SCOTT T. MURAKAMI DIRECTOR

ANNE EUSTAQUIO DEPUTY DIRECTOR



STATE OF HAWAII DEPARTMENT OF LABOR AND INDUSTRIAL RELATIONS 830 PUNCHBOWL STREET, ROOM 321 HONOLULU, HAWAII 96813 www.labor.hawaii.gov

May 4, 2020

TO:

The Honorable Senate Special Committee COVID-19 Members

FROM:

Scott T. Murakami

Director, Department of Labor and Industrial Relations (DLIR)

SUBJECT:

RESPONSES TO SENATE SPECIAL COMMITTEEE ON COVID-19

FROM APRIL 28, 2020 MEETING

Aloha Chair Dela Cruz and Members of the Committee:

I am writing in response to your letter of April 29, regarding the department's efforts to facilitate unemployment insurance payments to unemployed individuals or otherwise qualified individuals. I note that the updated number of filings at Level 1, 2, and 3 and attendant challenges will be furnished to you by May 6 as requested in your memo.

Denied Claims

The department notifies applicants via mail when it determines their weekly benefit amount and when a claim is denied. The claimant may appeal the decision by filing a request with the Employee Security Appeals Referee's Office (ESARO), an attached agency of DLIR, within 10 days from the mailing date of the determination. If an appeal is filed after 10 days, but within 30 days of the mailing date of the determination, the appealing party must establish good cause for not meeting the 10 day deadline in order for the appeals officer to hear the merits of the determination under appeal.

At this point in the process, the department may for good cause, on its own motion or upon application of any such party, reconsider the determination. The department promptly reconsiders the determination and notifies the claimant of the reconsideration or, on its own motion, transfers the application to the referee.

The majority of appeal cases are set for hearings 21 to 27 days after the appeal is filed. Parties to the case will be notified of the hearing date, time, place and the issues to be heard. A hearing may be scheduled to be conducted over the telephone rather than in person where it may be a more practical and efficient method of expediting an appeal case.

All parties to the appeal are provided an opportunity to appear at a hearing where an appeals officer takes evidence and sworn testimony regarding the issue under consideration. The appeals officer will explain the hearing procedures and the issues to be heard. The parties have the right to have representation at the hearing and also to bring witnesses. Although the original decision of the UI Division is made part of the appeals hearing record, the appeals officer hears the case de novo, which means from the beginning, without being bound by the UI determination.

The appeal hearing is recorded. The recording, together with the case file containing any documents entered into evidence, becomes the official record of the appeals officer's hearing. Once the hearing is concluded, the appeals officer issues a written decision which contains his/her findings of fact and decision based on law. The party which loses as a result of this decision has 30 days to apply for a reopening of the appeals officer's decision or file an appeal directly to the circuit court.

Call Back for Filing Issues (Application Issues)

The department is using the Hawaii Convention Center to call the approximately 6% of filers who have encountered difficulties in applying for benefits. Thirty of the workstations in the convention center call centers are dedicated to calling back these filers. An additional thirty call center workstations are calling back claimants that have made appointments or called with questions or problems. Thirty additional call center workstations are receiving calls and taking information for processing in the convention center claims processing centers. Beginning on Monday, May 4, the 90 workstations in the Hawaii Convention Center call centers will operate in two shifts: 7:00 a.m. to 12:30 p.m. and 12:30 p.m. to 6:00 p.m.

Email – Mitigating the COVID-19 & CARES Act Situation

The department has deployed email accounts to address issues either with backdating benefits (dlir.ui.backdate@hawaii.gov) or for those disqualified from benefits (dlir.ui.disqualified@hawaii.gov). Common reasons for disqualification include when partial claimants make enough wages with their employer and are ineligible for benefits during a particular week, a refusal to return to work with an employer if they are still attached, or refusing a job offer from their employer who calls them back after a period of total unemployment. An email account is also available for those Limited English Proficiency (LEP) applicants (dlir.languageassistance@hawaii.gov. The Lihue Office is processing the backdate emails, the Kona Office is processing the disqualified emails, and the Hilo Office is processing the LEP emails. In addition, ten workstations at the Hawaii Convention Center claims processing center are also contributing with the effort to address the disqualified email box, which enable issues to be addressed quicker and hopefully lead to the processing of additional claims.

General Notifications to the Public

In addition to the traditional media mechanisms, the department has also used social media (Twitter at https://twitter.com/HI_DLIR) to timely push out messages addressing issues. Analytics taken from the mainframe and the various web applications set up off

the mainframe provide content to distribute via the social media and has proven to significantly impact outcomes. For example, during the early part of the COVID-19 unemployment situation when the web filing form was posted, many individuals failed to enter a birthdate which is required to ingest the form into the mainframe. After tweeting the issue, the analytics showed that failing to provide a birthdate or a wrong birthdate dropped to an uncommon reason for problematic filings. I have attached a compilation of those social media entries for your review.

Pandemic Unemployment Assistance

I would like to note that another department will run and manage the PUA program with our assistance. Unemployment Insurance Program Letter (UIPL) 16-20 (4/5/2020) contains guidance about section 2102 of the CARES Act, which created the Pandemic Unemployment Assistance (PUA) program. Section 2102(h) of the CARES Act provides the regulations of Disaster Unemployment Assistance (DUA) under § 20 C.F.R. 625 shall also apply to PUA.

The department intends to distribute PUA payments to individuals who maybe qualified in the manner specified in the procedural guidelines for the operation and administration of the Disaster Unemployment Assistance (DUA) program. The guidance in part states "...the agency shall immediately determine a weekly amount based on the individual's statement of employment and wages or self-employment income, as the case may be, or based on State agency records or records submitted by the individual at the time of filing." (See 20 CFR 625.6(e)) Further, "...if the individual's statement does not provide enough detail or justification to warrant a determination, a minimum Weekly Assistance Amount (WAA) can be determined immediately." Thus, the state will establish the minimum PUA WAA of \$263 which will allow it to distribute additional benefits of \$600 per week under the Federal Pandemic Unemployment Compensation (FPUC) program to the unemployed as part of the CARES Act.

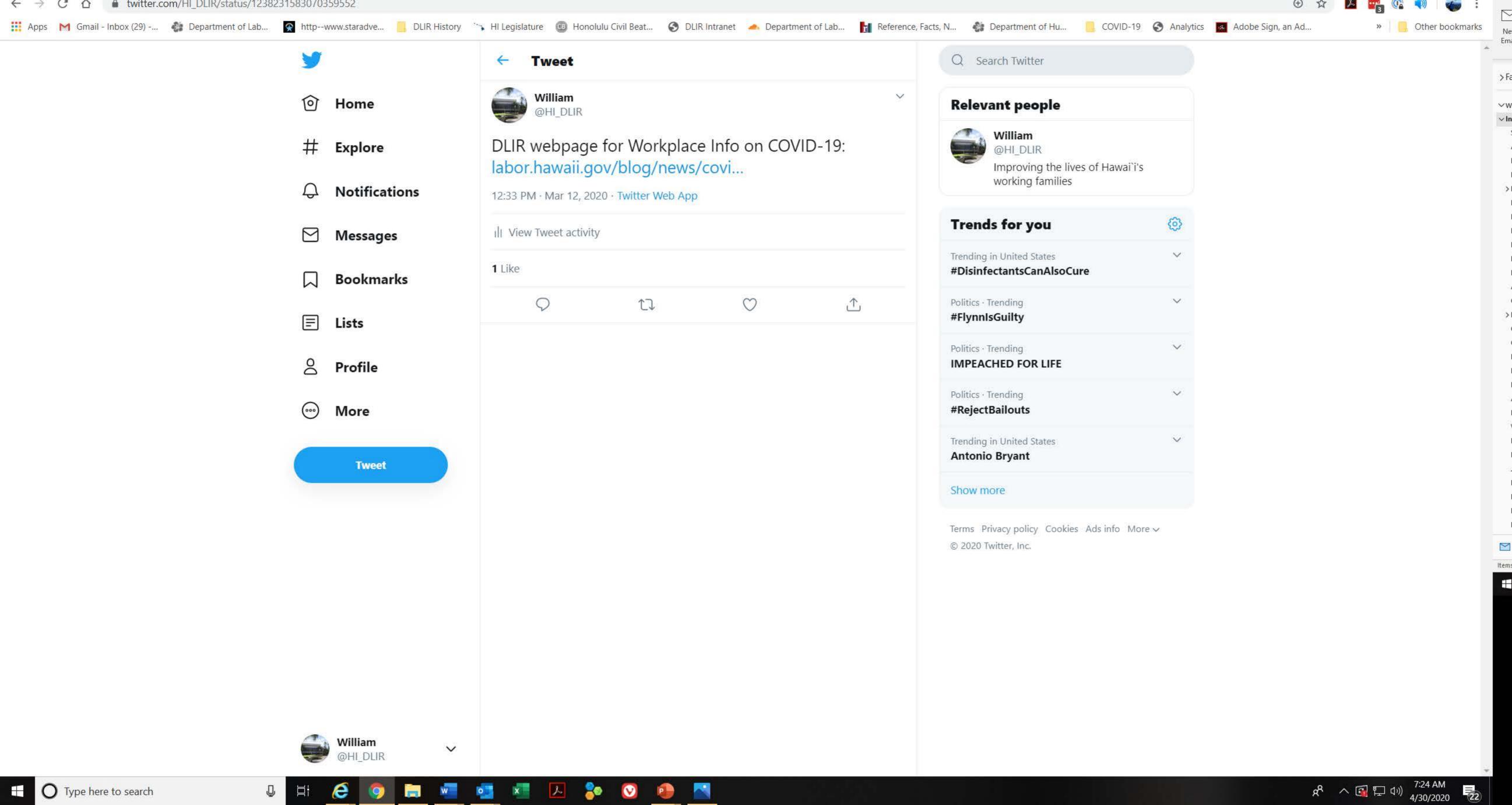
I have attached a copy of the form requesting additional redeployment of workers from the Department of Human Resources.

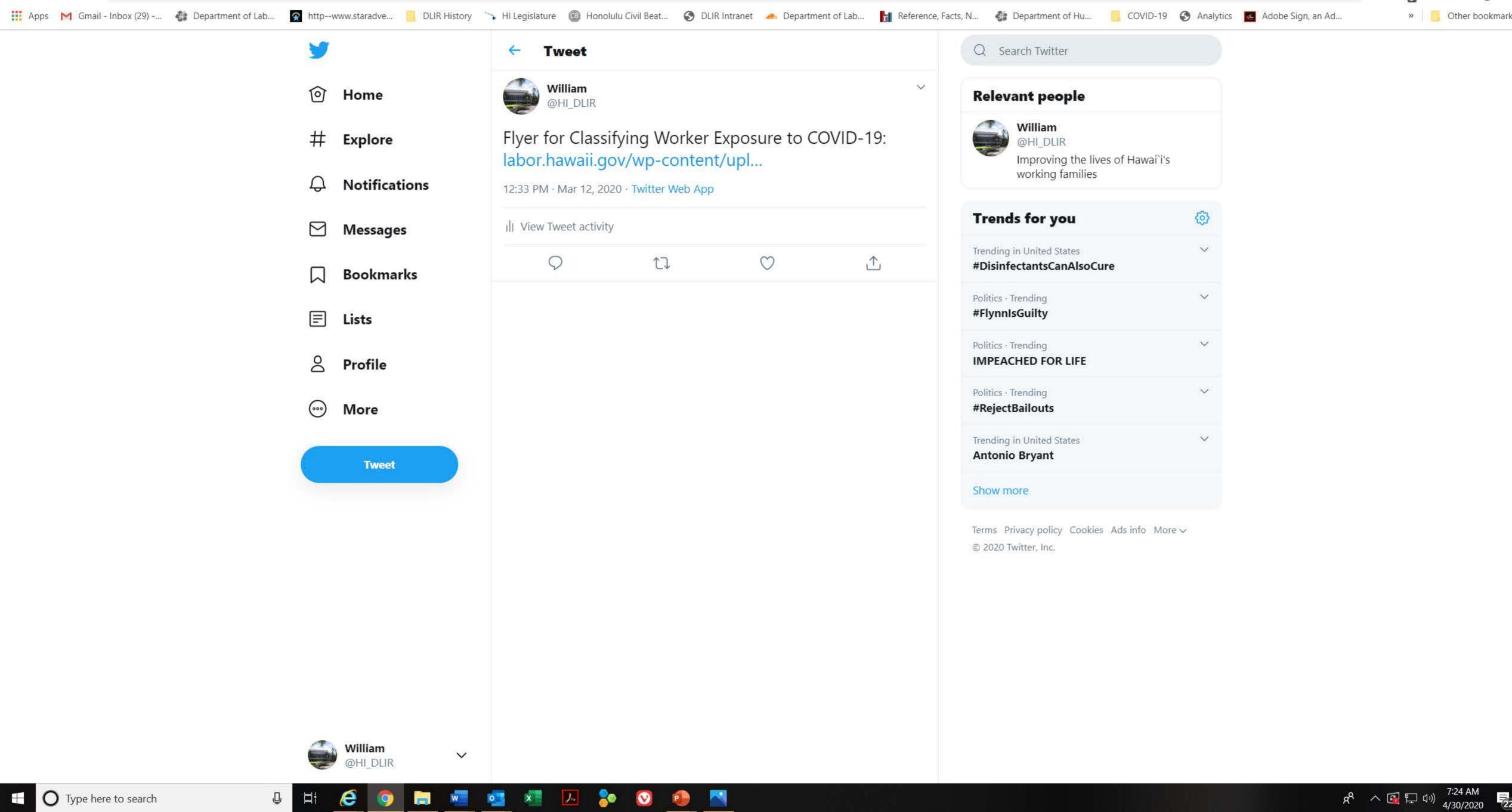
Thank you for your continued support as we work together to solve the unique challenges that have resulted from the COVID-19 Pandemic.

