

Catherine Rizos
Testimony for the Vermont Legislature
May 4, 2021

I was a resident of Brattleboro until the end of May 2020. I applied for unemployment after the closure of the Community College of Vermont in Brattleboro, where I was working part-time in an administrative role. I also had a second part-time job out of state and did freelance communications and graphic design work for organizational clients (work that also came to a sudden halt). Overnight, I went from essentially being employed full-time to only having about 10 hours of paid work per week.

I quickly applied for unemployment, knowing that it was important to file claims and keep my record up to date, even if it might take a very long time to receive assistance. I will not bore you with the details of my case, except to say that it is still not fully resolved, more than a year after it was opened, thanks to conflicting and confusing information I received in my many, many conversations with the DOL.

As someone who has worked in direct service organizations, I have significant experience helping others navigate complex systems, and I understand that Vermont and every other state was facing an unprecedented challenge in getting aid to the people who needed it. And I know that every person working for DOL (directly or through a contract) was likely doing the best they could to work through a long backlog of claims. I do not lay blame on any particular person or entity for how this crisis played out, but I would urge the legislature to work extremely hard to understand what went wrong the unemployment system and what could be done better in future. I hope we don't face another crisis like this one. But improving systems will make the process of applying for and receiving unemployment better for everyone who comes after, whether that's in the midst of another crisis, or just for one person facing a job in any ordinary week.

I suspect that my case was difficult to process because I did not have a straightforward employment situation—I essentially had three jobs, and lost two during the pandemic. I combed the DOL website, thinking I could find information what a person in my situation should do, but there was little, if anything, for people who were employed in jobs outside of the typical full-time job. Given that the landscape of how people make a living has changed significantly over the past several decades, it behooves the Department of Labor to adjust its systems and information sharing to respond to the economy we have now, not to what existed 25 years ago.

It is important for me to note that I was one of the lucky ones. When I lost my jobs, I had savings in the bank and very low expenses. I didn't and don't have any family members or children who were relying on me and my wages. As the weeks and months dragged by and my claim was not process, I couldn't help but think of the countless others who applied, didn't get benefits, and did not have the safety net I had. What about people whose first language isn't English, or who don't have access to reliable internet? How

could they navigate this? Vermont's unemployment system needs to be reimagined and restructured. Because as we learned this year, any one of us might end up needing it.

Unemployment Testimony

Tuesday, May 4, 2021

Submitted by Llu Mulvaney-Stanak, Burlington, VT

My name is Llu Mulvaney-Stanak. I am a life-long Vermonter and I live in Burlington with my partner and 3 year old.

First, I want to thank all the legislators and staff who made tonight's public hearing happen. The pandemic has amplified so many of our broken public systems and it is important that we understand what is not working, so we can fix it.

Like many Vermonters, I struggled mightily during the first few months of the pandemic trying to juggle full-time work alongside my partner, full-time care for our then 2 year old, and get through lockdown.

By the end of the summer, exhausted and beyond stressed, we realized it was impossible to sustain the juggling act. Due to health insurance and my job ending, I dropped out of the workforce so I could provide more care for our toddler and manage our day to day lives.

This was my first time as an adult that I ever needed to pursue public assistance. It was humbling to say the least. We were and are so grateful for the expansion of eligibility.

While the DOL has stated their internal systems are woefully out of date, I think their bigger issues are their communication with users, user-interface, and oversight management of the program.

Here are some specifics:

- I experienced excessive wait times on the phone, in August and still to this day.
- The website for filing is a disaster. Instructions are clunky, outdated information about the holidays are still up, and there are broken links scattered all over.
- Since the call center was outsourced out of state, I have constantly had trouble getting answers to my basic questions, like "which kind of unemployment am I on? If I pick up temp work how does that factor my eligibility?"
- When my personal information was compromised in the tax form fiasco, DOL's emails were hard to understand. Making an already alarming situation even harder.
- Communication in general has been lacking, literally. I got kicked off benefits with no notification. I had to laugh when I saw that Governor Dean got an intro packet due to fraud, but I never got anything when I signed up.

Using our unemployment system has been time consuming, stressful, and frankly I am paranoid I will be accused of fraud because something isn't right in my account with DOL.

