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INTRODUCTION

ESSB 5193, which provides unemployment insurance claim adjudicators and system enhancements, requires the Employment Security Department (ESD) to provide a quarterly report on progress implementing the bill to the House Labor and Workplace Standards Committee and the Senate Committee on Labor, Commerce, and Tribal Affairs. It also requires the department to produce a quarterly report on selected performance statistics.

After passage of ESSB 5193, members of the Joint Legislative Audit and Review Committee (JLARC) requested ESD report additional information quarterly. Narrative responses to the JLARC request are included in Part I, and the statistical information is presented in Part II.

This report covers implementation and statistics for calendar quarter four, 2021.

PART I

Implementation of ESSB 5193

ESD is making numerous changes and improvements to the unemployment insurance (UI) system to comply with ESSB 5193. The department has divided implementation into five distinct projects:

- Reserve adjudicators
- Letters
- Advisory committee
- Phone lines
- Online data dashboard

This section contains a summary of ESD’s progress on each of these projects.
Reserve adjudicators project

Section 2 of the bill requires ESD to “create a training program to prepare a reserve force of skilled unemployment insurance claims adjudicators who can be available quickly when claims volume demands.”

The adjudicator reserve program needs to be open to public employees and private citizens. U.S. Department of Labor regulations require that state workforce agencies use only public employee “merit staff” to conduct adjudications, eliminating the possibility of contractors to perform adjudicator work.

The training also needs to be thorough enough that those serving could be certified to perform adjudications on unemployment insurance claims within a week of coming to ESD.

The bill requires the Office of Financial Management (OFM) to work with ESD to identify other state agencies whose employees meet the minimum qualifications to serve as UI claims adjudicators.

Previous work

ESD prepared a two-week training plan that begins with one week of online training through the National Association of State Workforce Agencies (NASWA), including adjudicator and customer service training. In the second week, ESD staff educates trainees on state-specific issues, including unemployment insurance and the IT system that ESD uses for UI claims. Trainees receive certifications from NASWA and ESD for completing these trainings. ESD conducted a successful pilot in summer 2021 with 20 interns.

ESD submitted a required annual report to the Legislature in October addressing:

- Number of people who have current UI claims adjudicator certifications
- How many have been employed and the period of employment
- Hiring and training costs

Q4 2021 Update

ESD hired hundreds of non-permanent staff during the COVID-19 pandemic. Those temporary appoints will end in 2022. Many temporary staff completed portions of the certification training as part of their onboarding with the agency. ESD identified these staff as good candidates to receive the full NASWA certification training and form the core of the reserve adjudicator pool. As of Dec. 29, 2021, 453 temporary staff completed full certification training. ESD will offer
additional temporary employees the opportunity to complete the certification training prior to
their leaving ESD.

ESD also sent selected permanent staff who had other training scheduled during the quarter
through the certification modules, providing ESD the flexibility to redeploy them if necessary.

Health Care Authority (HCA) and the Department of Social and Health Services (DSHS) were
identified as state agencies likely to have staff with job duties and experience that make them
good candidates for the adjudication pool. ESD and the OFM initiated the first steps to recruit
candidates from the two agencies. Work on providing required notifications to union
representatives and drafting interagency agreements will proceed in the first quarter of 2022.
Training of other agency staff will be deferred until fiscal year 2023, when training funds
become available.

**Letters project**

Sections 3(1) and (2) of the bill require ESD to revise all materials related to a specific claimant’s
case and do user testing, with the overall goal of making materials easier for claimants to
understand. The revised materials must meet requirements for comprehensibility, clarity, and
readability. This is a very large project, covering 138 different issues that contain nearly 700
sets of “drop-in” information. These drop-ins are sentences or paragraphs that adjudicators
use to create customer-specific determination letters. ESD will need to review and revise
letters and drop-ins.

In addition to these requirements, the revised determination and redetermination letters need
to clearly convey applicable statute numbers and provide a brief explanation of pertinent law,
outline of relevant facts, reasoning, decision, and result.

**Research and revisions**

The agency formed a cross-divisional research team that gathers information and identifies
known difficulties. Their findings inform revisions made by a smaller writing team.