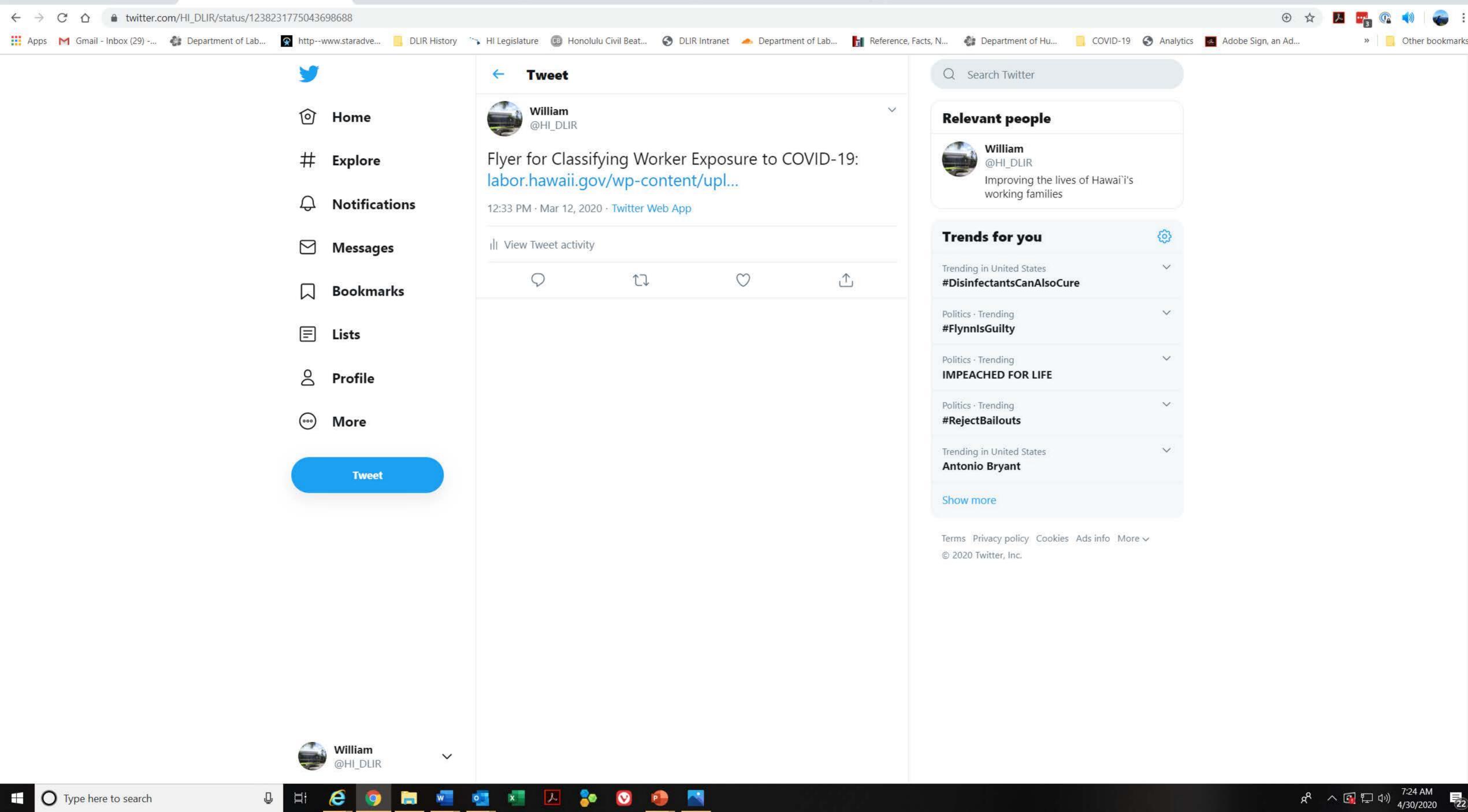
Please do not hesitate to contact me about these, or any other matters.

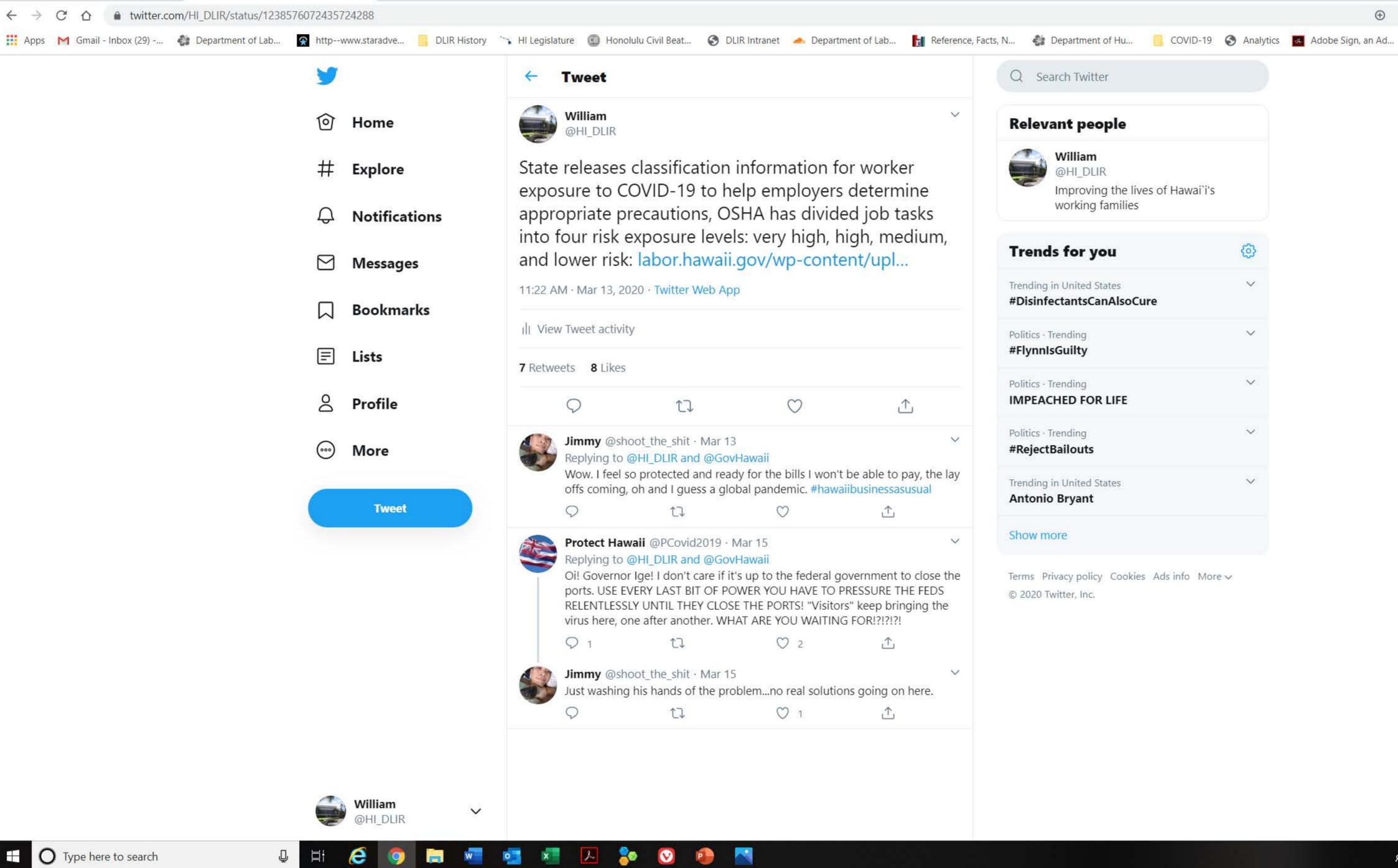
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Department	Program	Work/Scope of Job Requirements (Job Title/Classification)	Number of Staff Needed	Days/Hours Needed	Location or Telework	Start Date	End Date	Any Specialized Skills Needed	Notes:
DLIR	UI	Claims Processing	67	Monday-Friday, 7:00AM-5:00PM	DLIR (Re-deployed)	3/20/2020	12/31/2020		Claims Processing (37), Adjudication (4), Call Center (26)
DLIR	UI	Incoming Call Center - Shift 1	60	Monday-Saturday, 7:00AM-12:30PM	Hawaii Convention Center	4/20/2020	12/31/2020		
DLIR	UI	Incoming Call Center - Shift 2	60	Monday-Saturday, 12:30PM-6:00PM	Hawaii Convention Center	4/20/2020	12/31/2020		
DLIR	UI	Outbound Call Center - Shift 1	40	Monday-Saturday, 7:00AM-12:30PM	Hawaii Convention Center	4/20/2020	12/31/2020		
DLIR	UI	Outbound Call Center - Shift 2	40	Monday-Saturday, 12:30PM-6:00PM	Hawaii Convention Center	4/20/2020	12/31/2020		
DLIR	UI	Claims Processing Center - Shift 1	150	Monday-Saturday, 7:00AM-12:00PM	Hawaii Convention Center	4/20/2020	12/31/2020		
DLIR	UI	Claims Processing Center - Shift 2	150	Monday-Saturday, 1:00PM-5:00PM	Hawaii Convention Center	4/20/2020	12/31/2020		
DLIR	UI	Claims Examiner/Adjudication	20	Monday-Saturday, 7:00AM-6:00PM	Hawaii Convention Center	4/25/2020	12/31/2020	Application of HRS rendering decision	
DLIR	UI	Auditors	11	Monday-Saturday, 7:45AM-6:00PM	DLIR	5/4/2020	12/31/2020	Application of HRS rendering decision	
DLIR	UI	Business Unit Assistants/Specialists	62	Monday-Saturday, 7:45AM-6:00PM	DLIR	5/4/2020	12/31/2020		
DLIR	UI	ESARO Hearings Officers	10	Monday-Friday, 7:45AM-4:30PM	DLIR	5/21/2020	12/31/2020	Application of HRS rendering decision	
DLIR	UI	ESARO Office Assistants	2	Monday-Friday, 7:45AM-4:30PM	DLIR	5/21/2020	12/31/2020	Application of HRS rendering decision	
		Total	672						