13 months into this pandemic, the user-experience should be top notch, not clunky and crappy.

05/04/2021

I quit my job because it became unsafe due to COVID.

I was running a sorority house at UVM. I was living in close quarters with 19 women who had returned in September from all over the country and who would be attending in-person classes and participating in all other sorts of campus life. The stress became too much when they actually arrived on campus.

My job duties required me to live in the house full-time. Due to COVID, my employer also required me to pick up extra cleaning duties in the house. It felt unsafe because of my personal situation with my partner, so I alerted my supervisor and turned in my notice.

My partner had stage 4 terminal stomach cancer. He was on his 16 chemo treatment at the time and therefore extremely immune-compromised. I had a letter from his doctor to prove it. During the day, I helped him with everything from laundry and cooking, to driving to Dartmouth and the treatment center in St. Johnsbury. I was traveling back to my house in Burlington in the evenings. It just became too risky once the students returned to campus, as I feared exposing him. I didn't see any other options other than to quit.

I loved my job - it was fun and exciting until COVID. Since leaving, the person who replaced me was exposed and asked to quarantine outside the house, along with a few other students. This justified my decision to leave my job.

I contacted my state representative and he referred me to Act 91, page 30 which refers to situations regarding Vermont's response to COVID-19. One of the criteria is caring for a family member who is considered high risk. Therefore, I believe I am entitled to benefits.

Timeline:

I quit on September 13, 2020 and started receiving regular unemployment.

My last check was November 17.

I submitted an appeal December 8.

I am now scheduled on May 17, at which time I have been told I may be denied again. Then I have to submit everything to the PUA program. I have no idea how long that will take either.

Bottom line, I have not seen any money since November 17. And bottom line, the process is way too long and far from over for me. Thank you!

Greeting

I apologize that I am not able to be present with you all. I was called away on business today, however I would like to submit my views on the unemployment issue that is being discussed this afternoon.

I am writing to inform you that we have a major issue with our workforce in Vt. I understand that Governor Scott has mandated that it is no longer necessary for people on unemployment to go out and acquire 3 contacts to be eligible to receive unemployment benefits due to the covid pandemic.

This presents a major issue because the individuals that are on unemployment are no longer encouraged to go out looking for a job. I manage a machine shop in the Newport Vt area and I am

having a very difficult time filling employment positions.

In today's world you and I both know that practically everyone has access to the internet and almost everyone has a cell phone with internet access, therefore in the present case, I strongly urge

you as our representative to please work with our Governor to change this mandate and have all

unemployed individuals get a minimum of 3 contacts; via the internet on websites such as "Indeed and the unemployment department". Allowing this to continue brings about a great disservice to both the individual and the workforce.

This country was founded on Capitalism and not socialism, so when we make people dependent on the state we create a socialist state. I have no qualms in helping people but there are a lot of people on unemployment that are healthy enough to work and I can assure you all that there are many many jobs available right now and there is no excuse for people to be unemployed. We at this company worked throughout the entire covid pandemic wearing masks and daily sanitation. That said, PLEASE PLEASE do your country and people a favor and send them back to work.

Thank you for your consideration
Roger Quirion
Metal Flex Welded Bellows
Newport Vermont
802-334-5550

From: Deborah Wright <safetyguaranteed@hotmail.com>
Sent: Tuesday, May 4, 2021 4:29 PM
To: Testimony
Subject: Public Hearing on Unemployment Issues during the Pandemic

As the Bellows Falls Village President and the owner of a small, minority, woman-owned construction industry business for the past 18 years, I come here today to tell you that all of us are stuck between a rock and a very, very hard place. The business community and all its sectors have struggled desperately to survive the last year, to do everything and anything to keep the doors open, while keeping our employees safe, and paid, through the pandemic. We have been asked to reinvent ourselves, to leap forward, instead of going back to normal. But the financial struggle isn't over, our breathing room is a mere gasp, as businesses cannot survive without employees.

