



Employment Security Department

WASHINGTON STATE

Wagner-Peyser Employment Service Policy Employment System Administration and Policy

Washington envisions a nationally recognized fully integrated One-Stop system with enhanced customer access to program services, improved long-term employment outcomes for job seekers and consistent, high-quality services to business customers. In order to achieve this vision, Employment System Administration and Policy sets a common direction and standards for Washington's WorkSource system through the development of WorkSource system policies, information memoranda, and technical assistance.

Policy Number: 4050 Revision 1

To: Washington WorkSource System

Effective Date: October 15, 2020

Subject: Reemployment Services and Eligibility Assessments (RESEA) program

1. **Purpose:**

Communicate and provide guidance for the Unemployment Insurance (UI) RESEA program.

2. **Background:**

The federal-state UI program is a required partner in the comprehensive, integrated workforce system. The RESEA program enhances the partnership by addressing individual reemployment needs, preparing claimants for reentry into the workforce, and preventing and detecting improper UI payments. These types of program services are high priorities for the U.S. Department of Labor's Employment and Training Administration (ETA).

The target populations for this program are UI claimants determined most likely to exhaust UI benefits using methods established for the state's Worker Profiling and Reemployment Services (WPRS) program and transitioning veterans receiving Unemployment Compensation for Ex-Service members (UCX).

RESEA is a statewide program that provides early identification, prioritization, and intervention for UI claimants filing new claims. The program focuses on providing reemployment services and UI eligibility assessments to both UCX claimants and claimants determined most likely to exhaust regular benefits. Key goals of the program are to:

- (1) Reduce the average duration of receipt of UI benefits by improving reemployment outcomes,
- (2) Strengthen program integrity by reducing improper UI payments,

- (3) Promote alignment with the Workforce Innovation and Opportunity Act (WIOA), and
- (4) Potentially establish entry points for workforce system partner programs.

3. **Policy:**

[Staff training](#) – [Claimant selection](#) – [Scheduling](#) – [Rescheduling](#) – [Exemptions](#) – [Claims Center role](#) – [Missing the appointment](#) – [Issues set in error](#) – [RESEA appointments](#) – [Case notes](#) – [Evaluation](#) – [Monitoring](#) – [Document retention](#) – [Definitions](#) – [References](#)

A. Staff training requirement for RESEA services

Staff working in the RESEA program must, at a minimum, be trained in the program's requirements, including state laws, rules, and agency policies related to job search, reporting requirements and UI eligibility assessments, prior to providing direct services to claimants and then receive annual refresher training thereafter. All staff working with RESEA participants must be trained to detect and report potential issues to the unemployment insurance claims centers.

To support integrated service delivery approaches and the goals of the Workforce Innovation and Opportunity Act (WIOA), in coordination with RESEA grant managers, the state can consider models that use properly trained local partner staff to assist in providing RESEA services.

B. Claimant selection for RESEA services

[RCW 50.20.011](#) states, in part, that a profiling system must be established to identify new permanently separated claimants most likely to exhaust regular UI benefits and that are in need of job search assistance services to make successful transitions to new employment. This system uses a combination of individual characteristics and labor market information to assign each individual a unique probability of benefit exhaustion known as the profile score. Claimants with a work search requirement will be given a profile score. Those still attached to an employer will not receive a profile score.

Based on ranked scoring, claimants are selected and added to an electronic list as eligible to receive RESEA services. Claimants identified as most likely to exhaust or as UCX receive top priority.

Selection occurs between the second and fifth week of a valid claim. Claimants waiting on decisions or for their claims to become valid are not selected until they have valid claims and are eligible for benefits. Claimants exempt from job search requirements do not have to participate in this program. If that exemption is no longer applicable during the selection period claimants will be identified as eligible to receive RESEA services and may be selected for participation.

During the initial claim application process, claims center staff must advise claimants who reside in Washington of the mandatory requirements to participate if selected for the RESEA

program.

C. Scheduling the initial RESEA appointment

Claimants will receive an invitation letter to self-schedule their RESEA appointment using the Reemployment Appointment Scheduler (RAS). Claimants have 21 calendar days from the date on the letter to schedule and attend an initial RESEA appointment. Once claimants are notified to schedule, participation is mandatory. Failure to participate in reemployment services, without justifiable cause, will jeopardize their eligibility for UI benefits.