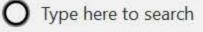


























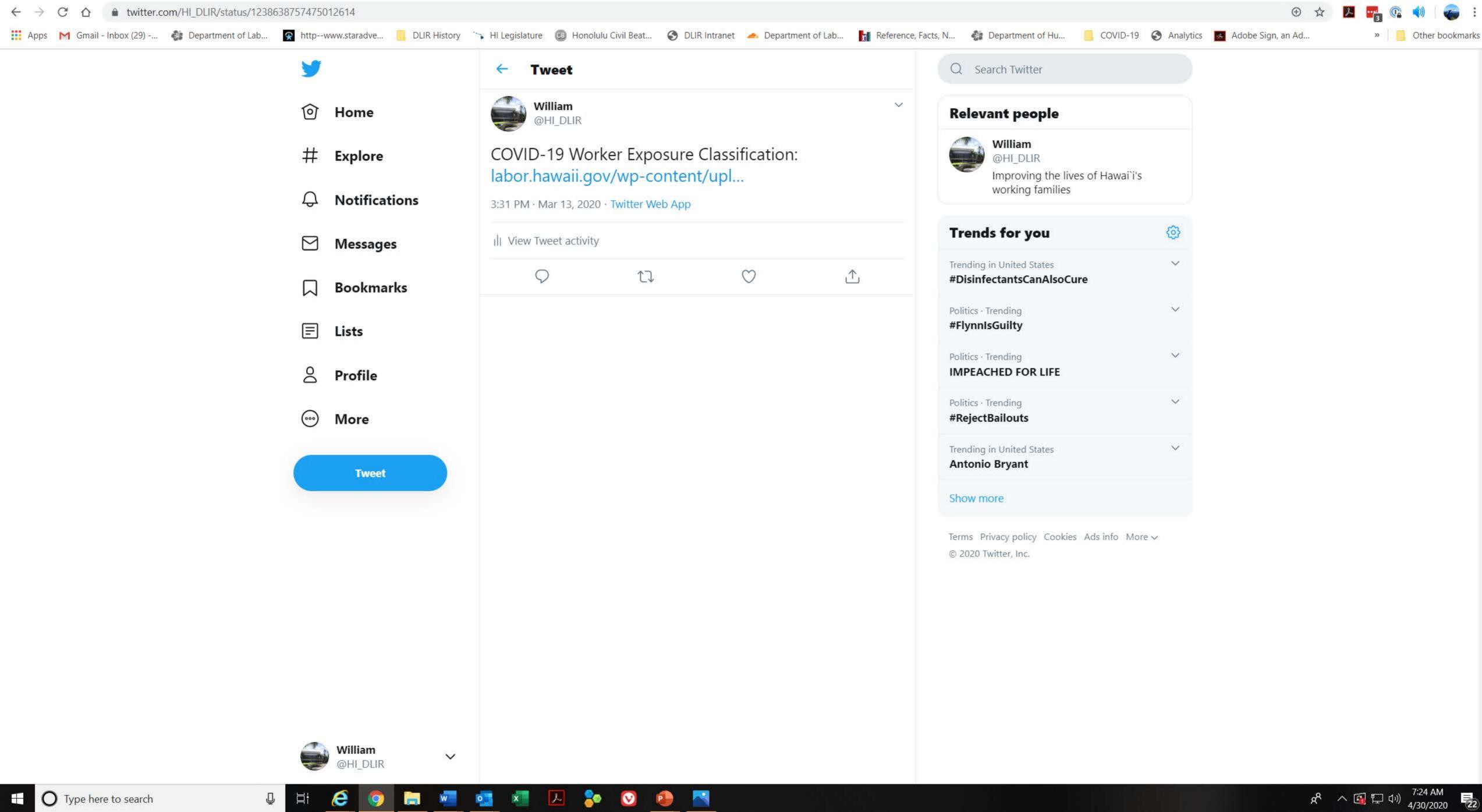


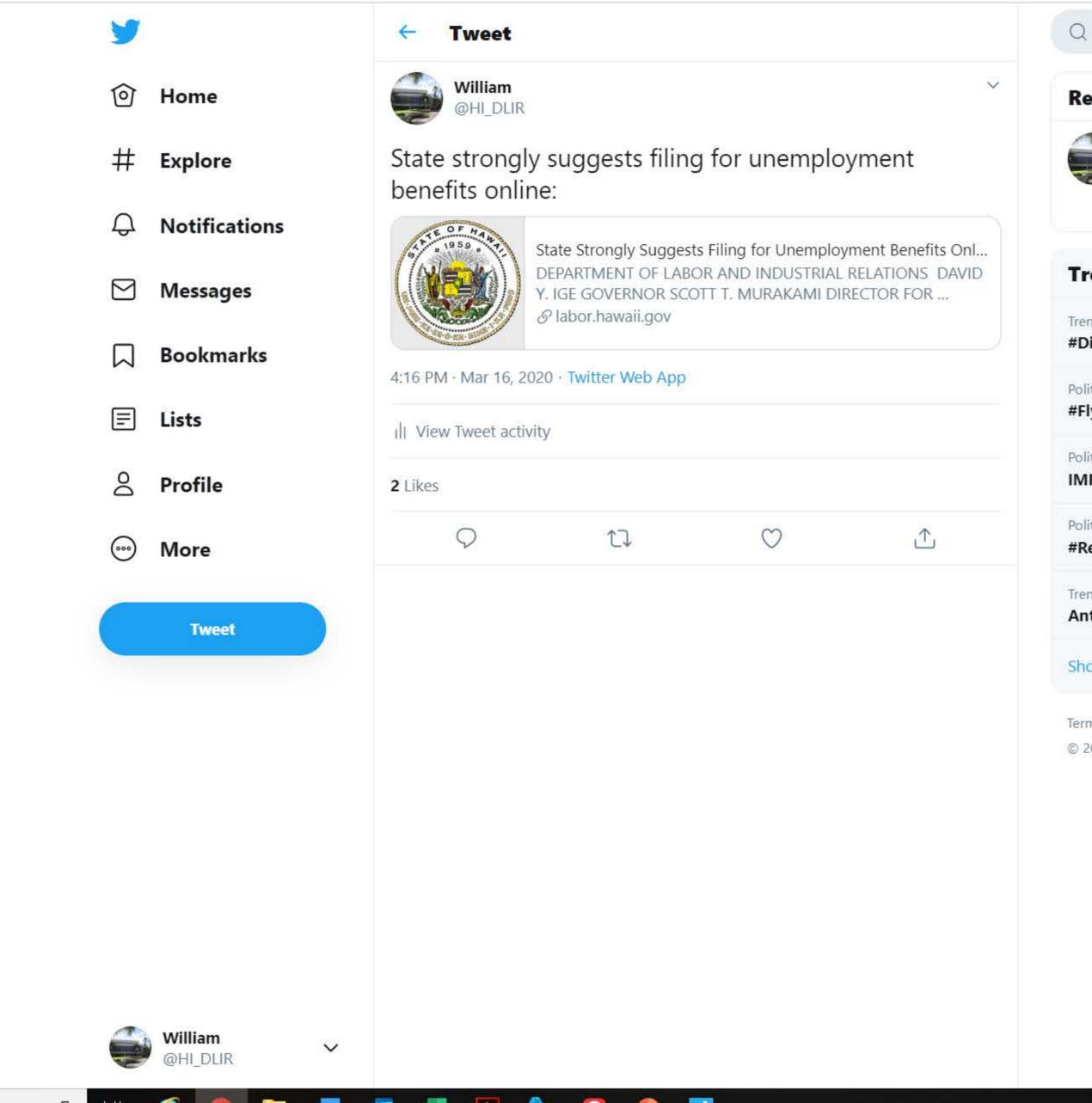


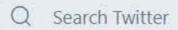




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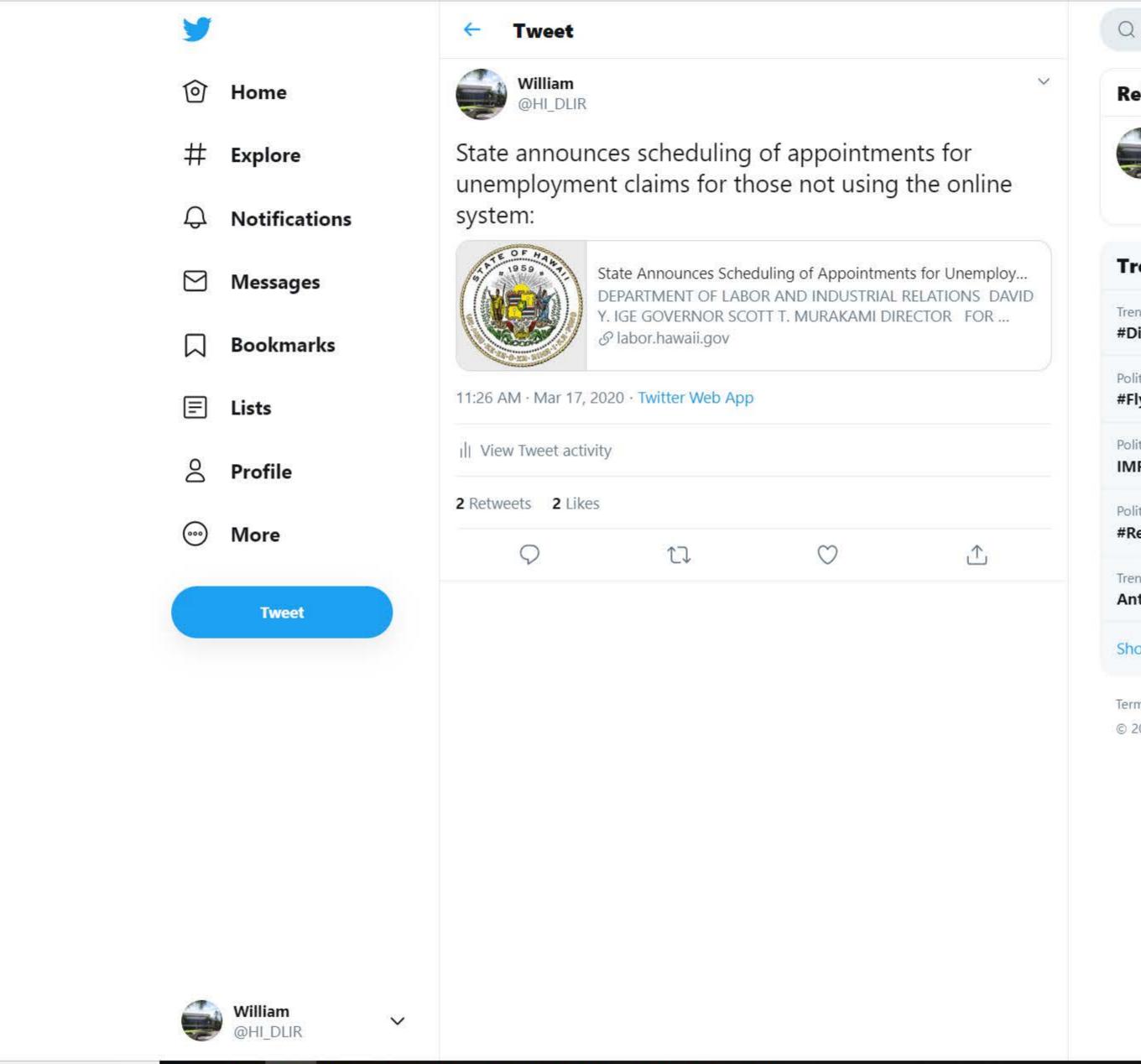


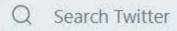












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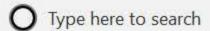
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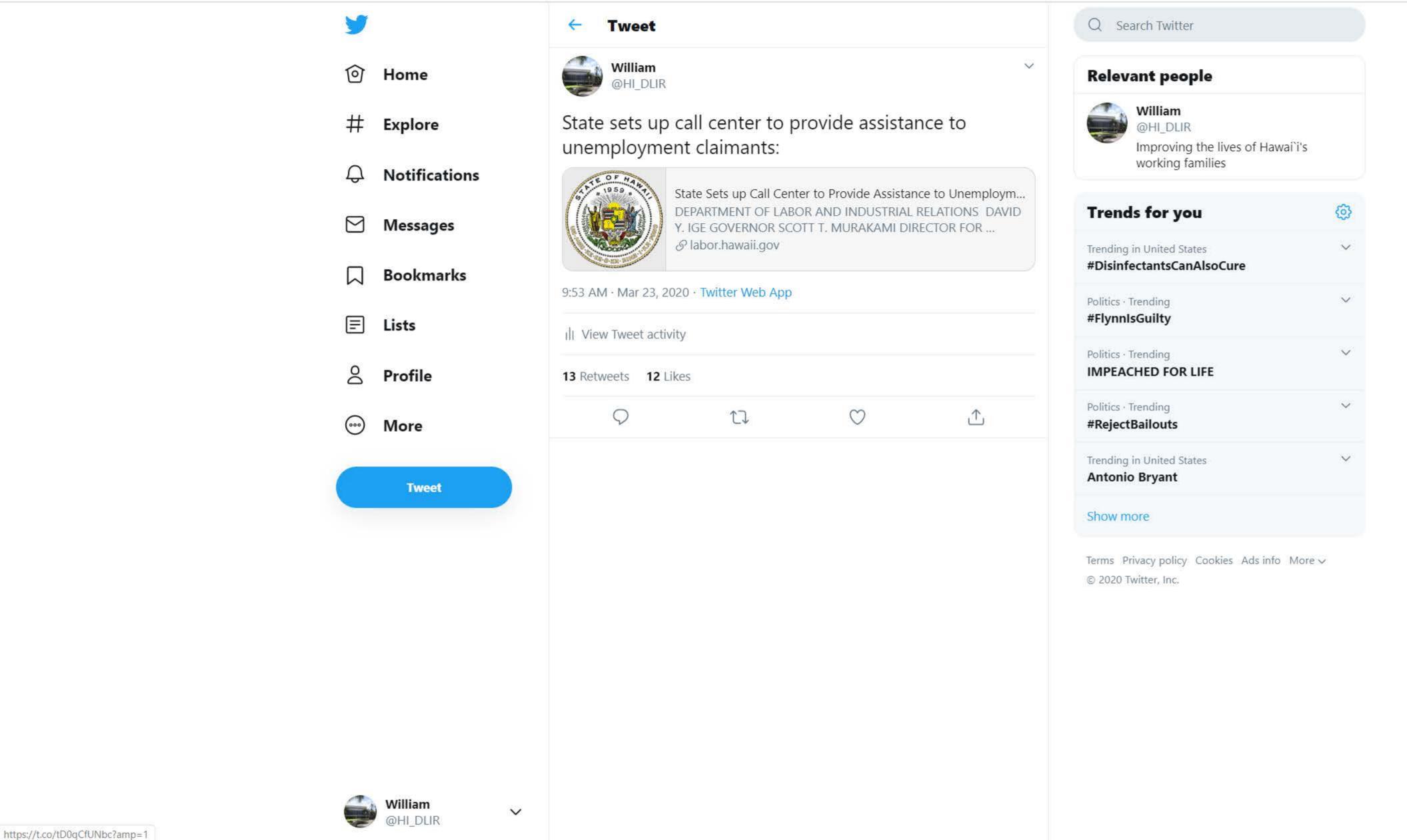


