

**ANALYSIS OF PROPOSED UI ADMINISTRATIVE CODE CHANGE
DWD 129 BENEFIT CLAIMING PROCEDURES**

1. Description of Proposed Change

Delete 129.01(4)(e) under Waiver; exceptional circumstances. Subparagraph (4) (e) was designed when the system did not provide opportunities for claimants to file online. Therefore, concerns over a claimant not being able to file by telephone have been lessened due to technological advances. Moreover, recent updates to the IVR initial claims telephone system calculates available lines does not correlate with the language of this administrative rule.

2. Proposed Administrative Code Language

Delete 129.01 (4) (e):

~~The claimant made an unsuccessful attempt to access the telephone initial claims system during a week when the system was inoperable or was unavailable for more than 40% of the time the system is scheduled to be staffed by claim takers during that week. The times during which the system is inoperable or unavailable will be measured as follows:~~

~~1. Each day during the week will be divided into half-hour time periods, beginning with the time when the system is first scheduled to be staffed by claim takers and ending with the time when the system is scheduled to no longer be staffed by claim takers.~~

~~2. The system will be considered to be inoperable or unavailable for any such half-hour time period during which a busy signal occurs or during which the system is not operating.~~

Renumber 129.01 (4) (f):

(f) (e) Other exceptional circumstances over which the claimant has no control.

3. Reason for Change

The change is necessary due to a recent upgrade to our hardware for the IVR initial claims phone system and how it now operates. The way in which the system calculates the available lines does not correlate with the language of this administrative rule.

In addition, when this rule was first implemented claimants did not have the availability of our online claims taking services. It is anticipated that the online application will continue to have increased usage in the future. With our IVR phone system in combination with online services there is no longer a capacity issue for claimants filing their initial claims for Unemployment Insurance.

4. Effects of Proposed Change

a. Administrative Impact:

The proposed change should not have significant administrative impact on the Department. It would eliminate the need for adjudicators to consider one more waiver for a claimant failing to file a timely claim.

b. Fiscal:

We expect this to have no impact on the Trust Fund. Looking at the data for the call centers, the language under the old law has not been satisfied since the beginning of 2009. Since the rule is no longer applicable, there is not any expected impact.

5. State and Federal Issues

a. Administrative Rules:

There are no other administrative rules impacted by this proposed statutory change.

(b) Conformity:

No federal conformity issues.

6. Proposed Effective/Applicability Date

The change should be operative as of the effective date of the amendments to other code administrative code provisions.