Claimants who need help scheduling or rescheduling (see [rescheduling](#) section below) their appointment can contact the local WorkSource office listed on their letter for staff assistance.

D. Rescheduling claimants

Claimants unable to attend their scheduled appointment can log into their RAS account and reschedule appointments up to two times, as long as the current appointment date has not passed. Claimants are required to provide the reason they cannot attend. This information is transmitted to the Unemployment Insurance Tax and Benefit system (UTAB) for follow up by UI adjudication staff.

If claimants need to reschedule more than twice, they are required to contact WorkSource for scheduling assistance. If claimants contact the office prior to their appointment, staff must verify their identity, record the reason they cannot attend their appointment, and determine if they can be **rescheduled** or [exempted](#). RESEA appointments, once scheduled, cannot be cancelled. If claimants do not meet the criteria for rescheduling or exemption, staff must advise them of their requirement to attend the scheduled appointment and that non-attendance or non-participation will create a question about their eligibility for benefits.

Staff must document the reason claimants cannot attend their scheduled appointments in case notes in the state Management Information System (MIS) (Efforts to Outcomes/ETO or its successor) used by RESEA staff and select the appropriate reason in the RAS, following their local office procedures to reschedule RESEA appointments.

Reasons to reschedule include but are not limited to:

- Working part time on the day of the appointment.
- Medical appointments that conflict with the appointment.
- Illness or disability of the individual or a member of the individual's immediate family at the time of the appointment.
- Job interviews scheduled with employers that conflict with the appointment.
- Severe weather conditions precluding safe travel the day of the appointment.
- Desire to attend the appointment at another WorkSource office.
- National Guard duty that conflicts with the appointment.
- Jury duty that conflicts with the appointment.

i. Rescheduling timeline

Rescheduled appointments must occur within the claimants' original scheduling window, as it cannot be extended. Staff can locate this date in the RAS.

ii. How many times can claimants be rescheduled?

Claimants can reschedule up to two times in the RAS. Rescheduling beyond that point must be done by WorkSource staff. There is no defined limit on how many times staff can reschedule appointments for justifiable cause. WorkSource staff should screen for and report any potential eligibility issues to UI.

a. Reports of Potential Issue

Staff must determine if the reason is appropriate for rescheduling, if claimants are trying to avoid reporting to mandatory appointments or have underlying issues that need to be addressed. In some cases, the individual's inability to work or lack of availability for work causes a potential issue. If the reason causes a question about eligibility for benefits, staff must follow procedures to report it to the claims center immediately using the Report of Potential Issue (RPI) form.

iii. Rescheduling after issue is set

An issue automatically sets when a claimant misses their appointment. Once an issue is set RESEA claimants cannot be rescheduled for another appointment. Although these individuals are still entitled to and should be encouraged to use reemployment services available through WorkSource, those services and staff time cannot be charged to the RESEA program.

Claimants who do not schedule, or do not attend their appointments and have not been rescheduled or exempted will have issues set on their claims. See [Missing the appointment](#) below for how the issue is set. The department will ask them to provide additional information about why they did not participate. Claims center staff will address the issues and resolve them based on the information provided.

E. Exempting claimants from participation

Claimants can only be exempted from participation if they meet one of the reasons listed below. Exemptions are primarily handled by UTAB automatically, which updates claimants' exemption status in the Reemployment Appointment Scheduler (RAS) nightly.

WorkSource RESEA staff can exempt a claimant for two reasons: (1) the claimant has returned to full-time work, or (2) the claimant has attended a RESEA initial appointment within the previous 12 months (see below).

a. Return to work

Claimants who've returned to work may be exempted from participation in the RAS if they contact us in time. They must contact WorkSource on or before the date of their scheduled RESEA appointment or the last day of their scheduling window. They must also have returned to full-time work and no longer be claiming benefits. WorkSource staff can exempt claimants after the return to work information has been obtained and documented in RAS and in the state MIS used by RESEA staff. At a minimum, staff must document the employer's name, return to work date, position, and wages.

b. Similar service within 12 months

Staff verify in the state MIS or RAS that a RESEA initial appointment service was provided within the previous 12 months. Staff then enter a case note in the state MIS and exempt the claimant in the RAS.