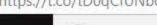




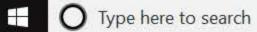










































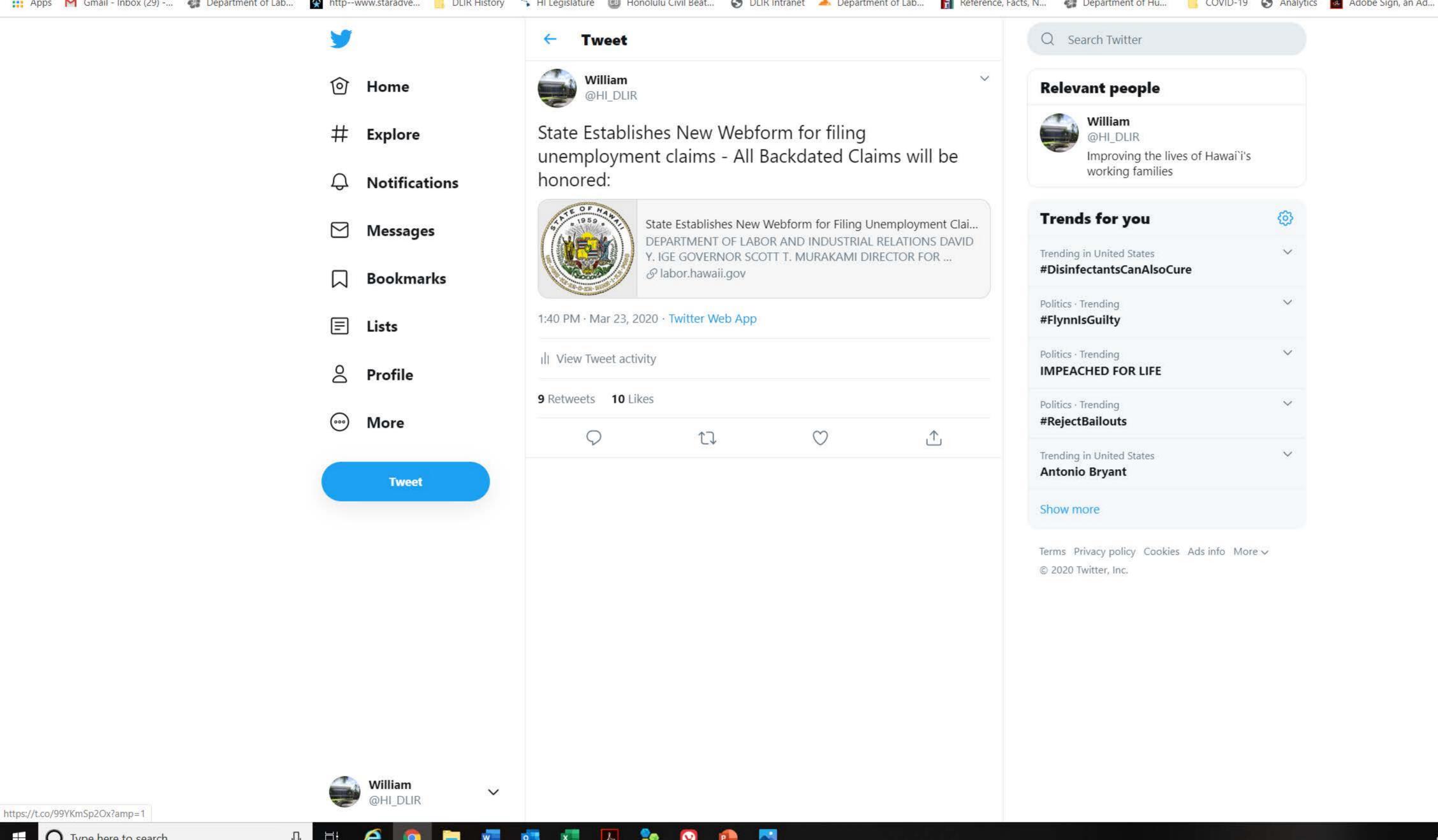






























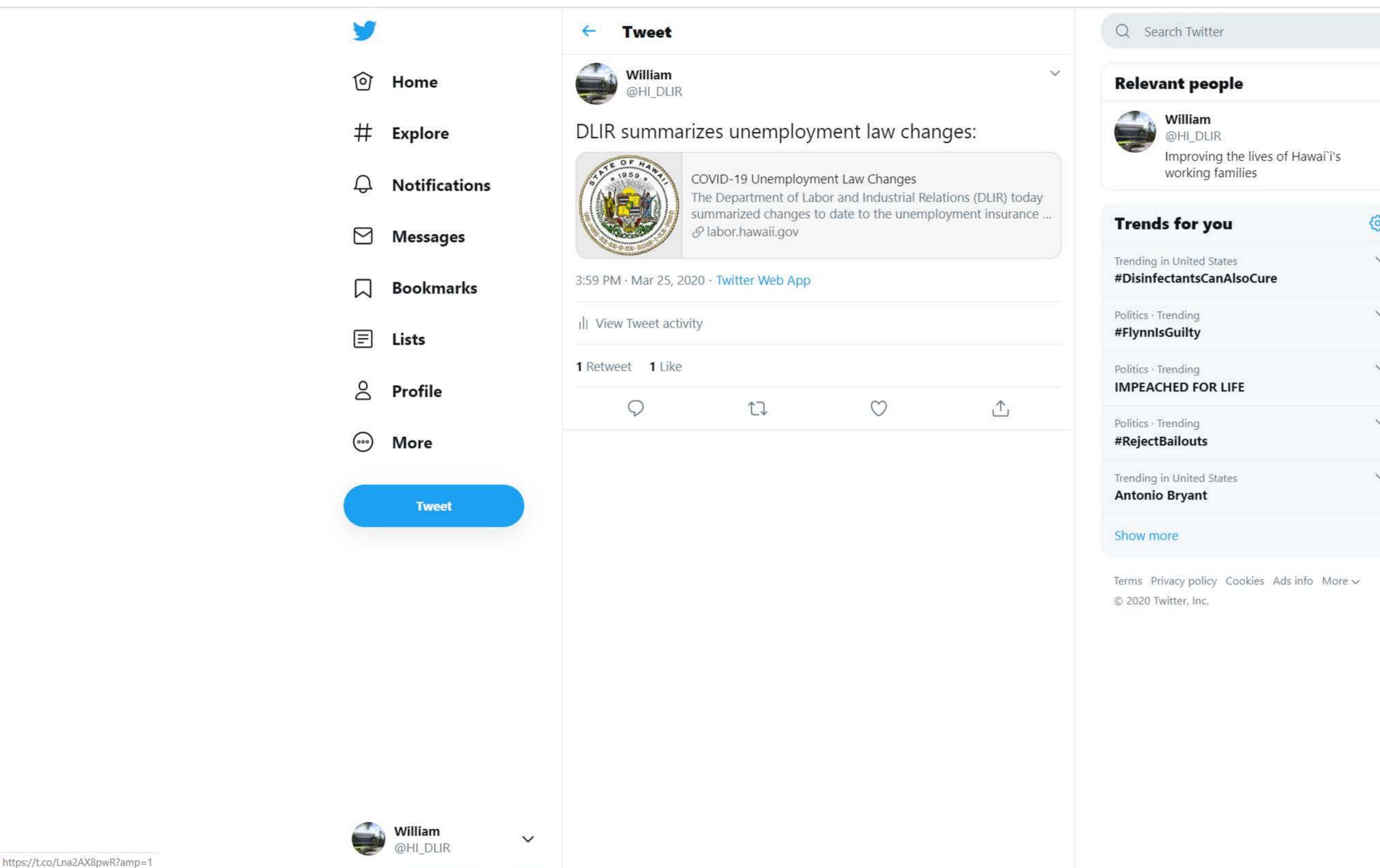
























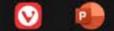






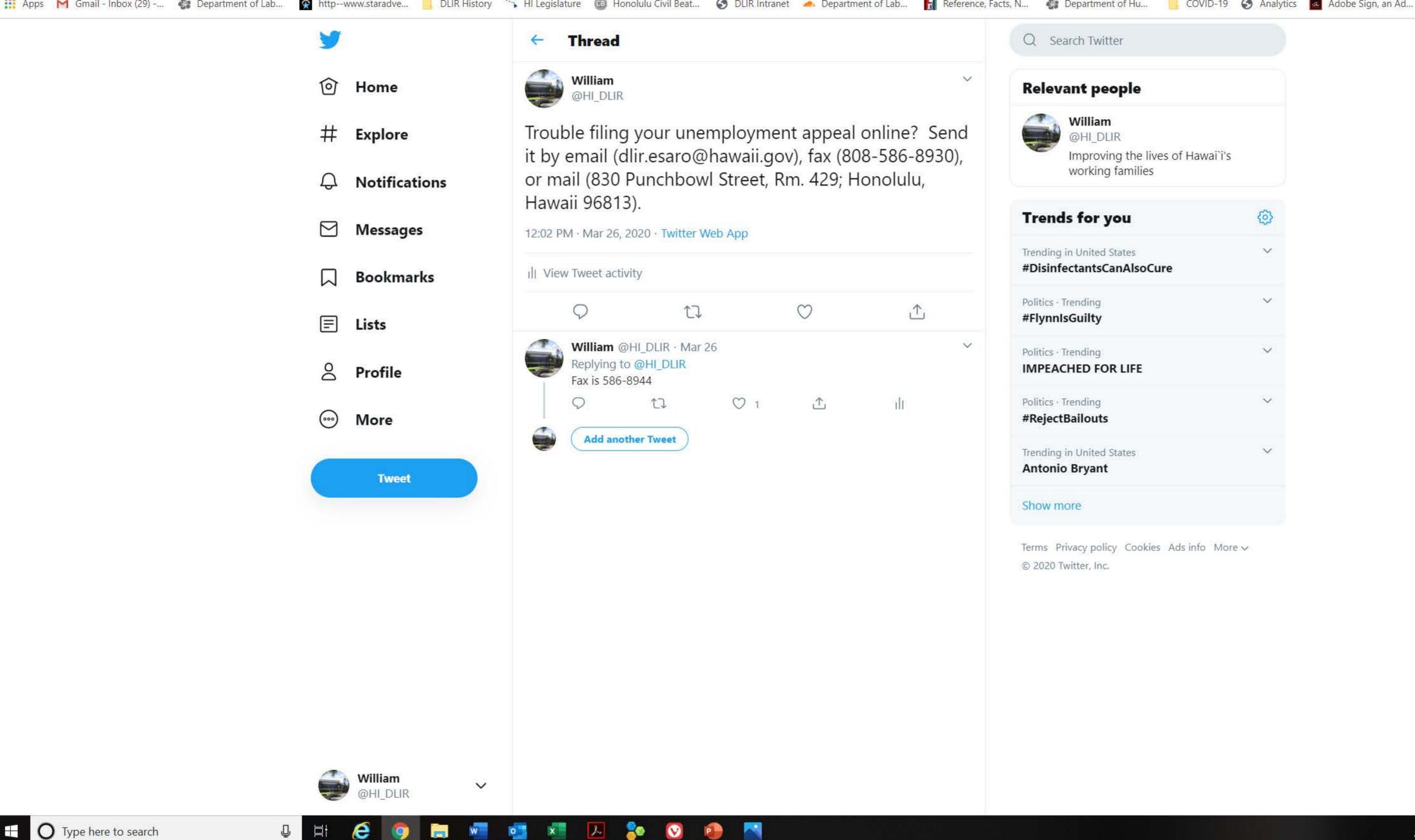




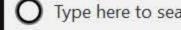




























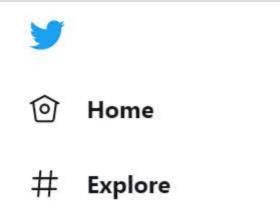








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Notifications

This is the screen you'll see after successfully filing through the webform for first time filers for unemployment benefits at

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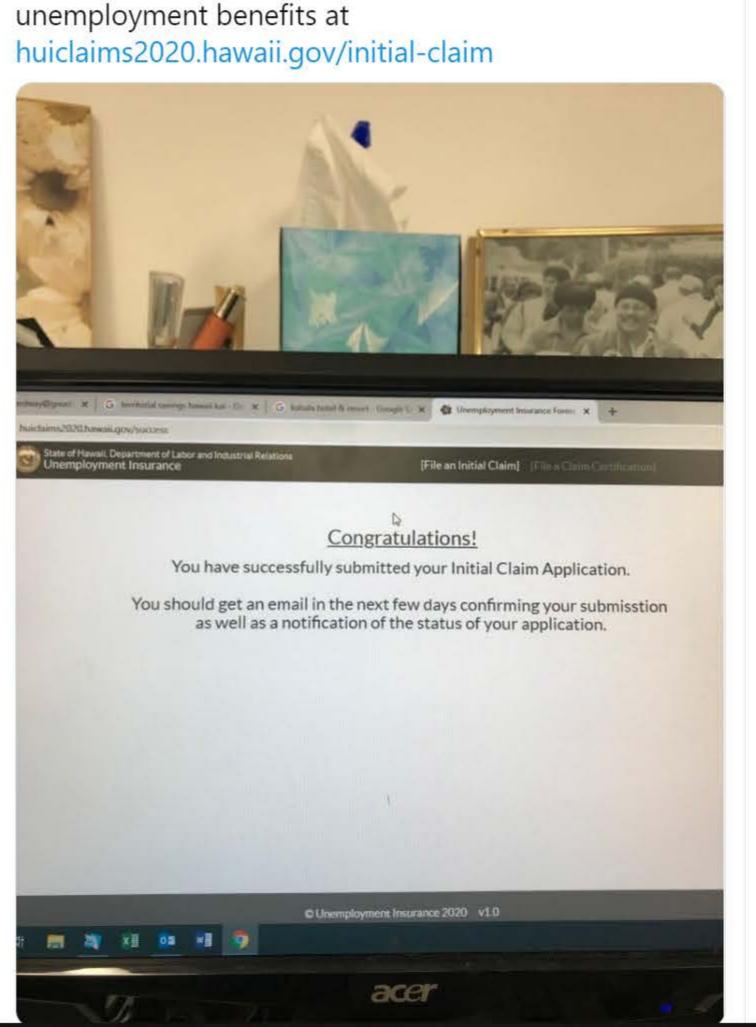


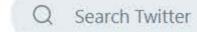




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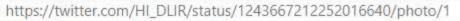




