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ADVISORY: TRAINING AND EMPLOYMENT GUIDANCE LETTER NO. 9-19

TO: STATE WORKFORCE AGENCIES

FROM: JOHN PALLASCH /s/
Assistant Secretary

SUBJECT: Fiscal Year (FY) 2020 Funding Allotments and Operating Guidance for Unemployment Insurance (UI) Reemployment Services and Eligibility Assessments (RESEA) Grants

1. **Purpose.** To provide guidelines for the FY 2020 UI RESEA grants and to invite State Workforce Agencies to submit applications for funding.
2. **Action Requested.** The U.S. Department of Labor’s (Department’s) Employment and Training Administration (ETA) requests state agency administrators to provide information contained in this Training and Employment Guidance Letter (TEGL) to appropriate staff. This information should be shared with staff in, but not limited to, the UI program; workforce programs administered under the Workforce Innovation and Opportunity Act (WIOA), including the Wagner-Peyser Act-funded Employment Service; and workforce information/labor market information programs. States requesting funding to continue a current RESEA program or to implement a new RESEA program during FY 2020 must submit a RESEA state plan containing all required information described in this TEGL via www.grants.gov within 45 calendar days from the issue date of this TEGL.
3. **Summary and Background.**

Summary – This TEGL provides general operating guidance for the RESEA program for FY 2020, including changes and clarifications to program operations, maximum state award limits based on anticipated funding availability, and instructions for submitting a RESEA state plan via www.grants.gov. The submission of a RESEA state plan and applicable budget documentation identified in section 9 of this TEGL will serve as the State’s application for FY 2020 RESEA funding. This TEGL is published concurrently as an Unemployment Insurance Program Letter (UIPL). The joint TEGL/UIPL reflects the shared responsibilities across UI and workforce programs in conducting RESEA activities, and the guidance documents are identical other than non-substantive changes to formatting.

Background – Since 2005, the Department and participating state UI agencies have been addressing individual reemployment needs of unemployment compensation (UC) claimants,

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and working to prevent and detect UC improper payments through the voluntary UI Reemployment and Eligibility Assessment (REA) program and its successor, the voluntary RESEA program. Because there is strong evidence that these programs and service delivery strategies are effective, they have been a high priority for ETA.¹ During FY 2019, a total of 50 states and jurisdictions were operating an RESEA program.

On February 9, 2018, the President signed the Bipartisan Budget Act of 2018, Public Law 115-123 (BBA), which included amendments to the Social Security Act (SSA) that created a permanent authorization for the RESEA program. The RESEA provisions are contained in Section 30206 of the BBA, enacting new Section 306 of the SSA. The permanently authorized RESEA program provides for a phased implementation of new program requirements over several years. The phased implementation began in FY 2019 with new requirements that RESEA funds must be used for interventions or service delivery strategies demonstrated to reduce the average number of weeks participants receive benefits by improving participant employment outcomes, which include earnings (See UIPL No. 07-19, section 5), and the introduction of additional flexibilities for targeting RESEA participants (See UIPL No. 07-19, section 6).

The new requirements and flexibilities introduced in FY 2019 will continue in FY 2020. New statutory requirements that will be implemented during FY 2020 include the RESEA state plan required by Section 306(e), SSA, and further described in section 9 and Attachment II of this TEGL. Information and resources to support states' implementation of the new evidence and evaluation requirements are provided in section 8 of this TEGL and in UIPL No. 01-20 and TEGL No. 06-19.

Additional program requirements will be phased in during FYs 2021-2023, including, but not limited to, performance reporting, formula-based allocation of funds, and outcome payments to high-performing states.

The purposes of the RESEA program are identified in Section 306(b), SSA:

- 1) To improve employment outcomes of UC recipients and to reduce the average duration of UC receipt through employment;
- 2) To strengthen program integrity and reduce improper UC payments through the detection and prevention of such payments to ineligible individuals;
- 3) To promote the alignment with the broader vision of WIOA of increased program integration and service delivery for job seekers, including UC claimants; and
- 4) To establish reemployment services and eligibility assessments as an entry point for UC claimants into other workforce system partner programs.

¹IMPAQ International, January 2012, *Impact of the Reemployment and Eligibility Assessment Initiative in Nevada*; and IMPAQ International, June 2011, *Impact of the Reemployment and Eligibility Assessment Initiative*.