Yes, we all needed help during this emergency. Every. Single. Vermonter. Funding was made possible, and I thank you for that. My business received a helping hand through the PPP and EIDL programs. Small in comparison to many, but I used that money to pay my employees for eight weeks, 40 hours of wages, to keep them and their families fed and housed through the first two months. No matter how few hours were available to work, I paid a full week. Our main contractor, GMP, also had to deal with COVID-19 as well, and they stopped doing utility work to regroup and develop protocols to manage working in a pandemic environment. That was 5 weeks with no business income. Without their good graces I cannot work my people. I raised my starting wage above the \$15.00 targeted minimum, included additional perks and benefits. It was, and continues to be, a travesty for finding applicants. And it does not appear to be getting any better.

As we begin to see the light at the end of the tunnel, a new emergency arises. Businesses cannot attract employees. People are still being paid to stay home and that money may be as much or more than the earnings they received from an employer. Why return to your former employer or even look for a new one? As long as the spigot remains open this will continue. There is no impetus to return to the work force. No drive to begin again. Millions of former employees across the country are comfortably numb.

Although I appreciate the recent effort of reinstating the Work search requirement, it will not, and did not before, bring potential employees to our doors, only a strong motivation to earn a living will do that. Please do not make UI payments that softer substitute that kills our businesses and our state. It is time to bring Vermont Forward and all Vermonters need your help to do that.

Thank you for your time.

Deborah Wright
Green Mountain Traffic Control Inc

From: Julie Suarez Cormier <julie.suarezcormier@gmail.com>
Sent: Tuesday, May 4, 2021 4:26 PM
To: Testimony
Subject: Public Hearing on Unemployment Insurance Issues Testimony

Hello,

I own Vermont Community Acupuncture, L3C. My husband Lester has been employed full time by me as the clinic manager since the beginning of 2019. For a number of years before that he was employed as a manager at Trattoria Delia while also working for me part-time as a receptionist. When the shutdown occurred last March I was worried that I would not be able to claim unemployment as a self-employed business owner, but was relieved that my husband was able to file. We told our situation to the person on the phone at the Department of Labor, and they said Lester was eligible for benefits since he is a W2 employee, but that I was not. About a week later PUA was announced and we were both able to receive benefits. In the fall we worked part-time and claimed partial benefits, and after we received the healthcare grant from the state we stopped filing for unemployment.

In December our family went for COVID tests. That same week I started to receive email notices with my then 11 year old son's name listed as eligible for a weekly claim for unemployment. I called the Department of Labor because I was worried that someone was fraudulently trying to claim using my son's name. They referred me to the fraud department.

In January my husband (and my other 2 employees) filed for partial unemployment again. There was a gap between the end of the healthcare grant in December and when we applied for a PPP loan in January. My husband was told that there was a fraud investigation on my account, and since we have the same last name they couldn't pay him until the investigation was complete. They couldn't give him more information.

In February my son received a 1099 for unemployment benefits and I did not. I called and was sent a CORRECTED 1099... again in my son's name.

In March I made an appointment for a COVID vaccine. I called to reschedule the appointment and was told I did not have an appointment. The person on the phone read me my name and my son's birthdate and said I was not eligible due to my age. 12.

I called the Department of Labor again and they fixed the issue with my birthdate. I also received a 1099 in my name. The same week my husband received a notice that he had to pay back his unemployment benefits. They listed only his work at Trattoria Delia (he worked one shift I believe in 2019) and said he had no other eligible work. When I called I was sent to the fraud department, and they said nothing was wrong with my account. The person in charge of my 1099 situation said she was meeting with the assistant director about my case and she would look at my husband's unemployment as well. The next day she emailed me saying there was no problem and we didn't owe anything. I asked her if we needed to file an appeal and she said no. The next month we received another bill asking for my husband's benefits back. I reached out to the woman who told me that we didn't need to file an appeal and she said... we should have filed an appeal. I have the email, thankfully.

A few days later someone else called me and said the reason we need to pay back the benefits is that I have been erroneously paying into UI for my husband and that because I am an LLC and he is my spouse he shouldn't have been eligible to begin with. They said he should be eligible for PUA if he isn't eligible for UI, but that we would have to pay back his benefits first and then reapply. I haven't heard anything since.

We need help.

Thank you.