To make the project more manageable, ESD is reviewing and revising limited sets of materials
at a time. ESD identified the highest priority work for the first set of revisions based on recent
customer, legislative and staff feedback. Status of Phase 1 priority work as of Dec. 31:

- Non-monetary determination and redetermination letter templates: Content complete.
  Original UTAB programming completed. Further revision in progress to correct letter
  logic where no original determination letter is available for reference. Revision
  scheduled for completion Q1 2022.
- Identity fact-finding letter: Complete and in production Q4 2021
- Re-evaluate claim letter: Content complete to text change only to clarify reevaluated claim with overpayment. IT service request is awaiting prioritization. Further work required to bring all letter components into legal compliance.

**Advisory committee project**

Section 3(3) requires ESD to work with an unemployment insurance advisory committee comprising business and worker advocates to explore:

- Thresholds for triggers to adjust staff for assignments and phones
- A pilot for having caseworkers help claimants with their claims and re-employment services
- Identifying next steps for translating written UI materials into other languages
- Frequency of the initial and continuing adjudicator training

**Implementation**

**Removing barriers.** ESD recruited members for a subcommittee of the Employment Security Advisory Committee (ESAC) to provide input on equity, diversity and inclusion (EDI) issues. ESD prioritized ESAC EDI subcommittee membership from those with experiences in communities that face historical barriers to accessing benefits. The subcommittee will hold feedback sessions through September 2022. The EDI subcommittee met for the first time on Oct. 19, 2021. Members introduced themselves and discussed phone access for claimants who don't have access to technology.

The EDI subcommittee met again on Nov. 18, 2021. Staff provided a summary of UI language access data covering 2019, 2020, and 2021 to date. This data will inform future decisions on translation of UI materials.

ESD presented information regarding potential triggers to adjust staff in response to increases in workload to the Unemployment Insurance Advisory Committee on Dec. 16, 2021.
Phone lines project

Section 3(4) of the bill requires ESD to establish dedicated toll-free phone lines for claimants who lack computer skills or access to computers, claimants with disabilities, and claimants with limited English proficiency (LEP).

A cross-divisional team is working to implement these requirements. ESD already has a system to assist claimants who have disabilities, so the agency will continue using it to meet this requirement. To access those services, people with disabilities can email a dedicated mailbox, call toll-free, or use WA relay 711 to request an accommodation.

ESD provides full English and Spanish phone menu options and prompts, and previously provided a limited number of other language options. To better assist claimants with LEP, ESD set up a new dedicated phone line with greetings, phone menus, and prompts in 25 languages. ESD implemented the LEP phone line Oct. 25, 2021. The agency updated language on esd.wa.gov landing pages and the website’s community page with instructions on accessing the new number and navigating phone menus.

The implementation team is identifying more options to assist claimants who lack computer skills or access. Claimants can continue to get computer skills training and use computers through local WorkSource offices. ESD will continue to work with the agency's Customer Experience team and members of the ESAC EDI subcommittee to identify strategies for serving this group. While setting up a phone line is a simple technical task, it is much more difficult to establish a mechanism to reserve this dedicated capacity for those who truly have no access to computers. ESD decided to run a pilot project to interview non-digital users on how they access ESD services. Subsequently, ESD will follow up with the pilot group for several months to determine if they are successfully accessing benefits. The follow up includes providing proactive help when needed. The pilot will commence in Q1 2022. Information gathered can be incorporated into interim solutions to help phone-only customers until ESD’s major phone replacement project is in place in late 2022.

Additional details on ESD’s customer service system improvements are available in the Upgrading the UI call center phone system report.
Online data dashboard project - Complete

Section 4 of the bill required ESD to create an online data dashboard and provide a quarterly written data report on specific performance metrics. The agency will include additional metrics on the dashboard in response to a request from the JLARC.

A cross-divisional ESD data team identified the necessary elements, developed the dashboard, and gathered quarterly report data definitions, elements and sources. The dashboard went live in early October 2021 and ESD continues to update the data monthly.

Program and funding update

Section 5(b) requires ESD to provide updates on any new federal programs or funds received by the department for unemployment compensation and administration, and the use of such funds.

No additional federal benefit programs were announced in Q4 2021. Eligibility for new applications for federally funded benefits ended in September 2021. Funding remains available to pay benefits and work on previously filed claims.

The UI program is primarily funded with the federal Unemployment Insurance Administrative Grant. This grant is based on a formula set out by the U.S. Department of Labor (USDOL). Federal funds received by the department for program administration are disbursed annually and quarterly. The annual disbursement is a base grant, and the quarterly comes from above-base funding grants for claims-related workload.