The permanent RESEA program is a new and different program than the prior discretionary RESEA program. The RESEA program, as implemented under previous operating guidance, was tightly prescribed and included limits on the number of RESEA sessions that could be provided. This TEGL provides additional flexibility by removing the limitation on the number of visits that may be part of a RESEA. States now have significant flexibility in program design and targeting UI claimants for participation. The permanently-authorized RESEA program promotes and rewards new and innovative service delivery strategies and interventions. In the context of these changes and the program's potential growth in future years, states are strongly encouraged to revisit their service delivery designs, how they staff the program, and how to most effectively achieve the purposes of the RESEA program. State workforce and UI agencies implementing RESEA are also encouraged to engage their State Workforce Boards in support of the latter two RESEA purposes, especially in the context of further integrating the RESEA program into American Job Center (AJC) service delivery and WIOA State Plans.

4. Definitions.

The permanently-authorized RESEA program is no longer governed by the construct of the REA program or the former RESEA program. RESEA now has the features of a broader reemployment program, so the terms used previously for REA and RESEA reporting and planning, such as “subsequent RESEA” or “completed” have different meanings in the new permanent RESEA program. Additionally, the term “reemployment services” has been expanded to include a wider range of potential activities. Therefore, for purposes of RESEA planning and performance reporting, new definitions are needed.

The following definitions are now used for RESEA planning and performance reporting purposes. These definitions identify minimum levels of service delivery and states are strongly encouraged to integrate a wide range of additional services, including performing an assessment, that can identify and respond to the specific needs of each UC claimant.

- a. Initial RESEA – The term “initial RESEA” refers to the first meeting between a RESEA service provider and a UC claimant who reported to the meeting in response to an official notification of selection and required participation in RESEA services. For reporting and planning purposes (RESEA State Plan, element 18 [see Attachment II] and ETA 9128, element 3 [see Section 7(f)]), the initial RESEA session is “completed” when the following components have been provided:
 1. A UC eligibility review that is conducted on a one-on-one basis, which must include review of work search activities, and referral to adjudication if an issue or potential issue(s) is identified;
 2. Customized labor market and career information based on an assessment of the claimant's needs;

3. Enrollment in the Wagner-Peyser Act-funded Employment Service program;
4. Support, to the extent needed, for the claimant in the development of an individual reemployment plan tailored to the claimant's needs; and
5. Information and referral to additional reemployment services and other AJC services, resources, and training, as appropriate.

The above list identifies the minimum requirements for an initial RESEA, and states may include additional activities or services as part of their respective service delivery designs. Importantly, completion of the initial RESEA does not necessarily terminate a claimant's enrollment in RESEA, given that it does not include many of the reemployment services that may support the claimant's return to work. States have flexibility in their service-delivery design to include subsequent RESEA sessions and/or provision of and/or referral to additional reemployment services. The number of claimants receiving reemployment and/or training services resulting from an RESEA referral is reflected in the ETA 9128 report, elements 4-6. Sections 6 and 7 of this TEGl provide additional information and requirements pertaining to RESEA services during FY 2020.

- b. Subsequent RESEA – States have flexibility to determine the extent to which they require any subsequent RESEAs as part of their service delivery model in addition to referrals to reemployment services. The term “subsequent RESEA” refers to a follow-on RESEA meeting that includes, at a minimum, a UC eligibility assessment and a review of the claimant's work search activities to determine if additional assistance is needed to support the claimant's compliance with the work search requirements and the claimant's return to work at the earliest possible time.

States may include additional activities or services as part of their respective service delivery designs. For planning purposes, the projected number of completed subsequent RESEAs is reported in element 18 of the RESEA state plan. States are no longer limited in the number of subsequent RESEAs that may be provided.

- c. Reemployment Services – States need to develop processes to support RESEA participants' referral to reemployment services, including those provided using RESEA funding and those provided through other programs. In support of RESEA's goal of greater alignment with the WIOA, reemployment services include, but are not limited to, activities identified as career services under WIOA section 134(c)(2) and further detailed at 20 CFR 678.430. States have significant flexibility in types and quantity of reemployment services provided, but must ensure their respective RESEA programs' design and the services provided supplement, rather than supplant, Federal, state, and local public funds that would

otherwise be expended on reemployment services in the absence of a RESEA program.

