

VERMONT LEGAL AID, INC.

OFFICES:

BURLINGTON
RUTLAND
ST. JOHNSBURY

177 WESTERN AVENUE SUITE 1
ST JOHNSBURY, VERMONT 05819
(802) 748-8721 (VOICE AND TTY)
FAX (802) 748-4610
(800) 769-6728

OFFICES:

MONTPELIER
SPRINGFIELD

March 10, 2021

Senator Michael Sirotkin, Chair
Members of the Senate Economic Development Committee
VIA EMAIL

Re: Expanding Unemployment Benefits for Vermont Workers

Dear Chairman Sirotkin and Senate Committee Members:

On behalf of the Vermont Legal Aid Unemployment Task Force, I write to offer support for efforts to increase and expand benefits for unemployed Vermonters. If the legislature approves millions of dollars to support Vermont employers in the unemployment program, it should devote at least the same amount of money to support Vermont workers.

At the outset, the legislature should be reminded that the purpose of the unemployment insurance program is to help and assist workers who face financial crisis due to involuntary separation from employment. Also, it is simply not true that federal supplements have allowed people to live “high off the hog” while on unemployment benefits. The regular unemployment Weekly Benefit Amount winds up equating to only around half of what a worker's weekly wages were while employed. The federal supplements helped individuals make ends meet by bringing them closer to the level of income they had while employed. For many, if not most Vermonters, the regular weekly income they had while employed is the minimum amount of income required to meet necessary monthly expenses including payment of debt. Many working Vermonters do not have the luxury of disposable income but rather live paycheck to paycheck.

Any suggestion that Vermonters already have more than enough in benefits and federal supplements is wrong. It distracts attention from the glaring problems at VDOL that continue to deprive workers of benefits that they are entitled to.

If the legislature opts to spend millions of dollars to support Vermont employers, it goes without saying that it should also support Vermont workers to the same degree. Vermont Legal Aid supports efforts to increase and improve unemployment benefits for workers such as:

- **Increasing unemployment benefits across the board, raising both the maximum and minimum weekly benefit amounts,**
- **Creating a dependent benefit for unemployed workers and their families,** and
- **Creating a fund for waiver of overpayments not the result of intentional misrepresentation.** The workforce at DOL is overwhelmed and some are insufficiently trained. They are making mistakes, resulting in over payments for workers that have done nothing wrong. We have had much success in helping individuals defeat overpayment

determinations during the pandemic. However, some individuals are being required to repay benefits although no intentional misrepresentation was found. The Department should establish and fund a system to waive such overpayments – particularly those incurred during the pandemic.

Ideally, the legislature will also enact changes at VDOL which will benefit ALL Vermonters, employers and workers alike. This goal could easily be achieved in one of the following ways:

- **Direct a massive overhaul of DOL technology – both hardware and software.** If the legislature can spend millions to help employers, it should be able to spend that amount on technology for VDOL. The VDOL computer system has not been able to handle the number of claims it is receiving and will likely receive for months or years to come.
- **Increase funding for VDOL (via new federal pandemic relief money or some other source) specifically earmarked for STAFFING – both hiring and training.** We continue to have calls from hundreds of people who are trying to get benefits to which they are entitled. Claimants call to speak to a Department representative and are given incorrect or contradictory information. Some clients are simply told that no one can answer their questions about eligibility or when to expect their benefits; they will just have to wait to see if they get paid. Clients use the online Claimant Inquiry Tool to inquire about their claim and receive no response. Hiring more staff and training them better, particularly at the adjudications/investigation level, would allow VDOL to process claims more efficiently and obtain correct results the first time, thereby minimizing the number calls to the Department and the number of appeals.

These improvements are significant and desperately needed. They also are not reasons to deny expansion of benefits directly to Vermont workers, such as increases in weekly benefit amounts or creation of an unemployed worker's dependent benefit. At this unique time when millions of dollars in federal funding is available for pandemic relief, the legislature should be able to creatively utilize all funding opportunities to accomplish all the goals described above. These are not "either / or" proposals.

Directing millions of dollars to benefit Vermont employers will do just that: benefit Vermont employers. It will not directly help the tens of thousands of Vermont workers and families who have been devastated by loss of income due to the pandemic. The legislature must ensure that Vermont workers also receive expeditious and direct additional support if they are to weather the storm caused by the pandemic.

I hope this information is helpful. My direct line phone is (802) 424-0303, ext. 725, and my email is kkazmarski@vtlegalaid.org. Please do not hesitate to contact me if you should have any questions or concerns. Thank you.

Sincerely,

Kelli Kazmarski

Kelli Kazmarski
Staff Attorney

VERMONT LEGAL AID, INC.

177 Western Avenue Suite 1

St Johnsbury, VT 05819