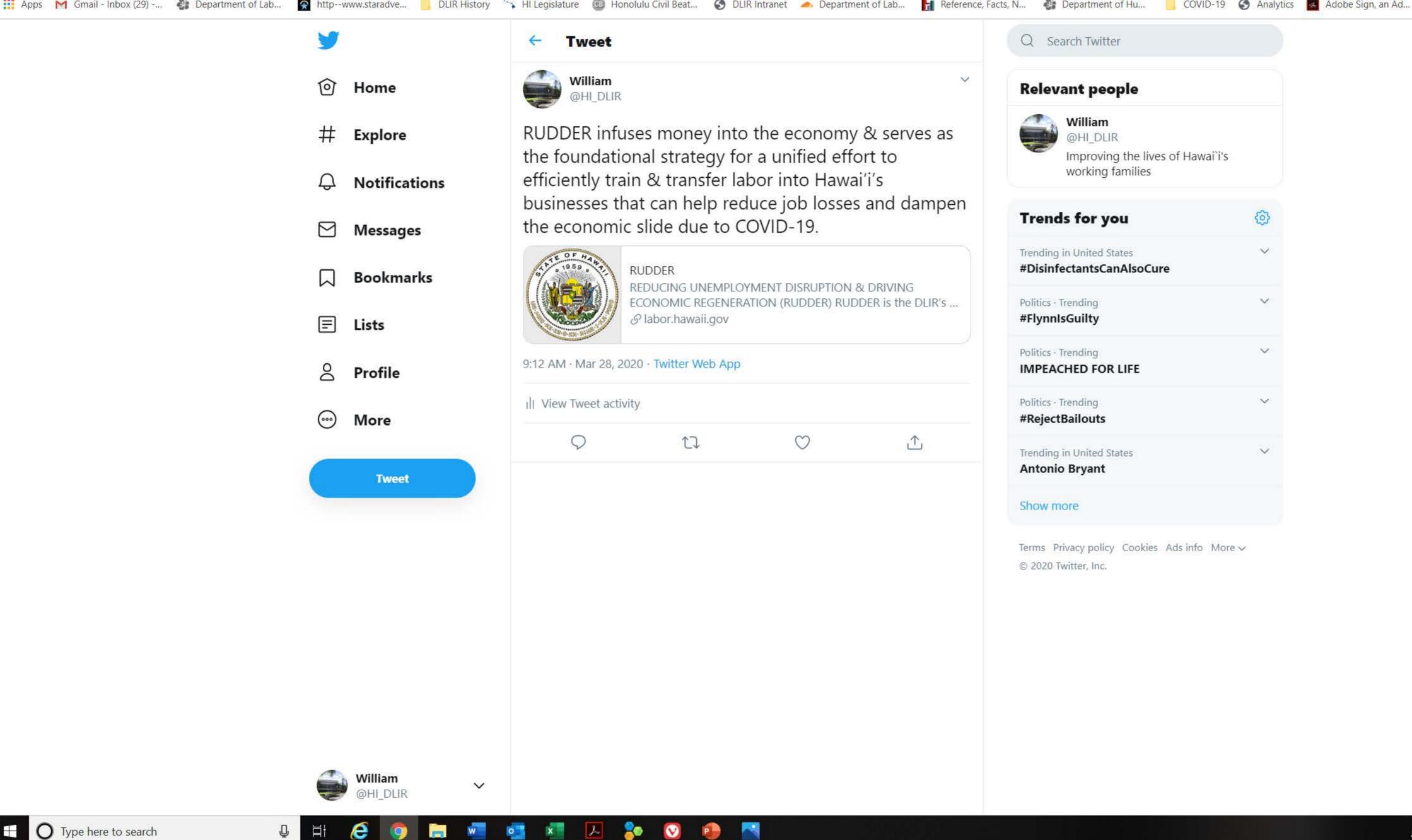




















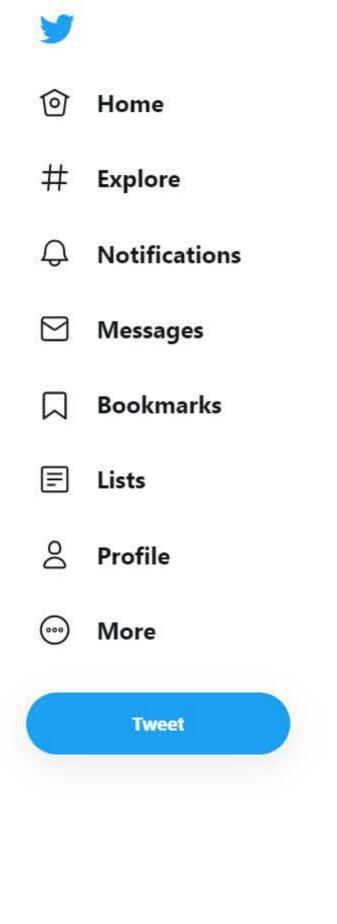








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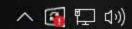


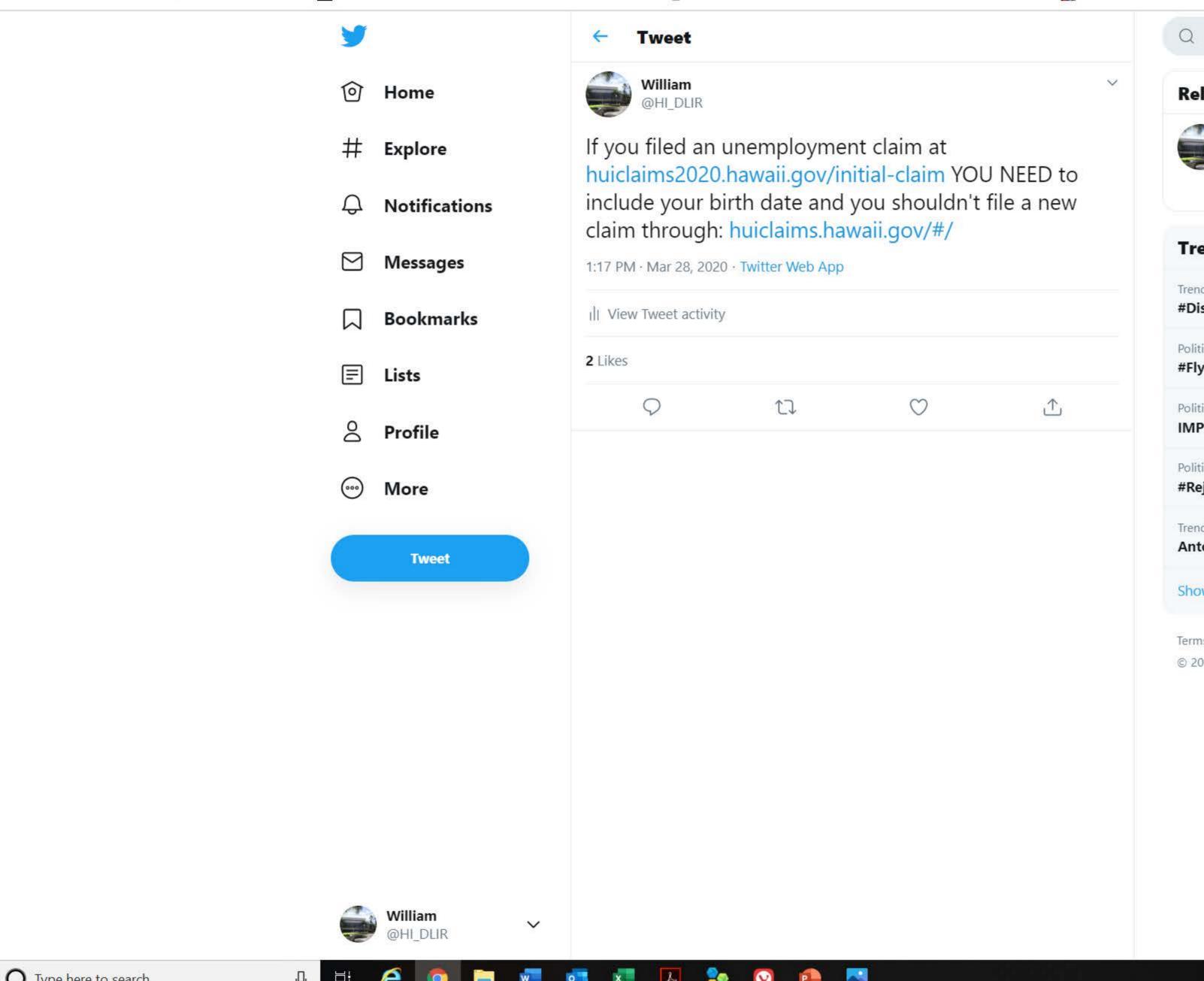
















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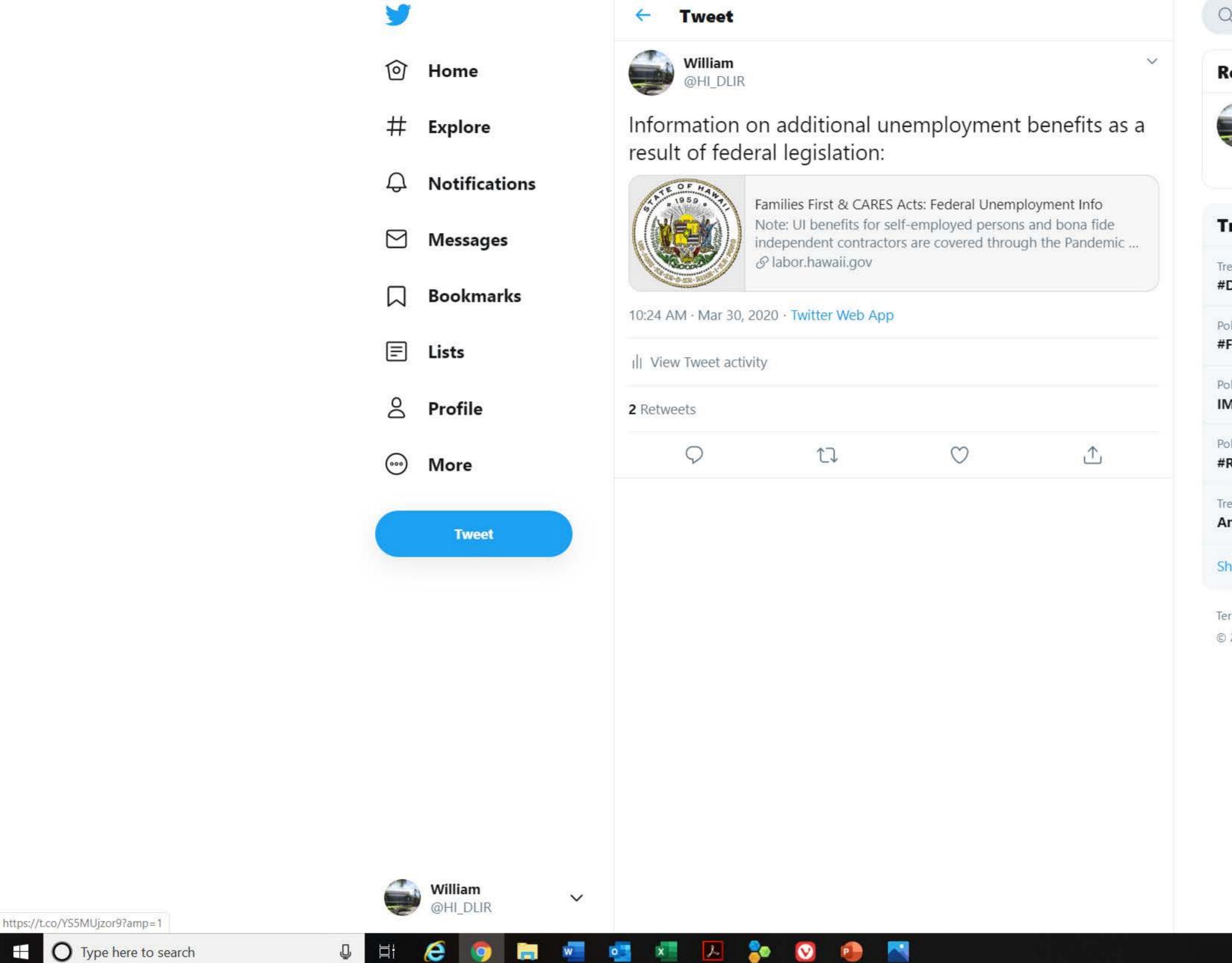