Julie Suarez Cormier, Lic.Ac., MAOM
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Lead Acupuncturist
University of Vermont Medical Center
Comprehensive Pain Program
julie.suarez-cormier@uvmhealth.org

From: Ryan Coffey <ryan.l.coffey@gmail.com>
Sent: Tuesday, May 4, 2021 4:13 PM
To: Testimony
Subject: Unemployment

I will not be able to join the zoom meeting tonight due to a work commitment. I would like to know if anything is being done regarding people who were serving penalty weeks during the pandemic and received no unemployment benefits what so ever?

Thank You,
Ryan Coffey

From: Arabella Levinsky <levinsky.arabella@gmail.com>
Sent: Tuesday, May 4, 2021 12:42 PM
To: Testimony
Subject: Testimony for VT unemployment

Hello,

I was the only one in my company who was denied unemployment benefits due to covid-19. I appealed my case, the adjudicator called and left me a message while I was hiking. I got her voicemail in about an hour when I had spotty service. She said I has 6 work hours to call back or she would decide on my case without me. I ran down the mountain to good service, called her 17 times (I have records of this) and left 3 voicemails. She did not answer once of the 17 times (all during her work hours) and she did not call me back. She denied my case. When I appealed my case again, I did not receive my notice letter for the time of the court hearing. Luckily answered my phone and was able to speak. The judge was very biased to my previous employer. I felt through the whole process I was never actually listened to about my experience, and still remain the only employee at my company to not receive unemployment benefits during the covid-19 pandemic. Thank you for listening and I hope this helps to improve the unemployment process for the future.

Arabella Levinsky

Sent from my iPhone

From: diana doll <diana9lee@gmail.com>
Sent: Tuesday, May 4, 2021 10:07 AM
To: Testimony
Subject: UI issues

Please submit this testimony to the legislature for the live-stream session today at 5:00, thank you.

Prior to February 2020, I was full-time self-employed and also had occasional W-2 employment (a few hours/month). I applied for benefits in April 2020, since both jobs had come to a halt. Based on my W-2 income history (\$1,203), I was deemed eligible for 'regular UI benefits'. However, my self-employment income (\$70,000) wasn't taken into account for the PUA program. The Dept. of Labor plained that they look at W-2 income first; anyone who received W-2 income was disqualified from PUA, regardless of the difference in earnings between the two types of employment.

My weekly UI benefit was determined to be \$145. I managed to find some self-employment gigs, but any week I earn over \$290 (2x the weekly benefit), I became ineligible for both the CARES Act and regular UI benefits. In my case, the weekly CARES Act was significantly more than UI, so choosing to find work resulted in a bleak financial situation due to the loss of the federal benefit.

Had benefits been based on my self-employment history (PUA), the weekly threshold would be much higher than \$145. I would have been incentivized to continue to find work, since doing so wouldn't disqualify me from CARES Act (or UI) benefits.

I learned from the Dept. of Labor that this situation has been brought to their attention by others like myself, but resolution is uncertain. Because the federal government created the pandemic relief programs in a hurry, the ramifications of basing benefits and weekly thresholds on the lowest income source wasn't considered. The person I spoke with at the DoL said they weren't aware of any 'mobilization effort' on the part of people like myself to approach the federal government about the coupling of State UI with federal pandemic relief.

Has the legislature taken up these 2 issues?

1. UI benefits based on lowest source of income.
2. The coupling of CARES Act benefits with weekly eligibility.

Regards ~
Diana D.

--
~ Diana



FOR YOUTH DEVELOPMENT™
FOR HEALTHY LIVING
FOR SOCIAL RESPONSIBILITY

May 4, 2021

Dear Esteemed Members of the House Committee on Commerce and Economic Development and the House Committee on Government Operations:

The YMCA Alliance of Northern New England, representing the two YMCAs in Vermont, respectfully submits this letter to share the impact of the COVID-19 pandemic on nonprofits like the YMCA that self-fund their unemployment.

Under Vermont law, nonprofits (501c3) are permitted to forego contributions to the unemployment compensation fund, and to reimburse the fund for benefits paid to their employees ("self-fund their unemployment"). Nonprofit employers often elect this reimbursement option because they rarely have a large number of layoffs. In normal circumstances, this is a prudent financial decision made by nonprofits to maximize the efficient use of resources to meet critical community needs.