Referrals to reemployment services resulting from RESEA is captured on the ETA 9128, elements 4-5, and in each state's RESEA state plan narrative describing service delivery. ETA will also collect additional information via the Workforce Integrated Performance System for claimants referred to the Employment Service and other WIOA partners by RESEA.

- d. Training – RESEA program reporting requirements (ETA 9128) include submitting the number of claimants that report to training as a result of a RESEA referral (items 4 and 6). In the context of RESEA, training includes training services under WIOA section 134(c)(3) and 20 CFR 680.200. Training also includes any other training program approved by the state's UI agency. Given that RESEA funds may not be used to support training activities, training activities will be reported through the workforce program reporting structures for the training activities to which the claimant is referred.

5. **Funding.**

- a. Award Limits – The awards that may be made under this UIPL are subject to the availability of Federal funds. Under the Appropriations Act for FY 2020, the total available funding for RESEAs is \$175,000,000. Grant recipients may be required to revise budget documents prior to award execution to account for discrepancies among estimated funding availability, funding requests, and actual award amounts.

FY 2020 funding award limits were calculated for all eligible states using each state's proportionate share of projected FY 2020 UI first payments. The states' proportionate shares were calculated by dividing each state's projected UI first payments by the national total and multiplying the result with the total anticipated funding level of \$175,000,000. To prevent significant disruption in service delivery, and to support new RESEA requirements, ETA applied minimum and maximum funding limits. These limits include a minimum funding increase of 10 percent and maximum increase of 20 percent from FY 2019 authorized funding limits (See UIPL No. 07-19, Attachment I). Each individual state may request an amount up to the award limit provided in Attachment I of this TEGL. The state has discretion to request a lesser amount based on appropriate factors, such as capacity and program trends.

Beginning in FY 2021, each state's maximum state RESEA award will be determined using a formula allocation based on the Insured Unemployment Rate and the size of the civilian labor force in each state. On April 4, 2019, ETA published a *Federal Register* Notice (FRN), [84 Fed. Reg. 13,319](#), requesting public comments on the RESEA allocation process. On August 8, 2019, ETA published a second FRN, [84 Fed. Reg. 39,018](#), identifying the final allocation methodology and providing analysis of how ETA considered public comments in its development.

- b. Use of Funds – RESEA funds must be used to assess the continued eligibility and reemployment needs of UC claimants in the targeted populations identified by the state and to provide reemployment services to RESEA participants, including reemployment services to which RESEA participants are referred. These funds must be used to supplement the level of Federal, state, and local public funds that, in the absence of such availability, would be expended to provide reemployment services and eligibility assessments to individuals receiving UC. RESEA funds may not supplant UI grant funds devoted to other state UI program enforcement or program eligibility review activities. Similarly, these funds must not supplant Federal, state, or local funds devoted to providing reemployment services to UC claimants. Only reemployment or other service costs that are a direct result of a claimant’s participation in the RESEA program may be reimbursed using RESEA funds. RESEA funds may not be used to pay for training services or to purchase or pay for licenses for an assessment tool (e.g., the Transferable Occupation Relationship Quotient).
- c. Administrative Costs Limit – In FY 2020, administrative costs for the RESEA program are limited to 15 percent of the total grant award. This limitation aligns RESEA administrative costs with similar ETA grants and includes information technology costs. States may request to use up to an additional \$100,000 beyond the 15 percent administrative costs limit to support information technology and program costs, including required reporting. States requesting additional funds beyond the 15 percent administrative costs limit must identify the amount and describe planned activities in element 8 of the RESEA State Plan template.

Administrative costs include direct and indirect costs. Administrative costs do not need to be identified separately from program costs on the Standard Form-424A, Budget Information - Non-Construction Programs. However, they must be tracked through the recipient’s accounting system and appropriately documented on the recipient’s ETA-9130 Financial Report submissions. Recipients will be monitored for compliance with the administrative costs limit during the entire grant period of performance. Any amounts that exceed this limitation at closeout will be disallowed and subject to debt collection.

To help facilitate program alignment and integration across programs supporting the reemployment of UI claimants, ETA uses the definition of WIOA administrative costs at 20 CFR 683.215 for RESEA grants. In the context of the RESEA program, all information technology costs associated with the RESEA program, including those identified at 20 CFR 683.215, are administrative costs. Additional information will be provided in the state’s grant agreement.