Claimants who contact WorkSource prior to their scheduling deadline to request an exemption for any reason other than the two listed above must be directed to the claims center or eServices.

Exemption reasons handled by UI include:

- Standby (new or existing employer)
- Partially unemployed
- Shared Work program participation
- Member of a full referral union and eligible for dispatch
- Approved for training by the agency

F. Claims center (UI Benefits Division) role

If claimants contact the claims center because they cannot attend their scheduled RESEA appointment and the appointment has:

- **Not occurred**

Claims center staff must determine if claimants meet the criteria for being exempt from attending their RESEA appointment. If so, they will enter the exemption in UTAB and note their account. UTAB interfaces nightly with RAS and will exempt the claimant from attending.

- **Claimants who return to work** - The RESEA invitation letter tells the claimants to contact the WorkSource office via phone or email if they will return to full time work on or before the date of the scheduled appointment. Claimants are expected to provide the employer's name, wages, position and return to work date for the new job. RESEA staff must document the information in the state MIS and exempt the claimant from participating in the RAS.

- **Occurred**

Claims center staff use established procedures to gather information and resolve issues.

G. Missing the appointment

Potentially disqualifying issues exist when claimants fail to schedule or attend as required by state law and policy. A nightly interface between RAS and UTAB transmits a list of claimants who missed their scheduled appointments or who were invited and failed to schedule by the deadline. This process will set an issue in UTAB and generate a questionnaire to those claimants.

Once issues are set, claims center staff must address and resolve them. If in continuous claims status, claimants will be paid conditionally for the week the appointment was scheduled.

Claimants who do not respond to the questionnaire are presumed to not have good cause for failing to schedule or attend their appointments. They are denied benefits for that week.

Claimants may be allowed benefits if they show justifiable cause for failing to schedule or participate in reemployment services. Justifiable cause for failure to schedule or participate in reemployment services as directed includes specific factors that would cause a reasonably prudent person in similar circumstances to fail to schedule or participate per [WAC 192-100-010](#) and [WAC 192-140-090\(4\)](#).

Justifiable cause includes, but is not limited to:

- Illness or disability of the individual or a member of the individual's immediate family.
- Conflicting employment or the individual's presence at a job interview scheduled with an employer.
- Severe weather conditions.

WAC provides guidance for WorkSource and claims center staff. "Justifiable cause" and "good cause" are interchangeable. Because there is a "good cause" provision in the law, claims center staff must gather facts and determine if claimants have good cause (justifiable cause) for failing to schedule or participate in reemployment services.

Claims center staff gather additional facts if claimants' responses create further questions about eligibility for benefits before resolving the issues. Depending on the situation, more than one determination may be appropriate for the week in question.

Claimants may state they did not attend because they were seeking work that day. The rule is limited to a scheduled job interview and does not consider someone meeting the normal job search requirements to be good cause. Claim center staff must investigate and allow or deny as appropriate.

H. Issues set in error

An issue is considered set in error when staff do not properly record attendance in the RAS. WorkSource staff must follow established procedures for submitting a request to UI to clear the issue set in error.

I. RESEA appointments

Washington's RESEA program consists of the initial appointment and follow-up appointment(s). Staff are encouraged to continue providing services beyond the follow-up appointments; however, those services cannot be funded by RESEA.

Since the current evaluation and evidence supporting the RESEA program are based on strategies that require in-person services, offices should prioritize in-person services whenever possible. However, offices may provide remote services for both the initial and follow-up RESEA appointments using virtual person-to-person technologies such as WebEx, Skype, or other similar products. Appointments may be conducted remotely by phone in the limited instances where the use of other person-to-person technology is not possible. The level and timeliness of any remote service must be comparable to assistance the individual would receive if staff were assisting such individual in-person.

All appointment components are denoted below in checklist format. Components of the appointment can be done at different times; however, the RESEA service cannot be entered in the state MIS until every component of the appointment is completed. Entering the RESEA service in the state MIS indicates that all components have been completed for that appointment. Refer to the [WorkSource services catalog](#) for full service definitions. Both the attendance and the service must be recorded in RAS and the state MIS, respectively, on the same day as the appointment.

