

Mike Ferrant

From: Rousseau, Tracy G - ETA <Rousseau.Tracy.G@dol.gov>
Sent: Wednesday, June 9, 2021 2:14 PM
To: Wood, Cameron; Murphy, Kristine
Subject: Legislative Question from VDOL 5/13/2021

EXTERNAL SENDER: Do not open attachments or click on links unless you recognize and trust the sender.

Good afternoon Cameron,
See the email below for the response to your questions. Hope they help.

Tracy G. Rousseau
UI Program Specialist / Federal Project Officer
U.S. Department of Labor – ETA
617.788.0113

From: Pasquale, Karen - ETA <Pasquale.Karen@dol.gov>
Sent: Wednesday, June 9, 2021 1:45 PM
To: Rousseau, Tracy G - ETA <Rousseau.Tracy.G@dol.gov>
Cc: Martin, Timothy - ETA <Martin.Timothy@dol.gov>; Chan, Thomas D - ETA <Chan.Thomas.D@dol.gov>
Subject: FW: Legislative Question from VDOL 5/13/2021

From: COVID-19 <COVID-19@dol.gov>
Sent: Tuesday, June 08, 2021 2:15 PM
To: Pasquale, Karen - ETA <Pasquale.Karen@dol.gov>; COVID-19 <COVID-19@dol.gov>; Hays, Daniel - ETA <Hays.Daniel@dol.gov>
Subject: RE: Legislative Question from VDOL 5/13/2021

Good afternoon, Karen:

Sorry for the delay in getting back to you on Vermont's question.

It would not be permissible for VT to have a separate agency administer part of the benefit. Section 3306(e), FUTA, defines "state agency" as the state officer, board or other authority designated under state law to administer the unemployment fund in such state. Additionally, Vermont asks if the State could draw down trust fund dollars to be administered through another state agency. This is not permissible as only the "state agency" may make payments of unemployment compensation.

As to whether there would be an issue with Vermont establishing a "FPUC-type additional benefit". This would not meet the definition of an "additional benefit" program as it would be payable prior to exhaustion of regular unemployment compensation (UC). That said this type of payment could be permissible provided that no trust fund monies or administrative grant funds are utilized. Additionally, Vermont could not use any of the accounts that comprise the unemployment trust fund (UTF) (clearing account, state's UTF book account, or benefit payment account) to facilitate the payments of the account. Additionally, they need to be aware of UC confidentiality requirements in 20 CFR Part 603. Depending upon how Vermont operationalizes the program confidentiality agreements may be necessary and if any UC funded infrastructure (buildings, IT, staff, etc.) are utilized a cost-allocation plan will likely be necessary.

I hope this information helps.

Patricia Mertens
Unemployment Insurance Program Specialist
ETA/OUI

From: Pasquale, Karen - ETA <Pasquale.Karen@dol.gov>
Sent: Monday, May 17, 2021 2:08 PM
To: COVID-19 <COVID-19@dol.gov>; Hays, Daniel - ETA <Hays.Daniel@dol.gov>
Subject: FW: Legislative Question from VDOL 5/13/2021

VT has a couple of questions below. Sending to Covid-19 mailbox and Legislative.

From: Wood, Cameron <Cameron.Wood@vermont.gov>
Sent: Thursday, May 13, 2021 3:21 PM
To: Rousseau, Tracy G - ETA <Rousseau.Tracy.G@dol.gov>
Cc: Pasquale, Karen - ETA <Pasquale.Karen@dol.gov>
Subject: RE: Legislative Question

CAUTION - The sender of this message is external to the DOL network. Please use care when clicking on links and responding with sensitive information. Send suspicious email to spam@dol.gov.

It may be a moot point at this time. We have been working with our legislature on COVID-19 related UI responses. Part of that was to keep employer tax rates from going up. In efforts to balance the legislation, some have advocated for an increase in benefits to claimants. We are struggling to support that given our out of date IT systems.

The question was – if a separate agency could administer part of the benefit, could the State draw down trust fund dollars to be administered through another state agency? Assuming it was a UI benefit. Just trying to figure out all the specifics we would need to be thinking about if that were to move forward.

Subsequently, it looks like the legislature is now going to have us issue a similar FPUC-type additional benefit once the CARES Act programs expire. I am assuming there are no issues with this from a federal UI perspective, but if I am missing something, please let me know.

This bill is likely to move forward in the coming days, so if there is something we need to be aware of (or a conformity issue) we would need to know as soon as possible. Again, it is currently set as a \$25 supplemental benefit to be added onto UI benefits after the expiration of FPUC. I do not believe this would be charged back to employers at this time.