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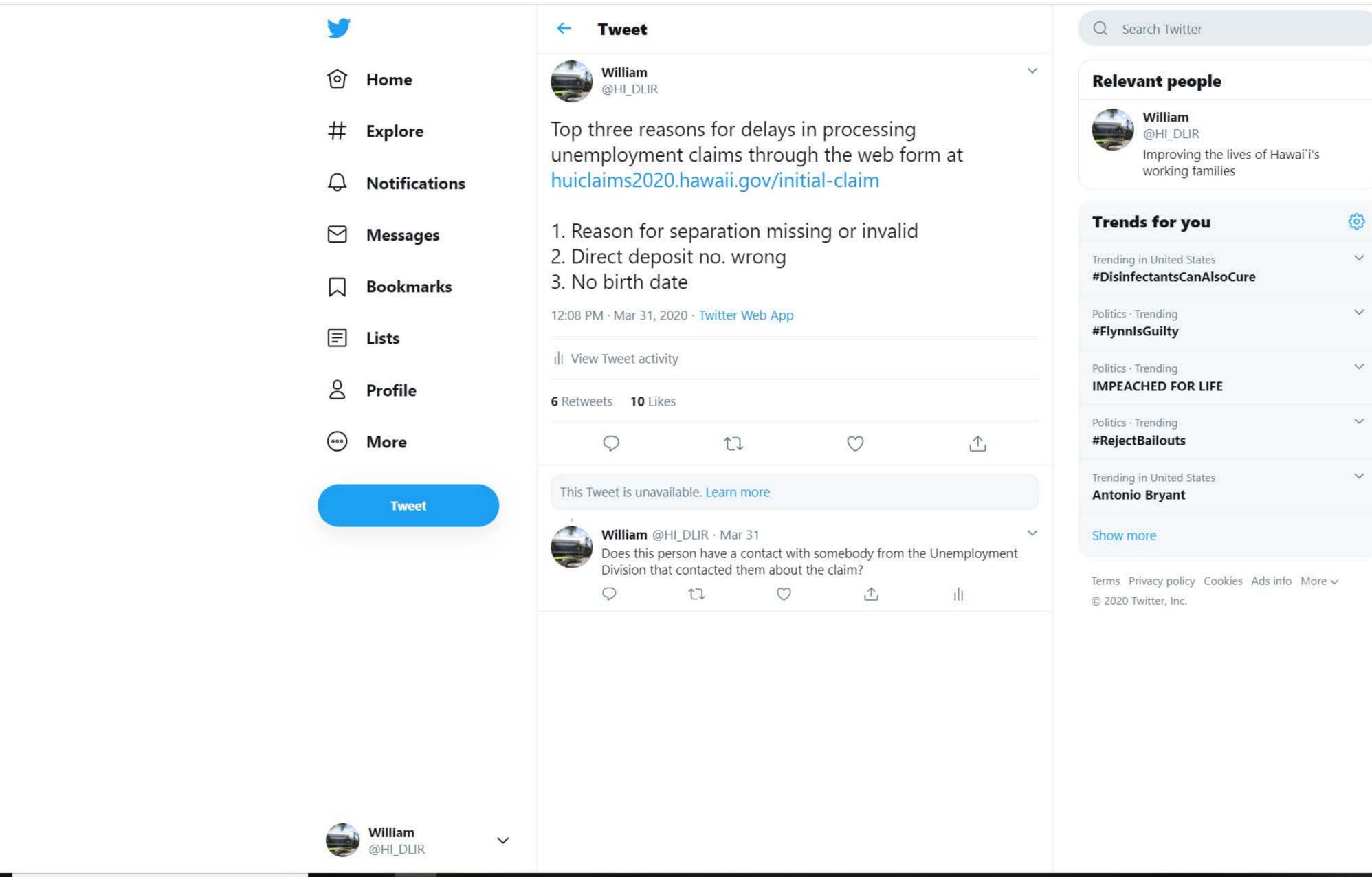






