System documentation: Documenting attendance in RAS is not the same as entering the service in the state MIS. Both steps are required for all claimants who attend initial and follow-up appointments.

Minimum components of an appointment:

- ❑ **Individualized labor market and career information.** This is information geared toward an individual's specific needs. Occupational information should be accurate and up to date for better employment opportunities. Staff must ensure claimants understand their labor market and where they fit into it. This includes how to use labor market information in job search activities and how to research suitable work and potential employers.
 - [ESD's labor market website](#) and federal sites, [my skills my future](#) and [my next move](#), are resources to help guide conversations.
- ❑ **Eligibility review, to include a review of the claimant's work search activities and referrals to adjudication, as appropriate, if an issue or potential issue(s) is identified. [Required at both initial and follow-up appointments and must be provided in a one-on-one setting.]** This element isn't necessarily a specific step or action but, rather, something that occurs throughout the process. The focus of the eligibility review is to identify eligibility issues that would prevent claimants from returning to work as quickly as possible. When reviewing work search activities, staff must ensure claimants understand the job search expectations of the UI program and are meeting the continued UI eligibility requirements of being fully ready, able and immediately available for all suitable work customary for their occupation and job market.

Staff should engage in constructive conversations to ensure claimants are not limiting their availability to seek and accept suitable employment. This involves interacting with claimants and paying attention to their verbal and non-verbal responses.

During the work search activity review, staff may learn information that requires clarifying what claimants said. This clarification will help to know when to report claimants who did not or are not meeting eligibility requirements. Staff may need to provide a **work search directive**, submit a **report of potential issue**, or both.

i. **Work Search Directives**

A directive is a written notice the department issues to claimants advising them of what specific aspects of their job search activities they need to change in order to comply with the job search requirements. [WAC 192-180-010\(6\)](#)

Examples include, but are not limited to:

- Increase the number of contacts per week.
- Change the method of looking for work (such as from résumé to in-person contact).
- Expand the geographical area in which they are looking for work.
- Look for work in secondary occupations.
- Lower their wage demands.
- Participate in activities needed to meet job ready standards.

Directives must not be arbitrary or issued prematurely.

- Premature directives are those issued before claimants have a chance to seek work:
 - In their usual occupation.
 - Through customary trade practices.
 - Throughout the local labor market area.
- Arbitrary directives are those that direct claimants to take extraordinary measures to maintain eligibility.

Directives are effective the day they are issued in writing and they stay in effect until new written directives are given, or they are rescinded in writing. Directives must include specific instructions of the actions claimants must take and how to comply. Directives must also state that failure to comply may result in a denial of benefits. A denial of benefits is imposed when good cause is not established for failing to comply with directives or employment referrals.

A reasonable amount of time to comply with directives must be given before notifying the claims center that individuals did not comply. Claimants who refuse to alter job search activities after directives are issued may be denied benefits [Bach, CD 421 (1959)]. If the evidence supports non-compliance with a directive, benefits will be denied for all weeks determined the claimant was not in compliance after the directive was issued. Changes of attitude or effort will not change claimants' eligibility for previous weeks.

ii. Potential Issues

An issue is an act, circumstance, or condition that is potentially disqualifying under state law. Issues arise when staff discover information that causes the department to question claimants' eligibility for benefits.

Claimants must be immediately able and available for suitable work in their labor market during their customary days and hours each week they claim benefits.

If potentially disqualifying information is discovered, staff must confirm the details with the claimant and document the specific information in a Report of Potential Issue (RPI) form. Staff should take this opportunity to explain the eligibility requirements for benefits. Then submit a completed RPI to the claims center. Claims center staff will investigate further and resolve the issue accordingly. Depending on the nature of the information discovered, staff should consider referrals to other resources when available to help claimants resolve underlying reasons for the issues or barriers to employment.

RPI's must be submitted the same day the issue was discovered and a detailed case note explaining the issue(s) and staff's action taken entered in both UTAB and the state MIS system.