Washington was funded at 100% of its above base request for Q1 of federal fiscal year 2021; however, over the next three quarters, USDOL did not fully fund Washington’s request per the above-base formula. In December 2021, USDOL further reduced funding by $4.5 million to correct its own error in the funding formula. Over the entire fiscal year, Washington received 72% of its above-base request, a shortfall of $9 million.

As stated in the first quarterly report, the agency intends to apply for grant funding of specific items as new funds become available. USDOL solicited grant proposals for projects promoting equitable access to unemployment compensation. ESD submitted proposals in November 2021. USDOL extended the time period for proposals and delayed grant award decisions. ESD expects to receive a funding decision in early 2022.
**Software and technology**

Section 5(c) requires reporting on any software or technology issues related to claims processing, including any issues causing claim delays or inaccurate automated notifications.

**Fourth quarter implementation**

Implementation and administration of new and updated federal requirements for federally funded programs is ongoing and will continue well into 2022.

Technology system enhancements, corrections, and implementation of state and federal requirements completed in Q4 2021 include:

- Multiple Coronavirus Aid, Relief and Economic Security Act close out items
- Implementation of ESSB 5061 changing calculation of minimum weekly benefit amounts and new high-risk voluntary quit provisions
- Implementation of ESSB 5190, updating voluntary quits for healthcare workers
- Information requests to identify claims for follow-up processing and extra customer outreach on their claims
- Software fix to allow CARES Act refunds for waived overpayments
- 76 issues impacting claims processing
- 11 improvements for clarity and readability and 15 corrections to claimant notifications
- 22 requests regarding payment delays

**Protecting sensitive data – Preventing Fraud**

Section 5(d) requires updates on the department’s protocols and process for protecting sensitive data. The Fraud Management Division (FMD), which includes the Office of Special Investigations (OSI), continued to update protocols and processes for protecting sensitive data, including the kick-off of the Upfront Identity Verification (UIV) tool project in December 2021. The UIV will allow FMD to better identify potentially fraudulent claimants before they enter the UI system, reducing the likelihood of account takeovers by identity thieves by implementing a more robust identity verification process. Failing the UIV ultimately prevents sensitive data from being accessed and potentially used for future fraudulent purposes.

In our next report we will further update the UIV project. The project is currently on hold pending additional review and careful consideration of implementation options.

FMD also stood up a formal Compliance and Training unit to provide dedicated staff support. The unit updated existing training materials and created additional materials for staff. It also
began providing training classes for staff to ensure further alignment, compliance, and integrity.

**Other unemployment reporting**

Section 5(e) requires reporting other relevant unemployment issues, or information related to enhancing the UI system, as determined by the department. ESD will continue to address its CARES-related workload on claims requiring corrections to entitlements. ESD has several additional CARES-related projects that will continue through summer 2022. These projects will:

- Address federal requirements to offer additional funds to selected claimants who were both self-employed and working for employers
- Require PUA participants from 2020 to respond to additional weekly eligibility questions

ESD began planning in Q4 2021 for required staffing reductions based on reduced funding from USDOL as supplemental funding driven by the pandemic workload ends. ESD plans to use phased reduction of 881 filled non-permanent positions during the next several months, (filled position count as of Dec. 6, 2021). The reduction will be a combination of attrition and layoffs. Many temporary staff are finding permanent employment with ESD’s Leave and Care and Employment Connections divisions and other state agencies.
JLARC requested performance improvement plan

**Improving adjudication timeliness and quality**

JLARC requested details on steps being taken to improve timeliness and quality of the adjudication decisions that allow or deny access to benefits. Adjudicating UI eligibility issues is highly skilled work and having proficient staff is the key to success.

Previous quarterly reports detailed ESD's hiring, training, and staff support strategies created to manage the rapid pace of hiring, and a shortage of experienced lead workers and supervisors to support inexperienced staff. They also described improvement to workload management to increase throughput. ESD continued with those efforts in Q4 2021. As of Jan. 1, 2022, the claims centers had 881 filled positions.

**2021 Q4 results**

ESD's goals are to:

- Eliminate the COVID-related backlog of adjudication cases as soon as possible
- Show progress towards meeting USDOL timeliness goal of resolving 87% of eligibility issues within three weeks of detection

As noted in the previous report, during Q3 2021, ESD — as required by federal law — notified all claimants receiving federal benefits that they had to file new regular UI claims if they were eligible for regular benefits. More than 106,000 new claims had many associated eligibility issues for adjudication, resulting in a 56% increase in workload in one month. ESD's reinstatement of work search requirements also drove additional workload.