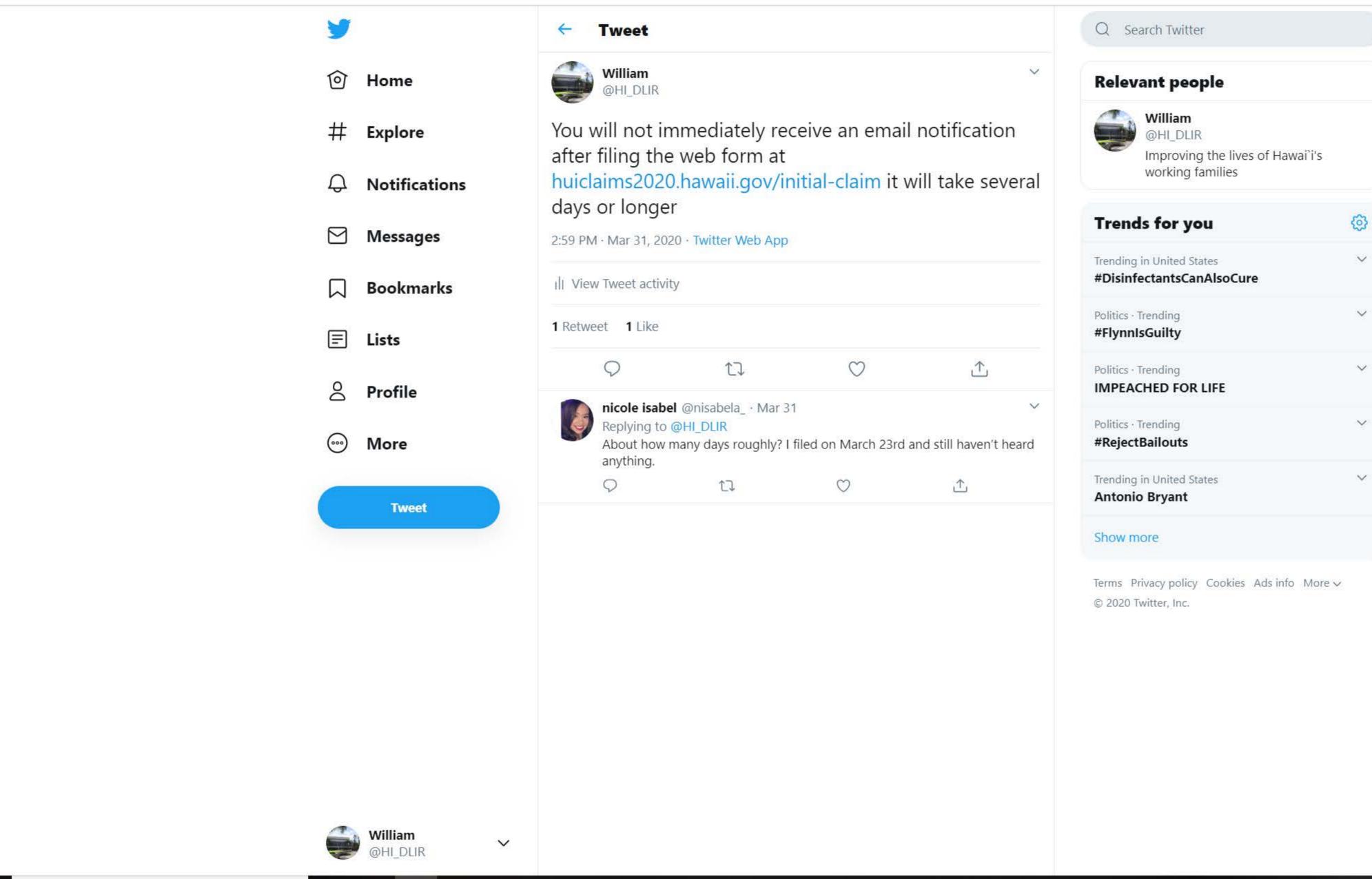




































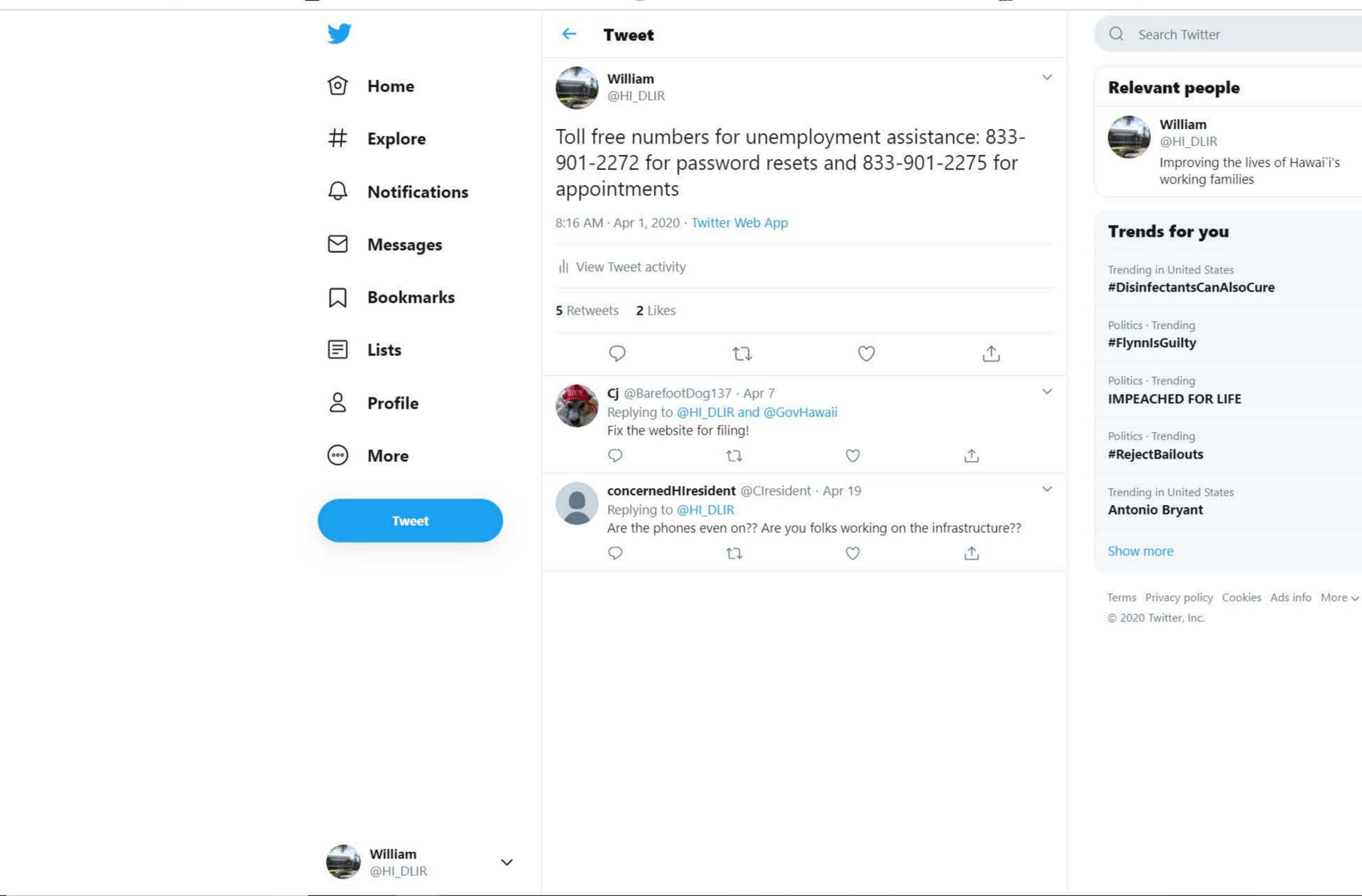






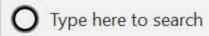
































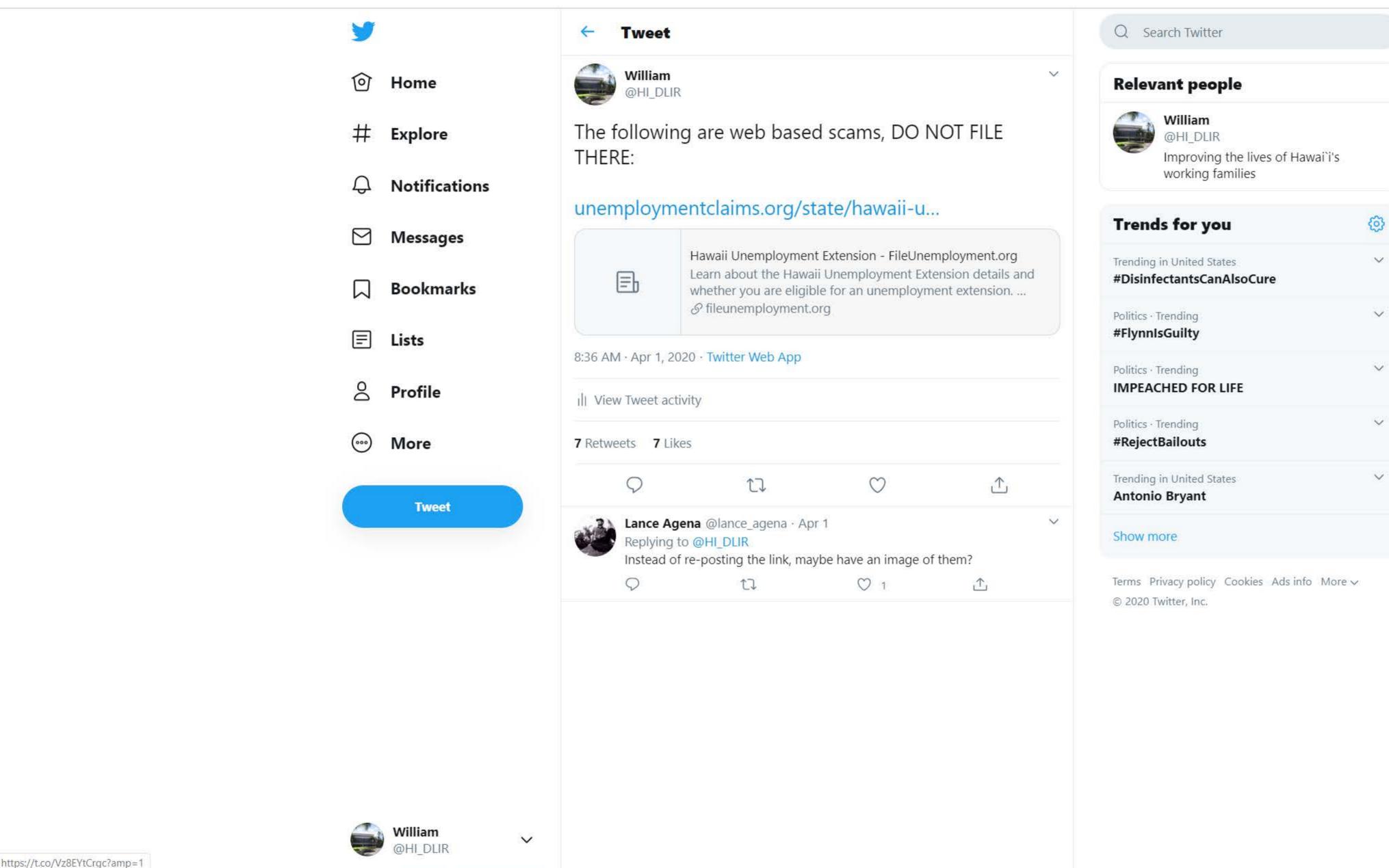




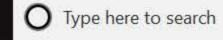
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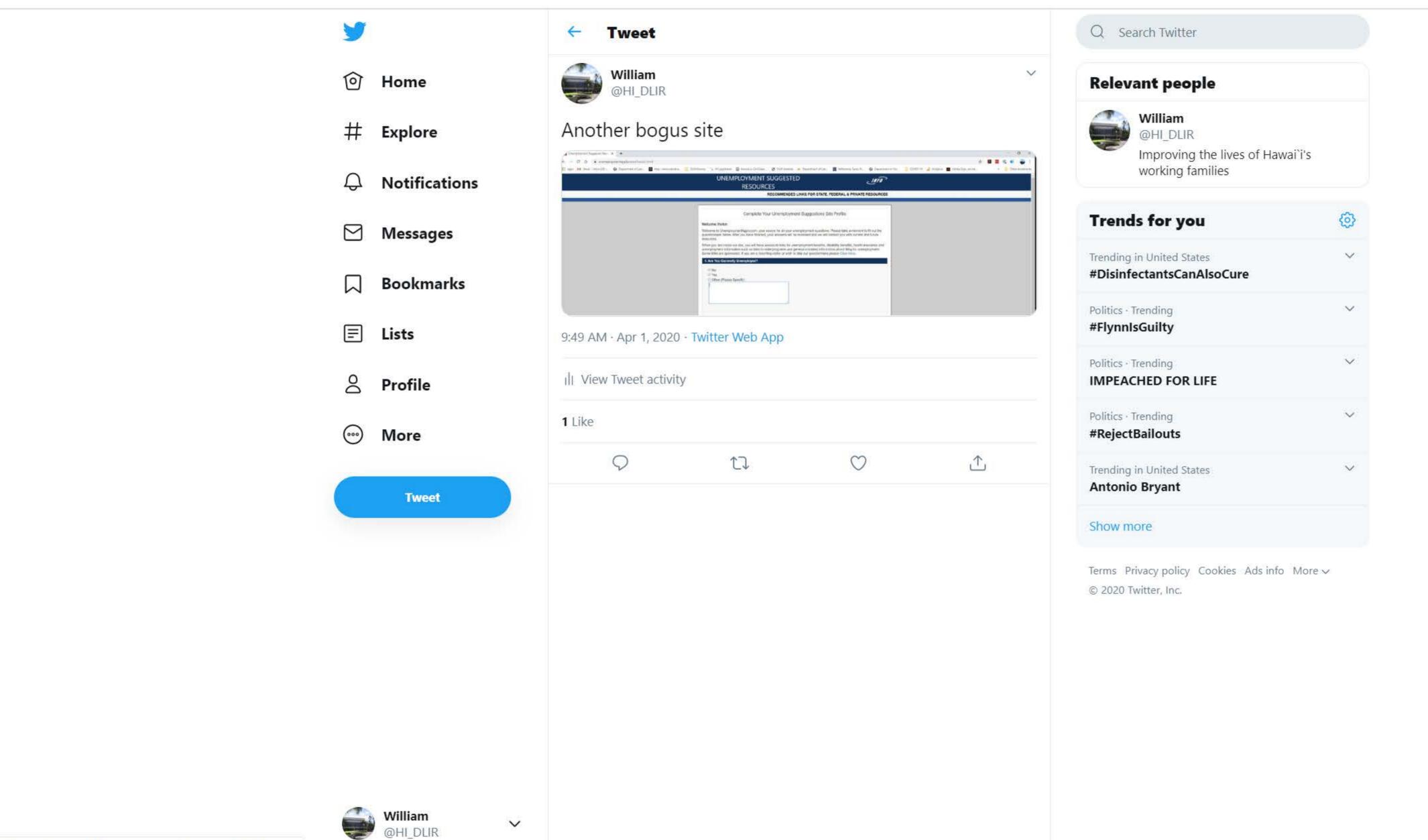
































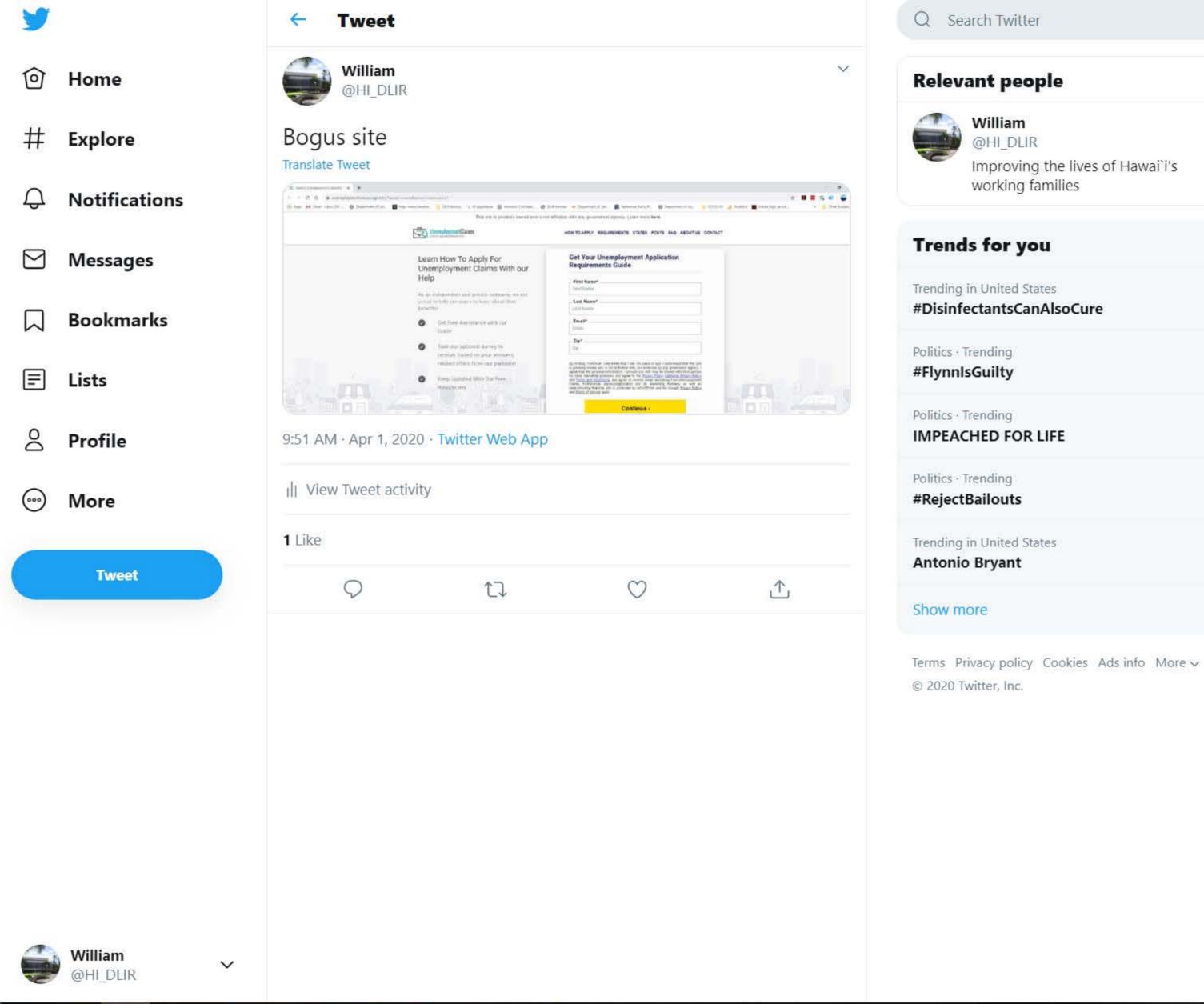












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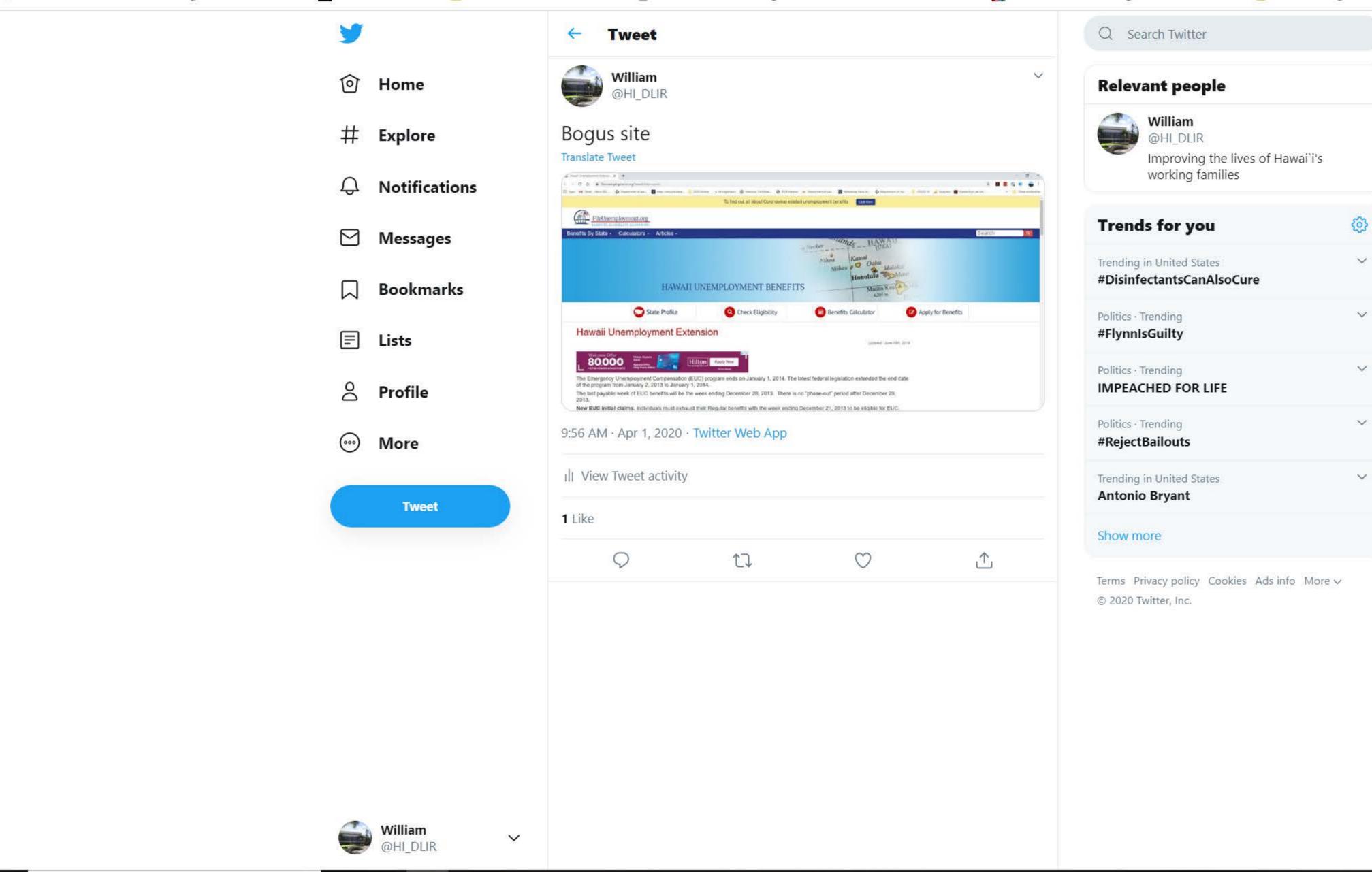