- ❑ **Providing information and referrals to career services to support the claimant's return to work.** This includes providing or referring to a reemployment workshop offered by WorkSource or affiliated agencies. It could also be a referral for a training activity that helps claimants meet reemployment goals. Examples include:

- Referrals and coordination with other workforce activities, including the WIOA Title I Adult and Dislocated Worker programs.
- Labor Exchange services, including information about in-demand industries and occupations or job search assistance.
- Information about the availability of supportive services.
- Information and assistance with financial aid resources outside of those provided through the WIOA Title I program.
- Financial literacy services.
- Career readiness activities, including assistance with resume writing, interviewing, etc.

Note: RESEA funds cannot pay for training services or purchase or pay for licenses for assessment tools.

- ❑ **Providing support to the claimant to develop and implement an individual reemployment plan (Reemployment Action Plan).** *[Required at both the initial and follow-up appointments and must be provided in a one-on-one setting.]* This is a written plan for documenting the steps necessary to achieve reemployment. Staff must develop a plan in collaboration with claimants tailored to fit claimants' individual needs. All parties must keep a copy and have it available during future appointments. Claimants agree to follow the specific activities in the plan. Select necessary activities that will result in an outcome of reemployment or a referral to career-related training.

- Claimants can participate in or be referred to other ESD or one-stop partner staff for job referrals or other reemployment services such as workshops, skills assessments, or retraining activities.

Individual reemployment plans serve multiple purposes. They are reference guides for staff and claimants to follow up on information, such as referrals. The action plans are used as foundations to build upon for follow-up RESEA appointments. They are also used to ensure the state meets federal compliance standards. Action plans should be reviewed and updated at follow-up appointments to include new activities that would further assist claimants' timely return to work.

Reemployment Action Plans must be attached to the service taken in the state MIS.

❑ **Enrollment into Wagner-Peyser Employment Services.** This automatically occurs when an appropriate RESEA service is entered in the state MIS. All claimants must be registered for and receive Wagner-Peyser employment services. The federal mandate furthers the mission to help job seekers find employment and employers find qualified workers. Staff must:

- Ensure claimants meet the (UI) work test. The purpose of the work test is to determine if claimants are meeting continued eligibility requirements and are fully ready to work.

❑ **Registration in the state job bank system.** This is an automatic process for claimants required to register for work in Washington completed through database interfaces between UTAB and the state MIS.

When intrastate claimants relocate out of state, Claims Center staff will direct them to register for work in the state in which they are, or will be, residing and give a clear deadline by when it must be done. Claimants have one week from the date of their next payment to register with that particular state's equivalent public employment agency.

J. RESEA follow up appointments

The first follow-up appointment must occur within 30 calendar days of the initial appointment. The UI eligibility assessment, including review of work search activities, and review and update of the reemployment plan are required at follow-up appointments. Both staff and claimants must have access to individual reemployment plans (in paper or electronic form) no matter what method is used to conduct the subsequent appointment. Reemployment plans are living documents. Staff and claimants must review the plans together and update them with modifications that build upon the services identified in initial RESEA appointments and address the needs of claimants in the later stages of their claims. Action plans must be updated at follow-up appointments to include new activities that would further promote a timely return to work.

Staff are encouraged to continue providing services beyond follow-up appointments; however, those services cannot be funded by RESEA.

K. Case notes

Case notes are part of the claimant's record and represent the RESEA program activities. Case notes are subject to monitoring and data validation reviews. Notes should be factual, concise and paint a clear picture of what occurred for someone unfamiliar with the claimant or RESEA. Staff must follow established procedures for accurately documenting RESEA components. Case notes should be entered timely and by the staff person completing the appointment.

Note: Any case notes containing confidential medical information must be kept in a secure location separate from participants' regular program files as per [WorkSource Information Notice \(WIN\) 0023](#).

L. Implementation of evidence-based strategies and evaluation requirements

Section 306 of the Social Security Act (SSA) includes a tiered-evidence approach for the RESEA program. This approach encourages states to use evidence-based strategies where they exist and to conduct evaluations and build evidence in places where no evidence-based strategies exist. Each state must employ RESEA interventions and service delivery strategies that, based on rigorous evaluations, improve employment outcomes and reduce UI benefit duration.

Interventions or service delivery strategies must be demonstrated to reduce the average number of weeks participants receive UI benefits by improving employment outcomes, including earnings.