As anticipated, reduced workload from the end of federal benefits freed staff capacity to reduce the adjudication backlog. Year-end results were very positive. The count of outstanding cases at the end of September 2021 was more than 94,500. That count was reduced by 79% to 20,200 by December 30, 2021. This count included all outstanding cases awaiting adjudication, regardless of when received. The positive trend continued in January 2022 with total case counts down to 9,900. ESD anticipates it will achieve USDOL non-monetary timeliness targets in Q1 2022.

See Part II, Adjudication timelines, for further discussion.
ESSB 5193 Section 4(2) requires ESD to provide quarterly reports on selected unemployment insurance performance metrics. At the request of JLARC, ESD has included additional performance metrics. The following tables contain data for the period October, November, and December 2021.

### Unemployment rate

The U.S. Bureau of Labor Statistics defines the total unemployment rate as the average number of unemployed workers 16 years of age or older actively seeking work divided by the total civilian labor force.

**Table 1: Seasonally adjusted unemployment rates (2021)**

<table>
<thead>
<tr>
<th>Month</th>
<th>October</th>
<th>November</th>
<th>December</th>
</tr>
</thead>
<tbody>
<tr>
<td>Unemployment rate</td>
<td>5.0%</td>
<td>4.7%</td>
<td>4.5%</td>
</tr>
</tbody>
</table>


### Recipiency rate

The UI recipiency rate is the number of individuals receiving unemployment compensation divided by the total number people who are unemployed. This data comes from the monthly seasonally adjusted local area unemployment statistics gathered in the federal Bureau of Labor Statistics survey. Unemployment compensation includes state unemployment compensation, unemployment compensation for federal employees, and unemployment compensation for ex-service members. The recipiency rate does not include claimants receiving federally funded benefits.

**Table 2: Unemployment insurance recipiency rates (2021)**

<table>
<thead>
<tr>
<th>Month</th>
<th>October</th>
<th>November</th>
<th>December</th>
</tr>
</thead>
<tbody>
<tr>
<td>Recipiency rate</td>
<td>22.4%</td>
<td>25.5%</td>
<td>28.2%</td>
</tr>
</tbody>
</table>

Individuals and benefits paid

The following table counts the total number of unduplicated individuals paid per month and the total benefit they received from all UI compensation sources:

- State-funded regular unemployment (UI)
- Pandemic Emergency Unemployment Compensation (PEUC): Allows additional weeks of benefits for recipients
- Pandemic Unemployment Assistance (PUA): Provides benefits to workers not covered by traditional unemployment benefits
- Federal Pandemic Unemployment Compensation (FPUC): Provides weekly stimulus payments to all receiving benefits

The number of individuals and total benefits paid plunged with the end of federal benefits in September 2021. The Q4 2021 numbers include some federal benefits paid for weeks claimed in previous periods that were allowed for backdated claims or for weeks paid on redetermined or appeals denials that were changed to allow benefits.

Table 3: Individuals paid and total benefits paid (2021)

<table>
<thead>
<tr>
<th>Month</th>
<th>October</th>
<th>November</th>
<th>December</th>
</tr>
</thead>
<tbody>
<tr>
<td>Individuals paid</td>
<td>60,109</td>
<td>52,618</td>
<td>60,600</td>
</tr>
<tr>
<td>Benefits paid</td>
<td>$138,110,899</td>
<td>$110,942,619</td>
<td>$128,888,358</td>
</tr>
</tbody>
</table>

Source: ESD operational data query

A claimant for UI files an initial application to establish eligibility for or disqualification from receiving benefits based on why they are no longer working. They then file a weekly claim every week they seek benefits. Claimants found initially eligible will receive payment. If ESD questions a claimant’s initial eligibility for benefits, the claimant receives no weekly payments until the eligibility issue is decided. Claimants ultimately found eligible will receive back payments for weeks filed while awaiting their adjudication decisions.