- d. Evaluation Set-Aside Funds – States may use up to 10 percent of their RESEA grant funds to conduct, or cause to be conducted, evaluations of interventions and service delivery strategies used in carrying out the program. Because this evaluation funding may not be sufficient to do rigorous evaluations on a state-by-

state basis, states are encouraged to collaborate and pool their funds to support evaluations that are more rigorous. The Department may also engage with states to support RESEA evaluations. Evaluation costs must be reported in the comment section of the ETA-9130 Financial Report which is available at www.eta-reports.doleta.gov UIPL No. 01-20 and TEGL No. 06-19 provide additional guidance and resources related to RESEA-related evaluation activities. States seeking additional assistance with RESEA evaluations are invited to contact the RESEA Evaluation Technical Assistance Helpline at RESEA@abtassoc.com.

- e. Initial and Subsequent RESEA Costs Limit – RESEA operating guidance for FYs 2017-2019 included funding limits or allowable ranges for average costs for initial and subsequent RESEA sessions. Because RESEA now provides states with flexibility in how its RESEA program is designed and the types of service delivery strategies and interventions permitted, there are no longer limitations on costs for initial and subsequent RESEAs and RESEA related reemployment services, although allowable costs may not exceed the grant award limit, as described in Section 5a of this TEGL. ETA will continue to collect information about RESEA program costs as an element of the annual RESEA state plan.
- f. Period of Performance – For operational purposes, states are strongly encouraged to continue to design and operate their RESEA programs based on a calendar year schedule. The official period of performance for FY 2020 RESEA funds will be January 1, 2020, through September 30, 2021. Funding must be liquidated by December 31, 2021.

6. Program Design.

- a. State Flexibility in Targeting RESEA Services to UI Claimants – Section 306, SSA, requires RESEA-funded activities to be targeted to claimants determined most likely to exhaust UC as determined under a profiling system required under Section 303(j), SSA. However, the Department’s appropriation acts for FY 2019 and FY 2020 contain a provision providing states discretion in identifying appropriate claimant populations among recipients of regular UI benefits, thus removing the requirement that states must target UC claimants determined most likely to exhaust UC benefits under Section 303(j), SSA. States are encouraged to target UC claimant populations based on local labor market information, economic trends, and other available data that informs whether the targeting strategy is likely to meet the RESEA program goals.
- b. Excluded Populations – Historically, UC claimants who have a definite return-to-work date, who secure work only through a union hiring hall, or who are in approved training, were excluded from participation in RESEA services. This blanket exclusion was based on the assumption that RESEA does not reduce the duration of UC receipt for such individuals. Beginning in FY 2020, states have discretion to further align their RESEA program with their state-specific work-search requirements. Therefore, claimants in these previously excluded groups

may be included in RESEA if they are required to conduct work search activities under the state's UC work search requirements.

- c. Intersection of the RESEA and Worker Profiling and Reemployment Services (WPRS) programs – The WPRS program was established by amendments to the SSA contained in P.L. 103-152 (enacting Section 303(j), SSA) requiring states to provide reemployment services to UC claimants identified through profiling methods as likely to exhaust benefits and who will need job search assistance services to transition to new employment. WPRS operating guidance (UIPL No. 41-94) provides further information necessary for states to operate the WPRS program, including the criteria for establishing profiling models used to identify claimants likely to exhaust benefits. States must provide services under the requirements of Section 303(j), SSA, to the identified population if that population is not served by the state's RESEA program.

Only RESEA programs that continue to incorporate WPRS profiling models to select participants and provide RESEA services statewide will satisfy WPRS requirements and eliminate the need for states to separately meet WPRS reporting requirements. States that include the WPRS profiling model, but do not provide RESEA statewide, must continue to provide WPRS in areas not served by RESEA. States that do not include claimants using the WPRS selection methods as part of their RESEA program must operate a separate WPRS program to serve these claimants. States operating separate WPRS programs under Section 303(j), SSA, may not use funds appropriated for RESEA activities authorized under Section 306, SSA, for those programs. In the context of meeting WPRS requirements, a state is considered to be operating RESEA statewide if RESEA services are available in each WIOA-designated local workforce development area (see WIOA section 106).

RESEA programs that target several claimant populations, including those identified by the WPRS selection methods, will be considered as meeting WPRS requirements if claimants selected under WPRS are provided priority over the other populations and RESEA services are provided statewide.