No one could have anticipated the catastrophic effects of the COVID-19 pandemic. Due to the pandemic, the two Vermont YMCAs were forced to lay off significant numbers of staff. **The cost of the Vermont YMCAs' COVID-related unemployment claims is significant and unprecedented.** Even taking into account the federal unemployment relief included in the CARES and Consolidated Appropriations Acts, this leaves the YMCAs with a crippling, unanticipated financial obligation on top of increased expenses they are already incurring related to operating with the necessary safety protocols in our 'new normal.'

The two Vermont YMCAs serve more than 30,000 Vermonters each year; we provide essential services in our communities to some of Vermont's most vulnerable residents. At the Y, these services include childcare, hunger relief, and community-based chronic disease prevention programs. By providing these services, YMCAs lessen the burden on government. Vermonters need our services now more than ever. These significant and unexpected unemployment costs caused by the pandemic have a direct impact on our ability to provide services in our communities.

The YMCA Alliance of Northern New England appreciates this opportunity to share one of the unexpected impacts of the COVID-19 pandemic on our operations, which directly and adversely affects our ability to serve our communities. We welcome a conversation with state and local leaders to address this issue and how we can work together to support the well-being of all Vermonters.

Sincerely,

YMCA Alliance of Northern New England

Representing:
Greater Burlington YMCA • Meetings Waters YMCA

Contact: Meg Helming, Director of Advocacy & Impact, YMCA Alliance of Northern New England
P: 207.232.9896 **E:** Meg.Helming@NNEYMCAs.org

I had planned to testify in real time, but my monthly Tenant Skills class that I teach poised a conflict this evening.

I am testifying to join others who have been challenged by the Vermont Department of Labor Unemployment and Pandemic unemployment system. I launched my small business in 2018 after two years of AmeriCorps service and while participating in Mercy Connections Women's Small Business Program. Having come from a low-income family myself, I could see that the ways I best engaged with affordable housing communities is through facilitating story sharing, discussions, and art making to help new residents reflect on their experiences of housing insecurity, and arriving at a new home. I continued my housing advocacy part time to help build financial stability as I grew my business. By 2019, my LLC became financially sustainable and had benefitted 6 low-income communities in my region.

Losing that income in 2020 was devastating and coincided with my first year of my low-residency graduate program at a private school- a school which awarded me merit scholarships, fellowship funds, but still required me planning my personal budget to rely on income from my LLC. I could see myself sliding back into the territory of the extremely low-income, and people in my situation know that we are the first to be left behind when national disasters strike.

I have been on food stamps and medicaid, have applied for affordable housing, and have helped hundreds of individuals over the past 6 years navigate the benefit systems critical to a basic lifestyle. I was well prepared to jump through hoops when the PUA program was announced, but I never thought it would come down to posting on public Facebook groups for help.

Since the beginning, **I have received false information from people on the hotline, people who I have waited for hours to talk to.** At the beginning of the pandemic, the wait was *weeks* of call every day, as early as I could, to sit on hold until eventually being kicked off. When I first got a hold of someone **in May, she had my case for months without getting back to me. She told me to call her if I didn't hear back, providing me a direct line. When I did get a hold of her, she answered the phone with a brusque "What?" and then told me she moved departments and I would have to go through the hotline** all over again. **Twice** I have been told that I owe money, with no clear reason why, and then had the statement walked back or contradicted. I have never made more than \$20 grand a year in my life, and you can bet I pay 50% or more of my income on rent.

Information for Sole Proprietors is also conflicting, with no clarity what resources exist, what can be combined, and what could just leave you owing more money than you did before the pandemic.

I have never resolved any issue through the PUA program. **Every time I needed real information, or any response has been through posting on public facebook groups,** at which point state representatives like Emma Mulvaney-Stanak have found answers or been able to connect me with a VDOL employee. I am grateful for their hard work off hours keeping me afloat, and asking for serious work to be done with the current system. If I, whose job has entailed navigating complicated benefit systems for the better half of the last decade, cannot access these benefits, who can? Understand too that people like me aren't *just* trying to access unemployment funds, but also the other basic resources to keep us able to live in Vermont as housing costs soar.