Conditional payments. In addition to establishing their initial eligibility, claimants must stay eligible while they’re claiming. To do this, they must be able, available, actively seeking work and following other program requirements such as participating in eligibility reviews. Claimants certify each week that they are continuing to meet eligibility requirements. If ESD questions their eligibility, they continue to receive benefits (conditional payments) until the issue is decided. If ESD determines they were not eligible, claimants must pay back benefits received.
The table below shows the status of weekly claims filed by month. Because eligibility is determined each week and not for the entire benefit year, people may have weeks in all three categories. For the quarter October, November, December 2021:

- 57% of weeks claimed were paid
- 41% of weeks claimed were not paid because the claimant was determined ineligible
- 2% of weeks claimed were still pending a decision

**Table 4: Total weekly claims paid, pending, and not paid (2021)**

<table>
<thead>
<tr>
<th>Month</th>
<th>October</th>
<th>November</th>
<th>December</th>
</tr>
</thead>
<tbody>
<tr>
<td>Weekly claims paid</td>
<td>158,990</td>
<td>156,635</td>
<td>157,063</td>
</tr>
<tr>
<td>Weekly claim pending</td>
<td>2,074</td>
<td>3,143</td>
<td>10,633</td>
</tr>
<tr>
<td>Weekly claims not paid</td>
<td>141,580</td>
<td>106,874</td>
<td>92,901</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>302,644</strong></td>
<td><strong>266,652</strong></td>
<td><strong>260,597</strong></td>
</tr>
</tbody>
</table>

Source: ESD operational data query, status as of Jan. 18, 2022
Overpayments

Overpayments are established when ESD determines that a claimant received benefits when they shouldn't have, either because they were ineligible or paid an incorrect weekly benefit amount. Overpayments may be waived if all three of the following conditions are met:

- The claimant was not at fault for creating the overpayment
- The payment was not “conditional” as ESD was determining eligibility
- Collecting the overpayment would create a financial hardship

When claimants are potentially eligible for a waiver, ESD offers a waiver request form that requests financial information from the claimant to determine their ability to pay. Upon receipt of the information, an adjudication staff member determines if the claimant is eligible for a waiver. Under certain conditions, ESD may also automatically waive some overpayments that are not the fault of the claimant without adjudication. In response to specific federal authorization, ESD also automatically waives some overpayments created when federal law required that claimants be moved between state and federal benefit entitlements that have lower weekly benefit amounts. These weekly benefit-related waivers are not reflected in the waiver request counts shown below.

ESD created a large number of overpayments and waivers in Q4 2021 as it continued enforcing federal requirements to move claimants to regular unemployment insurance claims and off federal entitlements. Many overpayments were also created when individuals receiving PUA benefits failed to provide required documents to prove their attachment to the labor market. Table 5 shows overpayments established in Q4 2021. For a variety of reasons, this total may overstate actual overpayments. Some of these overpayments were later reversed when claim weeks were moved back to other entitlements. Many claimants did not respond to requests to file a new claim (potential new claim issue) or provide PUA required documents until after they received large overpayment notices. The totals established do not reflect overpayments that were later reversed after claimants complied and filed a new claim or submitted required documents, allowing ESD to redetermine their denials. There were also many overpayments created when claimants failed to respond to requests for information on other claim issues. These overpayments would be reversed if the claimant later provides information verifying eligibility for benefits.
Table 5: Overpayments established by benefit entitlement (Q4, 2021)

<table>
<thead>
<tr>
<th>Benefit Type</th>
<th>Cases</th>
<th>Overpayments</th>
</tr>
</thead>
<tbody>
<tr>
<td>Regular</td>
<td>37,441</td>
<td>$88,374,191</td>
</tr>
<tr>
<td>FPUC</td>
<td>57,896</td>
<td>$282,577,745</td>
</tr>
<tr>
<td>PEUC</td>
<td>13,417</td>
<td>$41,268,632</td>
</tr>
<tr>
<td>PUA</td>
<td>39,178</td>
<td>$164,855,397</td>
</tr>
<tr>
<td>Total</td>
<td>147,932</td>
<td>$577,075,965</td>
</tr>
</tbody>
</table>

Sources: ETA Report 227 (Regular, FPUC, and PEUC), ETA Report 902P (PUA)

Table 6: Overpayment waiver requests and outcomes (2021)

<table>
<thead>
<tr>
<th>Month</th>
<th>October</th>
<th>November</th>
<th>December</th>
</tr>
</thead>
<tbody>
<tr>
<td>Approved</td>
<td>1,157</td>
<td>486</td>
<td>3,601</td>
</tr>
<tr>
<td>Denied</td>
<td>1,698</td>
<td>641</td>
<td>6,221</td>
</tr>
<tr>
<td>Total</td>
<td>2,855</td>
<td>1,127</td>
<td>9,822</td>
</tr>
<tr>
<td>Approval Rate</td>
<td>40.5%</td>
<td>43.1%</td>
<td>36.7%</td>
</tr>
</tbody>
</table>

Source: ESD operational data
Adjudication timeliness and quality

The USDOL requires that 80% of nonmonetary issues with the potential to affect the claimant’s benefit rights be determined within 21 days of when the issue was detected. Timeliness is calculated for separation issues (quits and discharges from employment) and for all other non-separation issues that could potentially prevent benefit payments.