Although not required, the integration of WPRS and RESEA is potentially beneficial for both the state and the UC claimants selected for RESEA. For states, this integration reduces performance reporting burden by consolidating WPRS and RESEA reporting into one set of reports; allows states to leverage RESEA funding to conduct statutorily required WPRS services, which do not have a devoted funding stream; and may positively impact the state's RESEA performance outcomes by identifying claimants that are both likely to exhaust UC benefits and benefit from RESEA services. Similarly, UC claimants identified using the WPRS model are among those most in need of reemployment services and likely to benefit from innovative and evidence-based reemployment strategies that are now a required component of the new RESEA program.

As described in Training and Employment Notice (TEN) No. 37-15, ETA is available to provide assistance with all aspects of profiling modeling, including guidance on modeling issues, techniques, and diagnostics, as well as complete model building assistance. States are reminded that having a strong and updated profiling model is important when identifying claimants that are most likely to exhaust benefits. To obtain assistance with profile model building and maintenance, please contact Kevin Stapleton at (202) 693-3009 or at stapleton.kevin@dol.gov.

- d. Required RESEA Services – The primary goals for the RESEA program are to reduce duration of UC receipt through improved employment outcomes, including earnings, and to ensure an individual claiming UC continues to meet eligibility requirements. To support these goals, all RESEA participants must be scheduled for an initial RESEA. However, states may also include a combination of subsequent RESEAs and reemployment services, as appropriate. Initial RESEA, subsequent RESEA, and reemployment services are defined in Section 4 of this TEGL.

Since the current evaluation and evidence supporting the RESEA program are based on strategies that required in-person services, states should prioritize in-person services whenever possible. However, states may provide remote services, including the initial and subsequent RESEA sessions, using virtual person-to-person technologies such as Skype, Zoom, FaceTime, or other similar products. The level and timeliness of remote service must be comparable to assistance the individual would receive if staff were assisting such individual in-person.

For claimants that need more support in planning their work search and reemployment strategies, states are strongly encouraged to consider the use of the My Reemployment Plan tool. TEN No. 18-16 provides additional information about the My Reemployment Plan and related tools and resources. A PDF version of the My Reemployment Plan and related introductory videos are available at: <https://rc.workforcegps.org/>. An interactive, online version of the My Reemployment Plan was launched in May 2019. The electronic My Reemployment Plan is available for states to download and customize through the National Association of State Workforce Agencies' (NASWA's) Information Technology Support Center (ITSC) at www.itsc.org.

- e. Integration with WIOA and Wagner-Peyser Act-funded services – By applying for RESEA funding, states agree to integrate the RESEA program with WIOA-funded and Wagner-Peyser Act-funded services, as well as with the workforce system broadly. Beyond serving as a workforce system entry point for over one million UC claimants each year, the RESEA program can also directly support WIOA activities by providing reimbursement for various reemployment services conducted during or directly resulting from a claimant's participation in RESEA. ETA is currently developing a Quick Start Action Planner (QSAP) tool to assist states in their efforts to further integrate RESEA with other workforce programs.

This tool, along with promising practices and other resources, will be available on the “RESEA landing page” that is part of ETA’s knowledge-sharing site, WorkforceGPS (www.workforceGPS.org). The RESEA landing page can be accessed directly at: <https://rc.workforcegps.org/resources/RESEA>.

7. Program Operations.

- a. Service Delivery Staff – RESEA services may be delivered by UI staff or qualified and trained Wagner-Peyser Act-funded Employment Service (ES) staff, WIOA staff, or other AJC staff. The UC eligibility review is a key part of RESEA services for program integrity purposes. Service delivery staff must receive training to identify eligibility issues and must refer all eligibility issues to UI merit staff for adjudication, as appropriate. All eligibility determinations and redeterminations resulting from issues identified through the RESEA program are funded through the regular UI administrative grant (or state funds), not through the RESEA grant. There is no merit staffing requirement for RESEA service providers. As states develop their RESEA state plan, they are encouraged to explore innovative approaches to how the program is staffed and to review the January 6, 2020, final rule regarding increased flexibility in the administration of ES activities (85 FR 592).
- b. Required Engagement of UI Staff – UI staff must be engaged in RESEA planning, administration, and oversight, as well as providing all appropriate staff training on UC eligibility requirements. UI staff must be available and involved in the RESEA functions, including reporting, although it may not require a full-time position. Program staff delivering RESEAs must be qualified and have sufficient training from UI staff to conduct a thorough eligibility review and detect eligibility issues requiring referral to the UI agency for adjudication. Further, states must have UI staff participation to ensure accurate data are provided in the RESEA-required reports. Each calendar quarter, prior to submission, the reports must be reviewed for accuracy by a UI staff member, in addition to being reviewed by the RESEA program lead (if a different staff member). Additional information about required RESEA reports is provided in Section 7(f) of this TEGL.
- c. Claimant Participation in RESEA Activities and Rescheduling – Once the state notifies a claimant that s/he has been selected to participate in the RESEA program, participation in RESEA is mandatory. Claimants who contact the appropriate agency before their RESEA appointment and request to change the scheduled RESEA date or time for good reason, such as scheduled job interviews, should be accommodated within reason.

