed Forms ES-931 and, if applicable, Forms ES-931A and ES-934, and should invalidate the interstate claims received (Forms IB-1, IB-2, etc.). However, if a claimant has a joint UC-UCFE claim, the claimant has the same right of election as provided below.

**c. Letter of Transmittal by Incorrect State of Assignment.**

A copy of the letter of transmittal of the UCFE claim to the correct State should be included in the claim file in the central office of the incorrect State as a record of the action taken in adjusting the error. The letter of transmittal should contain as much of the following information as is pertinent:

- (1) Claimant's name and SSN;
- (2) Date of new claim;
- (3) Effective date of claim in incorrect State;
- (4) List of attachments (such as Forms ES-931, ES-931A, ES-934, ES-935, IB-1, and IB-2);
- (5) Any additional information as to disqualifications relating to claimant's separation from work;
- (6) State determination of weekly and maximum benefit amounts, showing State UC and UCFE portions separately by week;
- (7) List of payments made showing State UC and UCFE portions separately by week; and
- (8) List of payments in process but not yet made, with breakdown as above.

# DRAFT

## UCFE INSTRUCTIONS FOR STATE AGENCIES

### 9. UCFE Claim Cancellation in Accordance with State Law.

The assignment of Federal civilian service and wages will follow Federal law, except that, if State law provides that a claim may be canceled, the same law can be applied to Federal civilian service and wages. It must be recognized that the cancellation of a claim, does not have to result in the Federal wages being assigned to another State. For example, a State law or regulation allows for the cancellation of a claim when the claim established resulted in no payment of benefits, (i.e., the claimant returned to work before his/her first compensable week). The claimant subsequently is laid-off and due to higher base year wages elects to cancel the original claim and file for a more recent benefit year. This would be allowed because of State law or regulation.

It must be remembered that Federal law (5 U.S.C. 8504) must be followed predicated on last official duty Station or most recent covered employment subsequent to Federal service. ( Also, refer to 20 CFR 609.8(b)).

However, UCFE wages and service assigned to a State may be transferred to another State where such transfer is necessary for the purpose of a combined-wage claim.

**NOTE:** Assignment to State of Last Official Duty Station. Federal civilian service and wages will be assigned to the State (including the District of Columbia, the Commonwealth of Puerto Rico or the Virgin Islands) in which the employee had his/her last official duty station in Federal civilian employment before filing a "first claim" as defined above, when the most recent employment before filing a first claim was Federal civilian service. This rule applies regardless of the duration of the most recent Federal civilian employment, even though transfer of official station to the State in question was so recent as to be subsequent to the base period. The "official duty station" is a determination made by the Federal agency.