As discussed in Part 1, ESD’s implementation of federal potential new claim requirements resulted in more than 106,000 new claims with many associated eligibility issues for adjudication. The resulting 56% increase in workload in one month, and ESD’s continued focus on reducing the COVID-related backlog by the end of the 2021 calendar year, had negative effects on timeliness through Q4 2021 despite the success of the overall backlog reduction effort. As noted in Part 1, ESD anticipates it will achieve USDOL non-monetary timeliness targets in Q1 2022. The backlog of pandemic cases will be resolved, and incoming workload is relatively low.

States across the country continue to fall well below target. The U.S. national averages for adjudication timeliness in Q4 2021 were 33.6% for separations and 58.6% for non-separations.

Table 7: Timeliness of adjudication decisions – separations (2021)

<table>
<thead>
<tr>
<th>Month</th>
<th>October</th>
<th>November</th>
<th>December</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total Workload</td>
<td>11,790</td>
<td>11,725</td>
<td>12,214</td>
</tr>
<tr>
<td>Determined within 21 Days</td>
<td>10.7%</td>
<td>10.4%</td>
<td>9.6%</td>
</tr>
</tbody>
</table>

Source: ETA Report 9052

Table 8: Timeliness of adjudication decisions – non-separations (2021)

<table>
<thead>
<tr>
<th>Month</th>
<th>October</th>
<th>November</th>
<th>December</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total workload</td>
<td>36,715</td>
<td>31,878</td>
<td>31,343</td>
</tr>
<tr>
<td>Determined within 21 days</td>
<td>59.7%</td>
<td>58.0%</td>
<td>70.0%</td>
</tr>
</tbody>
</table>

Source: ETA Report 9052
Benefit timeliness and quality (BTQ)

The USDOL Benefit Timeliness and Quality (BTQ) program estimates overall quality of adjudication by reviewing a statistically representative sample of nonmonetary determinations against 100-point scoring criteria. The standard requires that at least 75% of determinations reviewed receive a score of 95 or higher. Because ESD did not meet this standard, the agency must enter corrective action with USDOL through our State Quality Service Plan. We are currently waiting for details of what that will entail, as some targets are being adjusted this year due to the extraordinary circumstances.

Separation and non-separation samples are scored separately. ESD met quality standards for adjudications completed in the quarter ending December 2019. BTQ reviews are typically done quarterly but were suspended for much of the pandemic. BTQ resumed for the quarter ending June 2021. Table 9 shows the most recent results for the quarter ending September 2021.

Table 9: Quality of adjudication decisions

<table>
<thead>
<tr>
<th>BTQ Sample Quarter Ending September, 2021</th>
<th>Separations</th>
<th>Non-separations</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sample size</td>
<td>50</td>
<td>50</td>
</tr>
<tr>
<td>Case material not found</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Invalid cases*</td>
<td>3</td>
<td>8</td>
</tr>
<tr>
<td>Scored cases</td>
<td>47</td>
<td>42</td>
</tr>
<tr>
<td>Score</td>
<td>59.6%</td>
<td>85.7%</td>
</tr>
</tbody>
</table>

Source: USDOL Benefit, Timeliness and Quality

*Invalid case – case should not have been included in the sample for review.

Appeals

A claimant or employer can make a written request for a hearing to appeal an ESD determination. The Office of Administrative Hearings (OAH), an independent state agency, hears unemployment benefits appeals. ESD can only transmit one appeal to OAH per determination of an issue, although a claimant may submit multiple appeal requests on the same issue.
ESD staff review appeal requests received via U.S. Mail, fax, or eServices. Appeal requests have one of three outcomes:

**Redetermined.** The eligibility issue case associated with the appeal request has been reviewed by staff and the outcome has been redetermined to allow benefits based on new information.

**No action taken.** The request has been reviewed by staff who close the work item with no further action because the request is a duplicate, the request is moot because the requested relief has already been granted, or because the claimant is not an aggrieved party.