Many states are developing or have already implemented self-scheduling of RESEA sessions. ETA strongly encourages such system upgrades due to their efficiency and proven ability to increase program participation and decrease no-show rates. However, states utilizing this strategy need to develop policies that prevent excessive rescheduling that substantially delays or allows a claimant to

circumvent participation in RESEA activities, which is a condition of UI eligibility.

The ETA 9128 report data item 2, “Number of RESEAs scheduled,” is intended to capture the total number of RESEAs scheduled. The ETA 401 handbook, 6th edition defines “Number of RESEA scheduled” as “the number of RESEAs for which an official notice was sent to the claimant.” The handbook clarifies this item does not include RESEAs that are rescheduled with no disqualification and further clarifies that rescheduled RESEAs with a disqualification must be counted as another scheduled RESEA in Item 2 of the ETA 9128. Each claimant scheduled for an RESEA and reported in item 2 will either participate in the RESEA or fail to participate and this result must be appropriately captured in ETA 9128 item 3, “Number of RESEAs Completed,” or item 15, “Number of RESEAs for Which the Claimant Failed to Report.”

- d. UC Feedback Loop, Adjudication, and Due Process – Once claimants are selected to participate in the RESEA program, they are required to participate in all RESEA activities required by the state, including the initial RESEA, any subsequent RESEAs, and any reemployment services to which they are referred. Failure to report or participate in any aspect of the RESEA must result in referral to the UI agency for adjudication under the applicable state law.
- e. Required Co-Enrollment in Wagner-Peyser Act-funded Employment Services – To promote integrated service delivery and to support capturing RESEA program outcome information through the Participant Individual Record Layout (PIRL) used for WIOA and Wagner-Peyser Act reporting, ETA requires that RESEA participants be co-enrolled in Wagner-Peyser Act-funded Employment Service as part of the initial RESEA. As part of this enrollment, each RESEA participant must be appropriately identified in Employment Service case management and performance reporting systems as “referred by RESEA.” Given the structure of the state’s workforce system, co-enrollment in WIOA Dislocated Worker or other available programs may also be appropriate, but is not a requirement of this grant.
- f. Performance Reporting – Performance reporting for FY 2020 consists of the ETA forms 9128 and 9129, Reemployment and Eligibility Assessments Outcomes; Office of Management and Budget (OMB) Control No. 1205-0456, expiration date 9/30/2022. All RESEA-related performance reports are due on the 20th day of the second month following the end of the reporting quarter. Additional information about these reports is provided in Employment and Training (ET) Handbook No. 401, 5th Edition. ETA is currently assessing potential changes to these reports to align with the new RESEA program requirements. States will be alerted of any changes in future guidance. In addition, states must complete the Quarterly Narrative Progress Report (ETA 9178); OMB Control No. 1205-0517, expiration date 8/31/2021. States must submit the ETA 9178 to their ETA Regional Office

no later than 45 days after the end of each reporting quarter. Additional information about the ETA 9178 is provided in UIPL No. 05-19.

8. Implementation of Evidence-based Strategies and Evaluation Requirements.

Section 306(c) of the SSA includes a tiered evidence approach for the RESEA program to encourage the Department to fund and states to use evidence-based strategies where they exist, and to conduct evaluations and build evidence in areas where needed.² The goal is to ensure that each state employs RESEA interventions and service delivery strategies that, based on rigorous evaluations, improve employment outcomes and reduce benefit duration, or that the intervention or service delivery strategy are being evaluated to determine their effectiveness in achieving these goals. Specifically, the statute requires that interventions or service delivery strategies funded by RESEA grant funds must be demonstrated to reduce the average number of weeks participants receive UC by improving employment outcomes, including earnings.