M. Monitoring

Each local office must conduct RESEA self-monitoring, overseen by regional leadership and the RESEA program operator on a quarterly basis. Self-monitoring will be conducted by staff delegated by regional leadership or the program operator to do so. This must be done using tools and instructions provided by the program operator and approved by ESD UI RESEA Grant Managers. Statewide monitoring will be conducted annually by the Policy, Data, Performance and Integrity (PDPI) Division.

N. Document retention

Staff must retain all RESEA documents according to the federal retention schedule. Refer to the document retention schedule for instructions on how to dispose of documents once the retention period has passed.

4. Definitions:

- A. Tiered-evidence:** A policy tool used by DOL to encourage the use of interventions that have strong evidence of success and test promising new ideas.
- B. Work Search Directive (WSD):** Work Search Directives are written notices through which staff inform claimants (after explaining verbally) what aspects of their job search activities need to change to comply with state requirements. Examples include, but are not limited to:
 - Increase the number of contacts per week.
 - Change the method of looking for work (such as from résumé to in-person contact).

- Expand the geographical area in which they are looking for work.
- Look for work in secondary occupations.
- Lower their wage demands.
- Participate in activities needed to meet job ready standards.
- Apply for a specific job.

C. Work Test

The (UI) work test consists of:

- i. Referring or attempting to refer claimants to jobs for which they are qualified or other career services that will lead to reemployment.
- ii. Detecting possible issues that affect claimants' eligibility to receive benefits and promptly reporting them according to established procedures.
- iii. Monitoring the accepted referral using regular verification procedures and determining whether claimants reported to and participated in the referred career service activity.

If it was a referral to a job, determine if claimants contacted the employers and reported for the interviews; their conduct during the interview; whether they accepted job offers, and whether they, if hired, actually went to work.

Staff must complete the work test by routing any information that could affect the claim to appropriate staff and record information in job seekers' records.

5. References:

- [UIPL 08-20, UI RESEA 2020 Grant](#)
- [UIPL 07-19, UI RESEA 2019 Grant](#)
- [UIPL 08-18, UI RESEA 2018 Grant](#)
- [UIPL 03-17, UI RESEA 2017 Grant](#)
- [Public Law 113-128, Workforce Innovation and Opportunity Act of 2014](#), Title III, Wagner-Peyser Act as amended.
- [Federal Register, Volume 81, No. 161, 20 CFR Parts 652, 653, 654, and 658](#)
- [Social Security Act Sec 306](#)
- [UIPL 12-01, change 1](#)
- [TEGL 19-16, Training and Employment Guidance Letter](#)
- [TEGL 03-15, Training and Employment Guidance Letter](#)
- [Social Security Act Sec 303 \(42-U.S.C. 503\), Provision of State Laws](#)
- [Workforce Information Notice \(WIN\) 0090 rev. 1 – Assisting UI Claimants in WorkSource](#)
- [WIN 0023 – Management of Medical and Disability related information](#)
- [WIN 0088 – Case Note Guidance](#)

- [RCW 50.20.010](#) Benefits eligibility
- [RCW 50.20.011](#) Worker profiling
- [RCW 50.20.080](#) Refusing to apply for or accept suitable work as directed
- [RCW 50.20.100](#) Suitable work factors
- [WAC 192-170-010](#) Availability for work
- [WAC 192-170-050](#) Suitable work factors
- [WAC 192-170-060](#) Suitable work factors under domestic violence or stalking
- [WAC 192-170-065](#) Suitable work factors agricultural labor
- [WAC 192-170-090](#) Incarceration
- [WAC 192-180-005](#) Register for work
- [WAC 192-180-010](#) Job search requirements
- [WAC 192-180-013](#) Part time eligible
- [WAC 192-180-014](#) Job search requirements under domestic violence
- [WAC 192-180-015](#) Tracking job search activities
- [WAC 192-180-020](#) Job search monitoring activities
- [WAC 192-180-040](#) Directive to attend workshop
- [ETA Handbook 301](#)

6. Supersedes:

Wagner-Peyser Employment Service Policy 4050

7. Website:

[Workforce Professionals Center](#)

8. Action:

Local Workforce Development Boards and their contractors, as well as Employment Security Regional Directors, must distribute this policy broadly throughout the system to ensure that WorkSource System staff are familiar with its content and requirements.

9. Attachments:

None

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