**Sent to OAH.** A formal request for an appeal hearing is sent by ESD staff to OAH after a staff review determines that the denial of benefits still stands or any of the relief requested in the appeal was not granted and thus the claimant is an aggrieved party.

The following table shows the status of appeal requests as of the date of the data extract. The requests are grouped by the month in which the request was received. For the quarter, 78% of the appeal requests have been resolved and 22% are pending resolution.

<table>
<thead>
<tr>
<th>Month</th>
<th>October</th>
<th>November</th>
<th>December</th>
</tr>
</thead>
<tbody>
<tr>
<td>Pending</td>
<td>1,687</td>
<td>1,634</td>
<td>6,778</td>
</tr>
<tr>
<td>Submitted to OAH</td>
<td>7,686</td>
<td>8,301</td>
<td>6,012</td>
</tr>
<tr>
<td>Redetermined</td>
<td>3,902</td>
<td>4,556</td>
<td>2,628</td>
</tr>
<tr>
<td>No action taken</td>
<td>1,414</td>
<td>901</td>
<td>721</td>
</tr>
<tr>
<td>Total</td>
<td><strong>14,689</strong></td>
<td><strong>15,392</strong></td>
<td><strong>16,139</strong></td>
</tr>
</tbody>
</table>

Source: ESD operational data

**Claims center phone services and staffing**

Claims centers track the number of calls answered by staff after the calls enter the phone system, the number of calls abandoned by customers after they enter the system, and the number of calls that are not connected because there is no capacity to handle the call. Because one person may make repeated calls, the number of individuals attempting to be served via the phone is also tracked. The tables below show:

**Answered.** Count of calls answered by an agent from queues for the following claims center units: Intake, Adjudication and SAW Portal help desk.
Abandoned. Count of calls abandoned by a customer from queues before being answered by an agent for the following claim center units: Intake, Adjudication and SAW Portal help desk.

High call-volume messages. Count of calls (not customers) that are played a high-volume message asking the caller to try again later.

Total calls. High call volume messages played + Answered + Abandoned.

Individuals. Individual callers (by count of unique SSN) attempting to speak with an agent during the day. This count includes both callers who received a high-volume message and callers who entered the phone system. Individuals are counted once each day they attempt to call, so they are counted multiple times if they call over several days.

Average wait. For all calls answered in all call queues, the average time a call remains in queue until answered by a claims center staff member.

The end of federal benefits has significantly reduced phone volume over Q4 2021. Relatively large numbers of experienced staff have been able to answer more calls more quickly, reducing both high volume messages played and the number of abandoned calls.

Table 11: Calls to claims centers (2021)

<table>
<thead>
<tr>
<th>Month</th>
<th>October</th>
<th>November</th>
<th>December</th>
</tr>
</thead>
<tbody>
<tr>
<td>High call-volume messages</td>
<td>69,957</td>
<td>50,075</td>
<td>11,694</td>
</tr>
<tr>
<td>Answered</td>
<td>46,128</td>
<td>48,804</td>
<td>63,496</td>
</tr>
<tr>
<td>Abandoned</td>
<td>22,570</td>
<td>19,326</td>
<td>9,507</td>
</tr>
<tr>
<td>Total calls</td>
<td>138,655</td>
<td>118,205</td>
<td>84,697</td>
</tr>
<tr>
<td>Average wait time</td>
<td>0:51:44</td>
<td>0:45:54</td>
<td>0:10:40</td>
</tr>
</tbody>
</table>

Source: ESD operational data
Table 12: Individuals calling claims centers (2021)

<table>
<thead>
<tr>
<th>Month</th>
<th>October</th>
<th>November</th>
<th>December</th>
</tr>
</thead>
<tbody>
<tr>
<td>Individuals</td>
<td>85,604</td>
<td>76,111</td>
<td>59,731</td>
</tr>
</tbody>
</table>

Source: ESD operational data

ESSB 5193 asked ESD to calculate the ratio of staff phone agents to employers and ratio of staff phone agents to claimants. ESD does not have FTE counts of phone agents because there are no staff members assigned exclusively to answering phone inquiries. As of Jan. 1, 2022, the UICS Division in total had:

- 1,164 UI Benefits permanent and non-permanent staff positions to serve an average of 57,776 claimants who received payment in the fourth quarter
- 257 UI Tax and Wage permanent and non-permanent staff positions to serve 264,084 active employers