In FY 2023 and FY 2024, states will be required to use no less than 25 percent of the grant funds for interventions or service delivery strategies with high or moderate causal evidence ratings that show a demonstrated capacity to improve employment and earnings outcomes for program participants. For FY 2025 and FY 2026, states must use no less than 40 percent of funds for interventions or service delivery strategies with high or moderate causal evidence ratings. For FY 2027 and beyond, states must use no less than 50 percent of RESEA funds for interventions or service delivery strategies with high or moderate causal evidence ratings. Additional guidance will be provided before these requirements become effective.

To meet Congressional intent with regard to causal evidence ratings in the tiered evidence approach and to ensure states' ability to comply with the evidence and evaluation provisions in the statute, states are expected to begin evaluating RESEA interventions and service delivery strategies no later than during FY 2020.

ETA provided preliminary guidance with regard to the evidence-based strategies and evaluation provisions for FY 2019 in UIPL No. 07-19. UIPL No. 01-20 and TEGL No. 06-19 build upon the previous preliminary guidance and provide further information on the new RESEA evidence-based requirements including: a description of how the Department rates a study's evidence quality through its Clearinghouse for Labor Evaluation and Research (CLEAR); the standards for rating intervention effectiveness and relevant interventions that currently meet those standards; RESEA components that are in need of expanded evidence; and potential evaluation approaches and strategies for carrying out evaluations. UIPL No. 01-20 and TEGL No. 06-19 also identify resources that are available to states to better understand and use existing evidence and to help states initiate rigorous high quality evaluations to build evidence on the effectiveness of interventions in their RESEA programs.

² Tiered evidence" refers to a policy tool that allows federal agencies to tie federal funding to strategies with evidence, to encourage the use of interventions that have strong evidence of success and test promising new interventions.

States must align FY 2020 RESEA State Plans and program design with the requirements and guidance identified in UIPL 01-20 and TEGL No. 06-19.

9. FY 2020 RESEA State Plan Submission Process.

Section 306(e), SSA, requires states to submit a state plan as a condition of eligibility to receive RESEA funds for a Fiscal Year. A state must submit a state plan that outlines how the state intends to conduct a program of reemployment services and eligibility assessments by responding to all the required elements included in the state plan template. For reference purposes, the RESEA state plan template is provided in Attachment II to this TEGL.

The RESEA state plan package must consist of the following documents:

1. Completed RESEA state plan template: An electronic, fillable version of Attachment II will be made available to states through www.grants.gov and from ETA's Regional Offices; OMB Control No. 1205-0538, expiration date 10/31/2022.
2. SF-424: Application for Federal Assistance; OMB Control No. 4040-0004, expiration date 12/31/2019. Additional guidance for completing the SF-424 is provided in Attachments III and IV. In addition to other information requested on the SF-424, each state must enter "UIPL 8-20" into the opportunity number field of the application and enter the applicable amount set out for the state in Attachment I of this TEGL.
3. SF-424A: Budget Information – Non-Construction Programs; OMB Control No. 4040-0006, expiration date 02/28/2022.
4. Indirect Costs: Applicant states that include indirect costs in the budget must include either: (a) The approved indirect cost rate with a copy of the Negotiated Indirect Cost Rate Agreement (NICRA), a description of the base used to calculate indirect costs along with the amount of the base, and the total indirect costs requested; OR (b) For those applicant states that meet the requirements to use the 10 percent de minimis rate as described in 2 CFR 200.414(f), a description of the modified total direct cost base (see 2 CFR 200.68 for definition) used in the calculation along with the amount of the base, and the total indirect costs requested based on the 10 percent de minimis rate. The following link contains information regarding the NICRA at the Department:
<https://www.dol.gov/agencies/oasam/centers-offices/business-operations-center/cost-determination>.

To allow for the timely review of state plans and award of funds, states must submit their RESEA state plan packages, including all the required components identified above, via grants.gov by Monday, March 16, 2020.