Cameron T. Wood, Esq.
UI & Wages Division Director

Vermont Department of Labor
5 Green Mountain Drive
P.O. Box 488
Montpelier, VT 05601-0488
(o) 802.828.4242 (c) 802.793.8358
cameron.wood@vermont.gov
www.labor.vermont.gov

CONFIDENTIALITY/DISCLOSURE NOTICE:

Please note that this email message, along with any response or reply, may be considered public record, and thus, subject to disclosure under the Vermont Public Records Law (1 V.S.A Ch. 5, Sec. 3, §§ 315-320). Thank You.

From: Rousseau, Tracy G - ETA <Rousseau.Tracy.G@dol.gov>
Sent: Thursday, May 13, 2021 2:17 PM
To: Wood, Cameron <Cameron.Wood@vermont.gov>
Cc: Pasquale, Karen - ETA <Pasquale.Karen@dol.gov>
Subject: RE: Legislative Question

EXTERNAL SENDER: Do not open attachments or click on links unless you recognize and trust the sender.

Hi Cameron,

Depending on what the question is determines where it would go, please send your question to me with a cc to Karen, and we'll get your questions to the correct person.

Thank you.

Tracy G. Rousseau
UI Program Specialist / Federal Project Officer
U.S. Department of Labor – ETA
617.788.0113

From: Wood, Cameron <Cameron.Wood@vermont.gov>
Sent: Thursday, May 13, 2021 10:12 AM
To: Rousseau, Tracy G - ETA <Rousseau.Tracy.G@dol.gov>
Cc: Pasquale, Karen - ETA <Pasquale.Karen@dol.gov>
Subject: RE: Legislative Question

CAUTION - The sender of this message is external to the DOL network. Please use care when clicking on links and responding with sensitive information. Send suspicious email to spam@dol.gov.

Thanks Tracy. To be clear, it is not a COVID related question. Should I still send it to that email inbox?



Cameron T. Wood, Esq.
UI & Wages Division Director
Vermont Department of Labor
5 Green Mountain Drive
P.O. Box 488
Montpelier, VT 05601-0488
(o) 802.828.4242 (c) 802.793.8358
cameron.wood@vermont.gov
www.labor.vermont.gov

CONFIDENTIALITY/DISCLOSURE NOTICE:

Please note that this email message, along with any response or reply, may be considered public record, and thus, subject to disclosure under the Vermont Public Records Law (1 V.S.A Ch. 5, Sec. 3, §§ 315-320). Thank You.

From: Rousseau, Tracy G - ETA <Rousseau.Tracy.G@dol.gov>
Sent: Thursday, May 13, 2021 9:47 AM
To: Wood, Cameron <Cameron.Wood@vermont.gov>
Cc: Pasquale, Karen - ETA <Pasquale.Karen@dol.gov>
Subject: RE: Legislative Question
Importance: High

EXTERNAL SENDER: Do not open attachments or click on links unless you recognize and trust the sender.

Good morning Cameron,

Go ahead and send up your UI questions to the COVID email box and it will be reviewed by subject matter experts for redistribution if needed. Thanks.

Tracy G. Rousseau
UI Program Specialist / Federal Project Officer
U.S. Department of Labor – ETA
617.788.0113

From: Wood, Cameron <Cameron.Wood@vermont.gov>
Sent: Thursday, May 13, 2021 9:15 AM
To: Rousseau, Tracy G - ETA <Rousseau.Tracy.G@dol.gov>
Subject: Legislative Question
Importance: High

CAUTION - The sender of this message is external to the DOL network. Please use care when clicking on links and responding with sensitive information. Send suspicious email to spam@dol.gov.

Good Morning Tracy,

I have a few questions regarding UI benefits that I need to send to USDOL for confirmation. Who is the best point of contact to send those to? Should I send them to you and cc Karen or is it best to go directly to the national office, and if so do you have a point of contact there?

Thank you,



Cameron T. Wood, Esq.
UI & Wages Division Director
Vermont Department of Labor
5 Green Mountain Drive
P.O. Box 488
Montpelier, VT 05601-0488
(o) 802.828.4242 (c) 802.793.8358
cameron.wood@vermont.gov
www.labor.vermont.gov

CONFIDENTIALITY/DISCLOSURE NOTICE:

Please note that this email message, along with any response or reply, may be considered public record, and thus, subject to disclosure under the Vermont Public Records Law (1 V.S.A Ch. 5, Sec. 3, §§ 315-320). Thank You.