The Secretary of Labor will approve completed plans that fully address the required elements and are submitted in a timely manner. Plans that fail to meet the required elements will be disapproved and the state will be notified of this disapproval within 30 days of the

Department's receipt of the plan. A state that receives a disapproval notification will be provided an opportunity to submit a revised plan. The written disapproval notification will describe any portion(s) of the plan that was not approved, the reason for the disapproval(s), and instructions for submitting a revised plan. An approved RESEA state plan is a condition of eligibility for RESEA funds and disapproval of a state's RESEA state plan will suspend that state's grant award until the plan is appropriately revised.

ETA's Office of Grants Management's website provides additional general information about grant requirements and the application process, including standard terms and conditions. For technical issues encountered during application submission, applicants may call 800-518-4726 or 606-545-5035 to speak to a Customer Support Representative or email support@grants.gov. The Contact Center is open 24 hours a day, seven days a week, but closed on federal holidays. Attachment III of this TEGL provides more detailed instructions about submitting an application through www.grants.gov.

10. Inquiries.

Please direct inquiries to the appropriate ETA Regional Office.

11. References.

- Further Consolidated Appropriations Act, 2020, Pub. L. 116-94, Division A, Title I;
- Department of Defense and Labor, Health and Human Services, and Education Appropriations Act, 2019 and Continuing Appropriations Act, 2019, Pub. L. 115-245, Division B, Title I;
- Sections 303(j) and 306, SSA, 42 U.S.C. 503(j) and 506;
- Workforce Innovation and Opportunity Act (WIOA), Pub. L. No. 113-128;
- Consolidated Appropriations Act, 2018, Pub. L. No. 115-141;
- Bipartisan Budget Act of 2018, Pub. L. No. 115-123;
- Continuing Appropriations Act, 2018, Pub. L. No. 115-56, Division D;
- Consolidated Appropriations Act 2017, Pub. L. No. 115-31, Division H;
- Explanatory Statement accompanying the Consolidated Appropriations Act, 2017, Pub. L. No. 115-31;
- Unemployment Compensation Amendments of 1993, Pub. L. No. 103-152, amending section 303(j), SSA;
- 20 CFR 683.215;
- 2 CFR 200.68 and 200.414;
- UIPL No. 8-20, *Fiscal Year (FY) 2020 Funding Allotments and Operating Guidance for Unemployment Insurance (UI) Reemployment Services and Eligibility Assessments (RESEA) Grants*;
- UIPL No. 01-20, *Expectations for States Implementing the Reemployment Service and Eligibility Assessment (RESEA) Program Requirements for Conducting Evaluations and Building Program Evidence* (also issued as TEGL No. 06-19);

- UIPL No. 07-19, *Fiscal Year (FY) 2019 Funding Allotments and Operating Guidance for Unemployment Insurance (UI) Reemployment Services and Eligibility Assessment (RESEA) Grants*
- UIPL No. 05-19, *Form ETA 9178 for Employment and Training Supplemental Grant Reporting*
- UIPL No. 14-18, *Unemployment Insurance and the Workforce Innovation and Opportunity Act;*
- UIPL No. 08-18, *Fiscal Year (FY) 2018 Funding Allotments and Operating Guidance for Unemployment Insurance (UI) Reemployment Services and Eligibility Assessment (RESEA) Grants;*
- UIPL No. 3-17, and Change 1, *Fiscal Year (FY) 2017 Unemployment Insurance (UI) Reemployment Services and Eligibility Assessment (RESEA) Grants;*
- UIPL No. 41-94, *Unemployment Insurance Program Requirements for the Worker Profiling and Reemployment Services System;*
- TEGl No. 2-16, *Revised ETA-9130 Financial Report, Instructions, and Additional Guidance*
- ET Handbook No. 401, 5th Edition, *Revised ET Handbook No. 401, Unemployment Insurance Reports Handbook;*
- TEN No. 18-16, *Pathways to Reemployment Tools and Resources;* and
- TEN No. 37-15, *Availability of Assistance Building Profiling Models to Identify Unemployment Insurance Claimants Most Likely to Exhaust Benefits.*

12. Attachments.

- Attachment I: Maximum Fiscal Year (FY) 2020 Unemployment Insurance (UI) Reemployment Services and Eligibility Assessment (RESEA) Grant Awards by State
- Attachment II: Elements of an Unemployment Insurance (UI) Reemployment Services and Eligibility Assessment (RESEA) Grant State Plan
- Attachment III: Additional Grants.gov Submission Instructions
- Attachment IV: Additional Guidance for Completing the SF-424 and SF-424A