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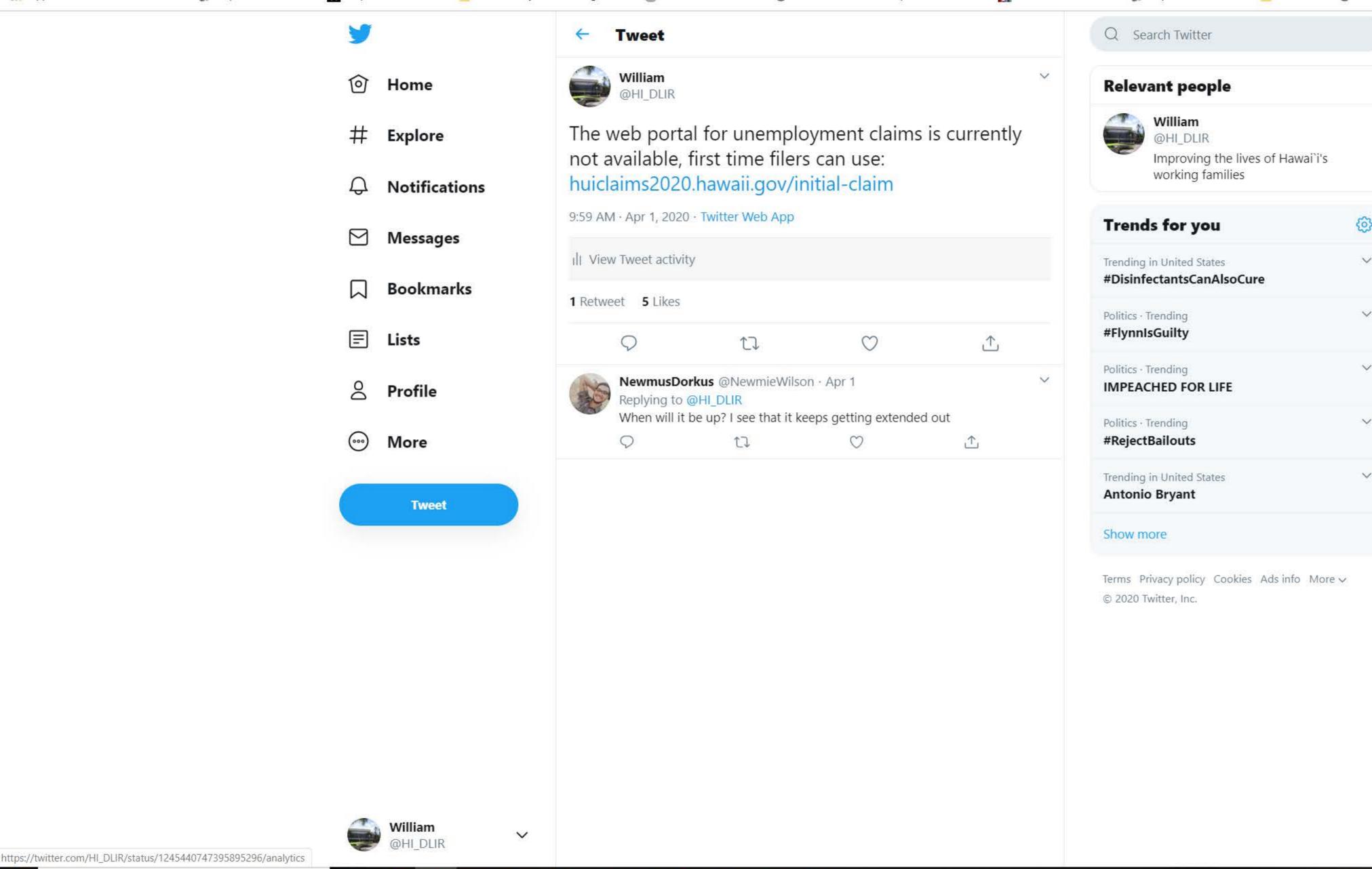




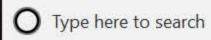


























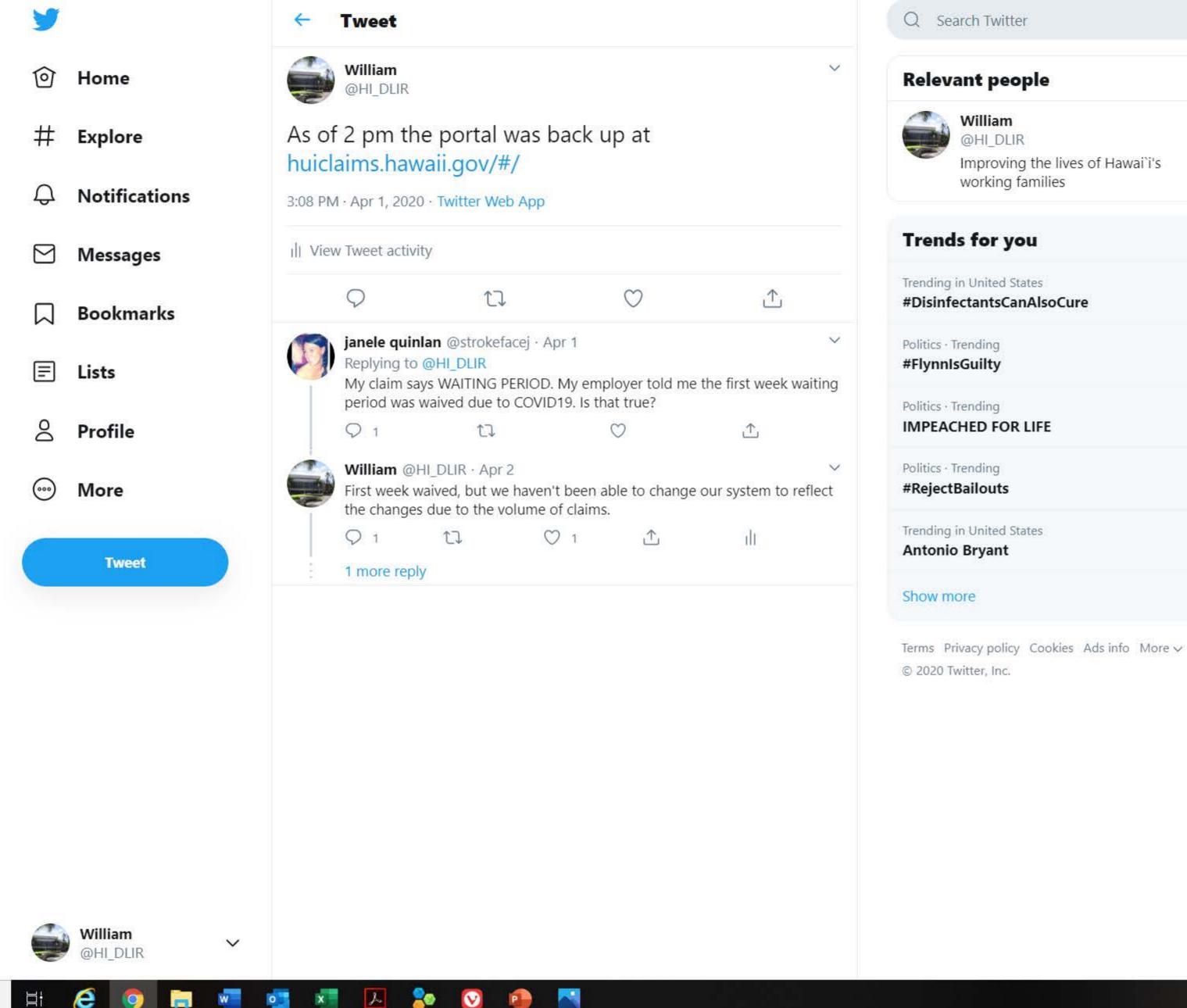












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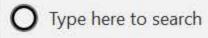


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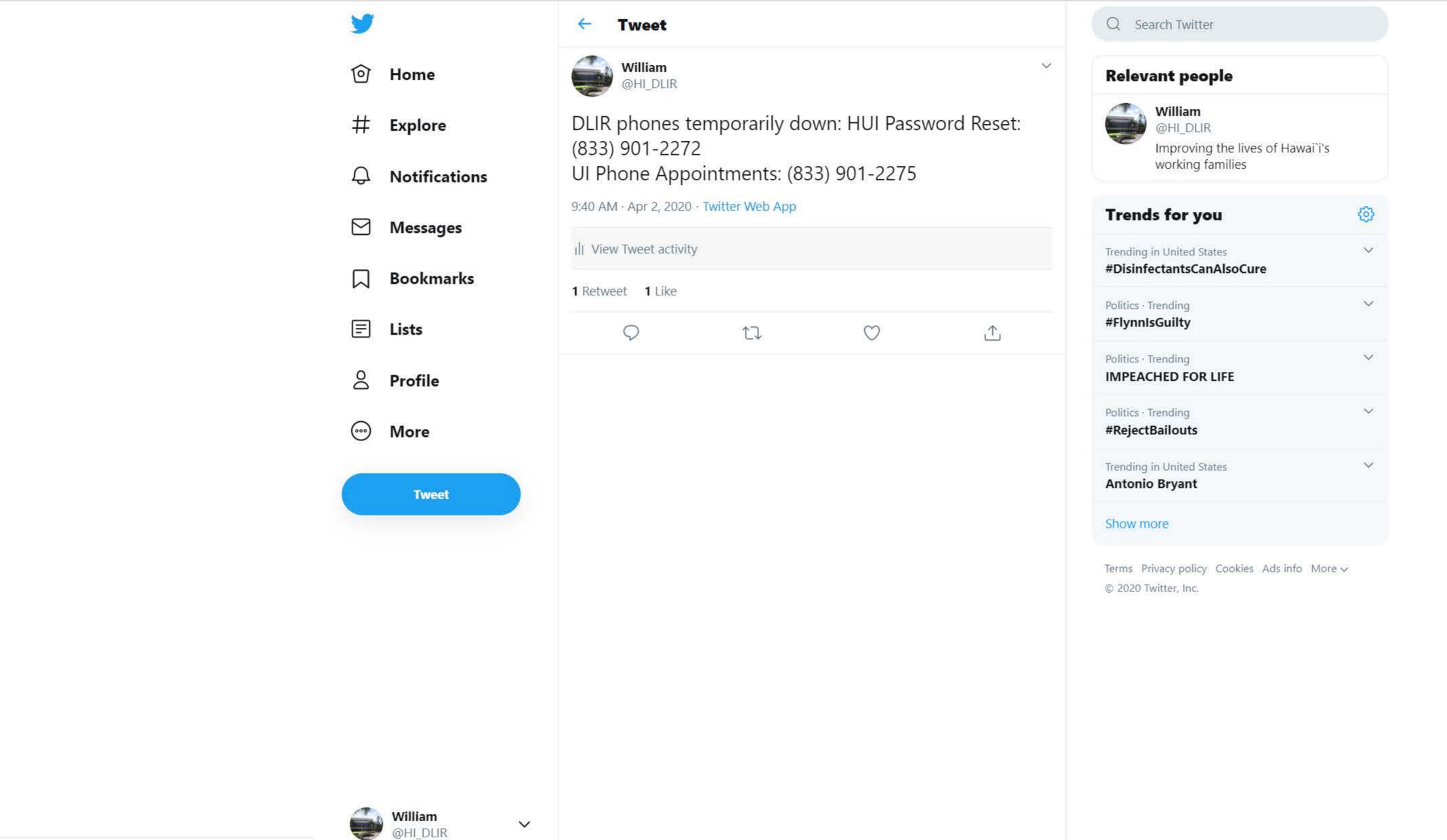






















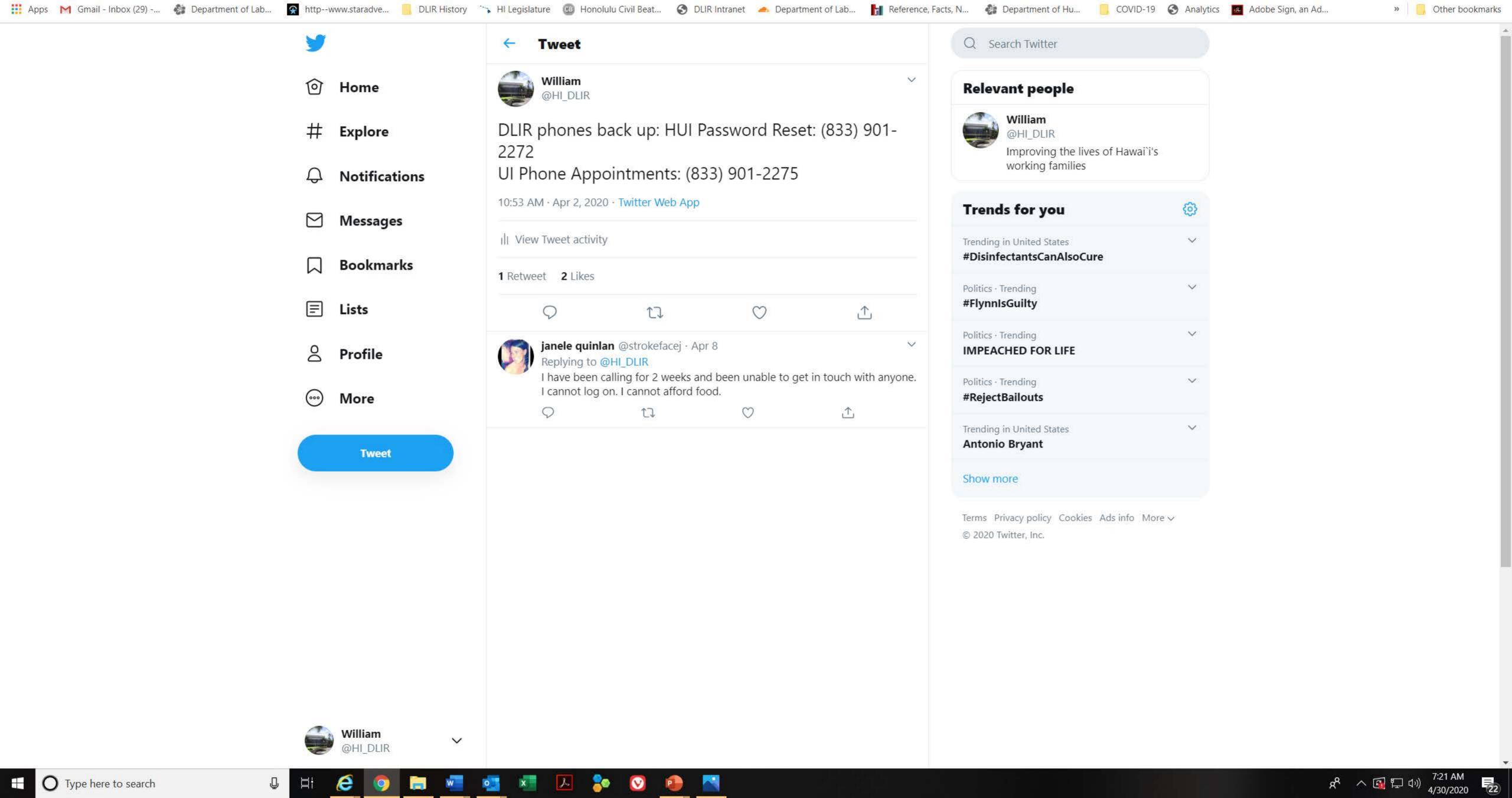


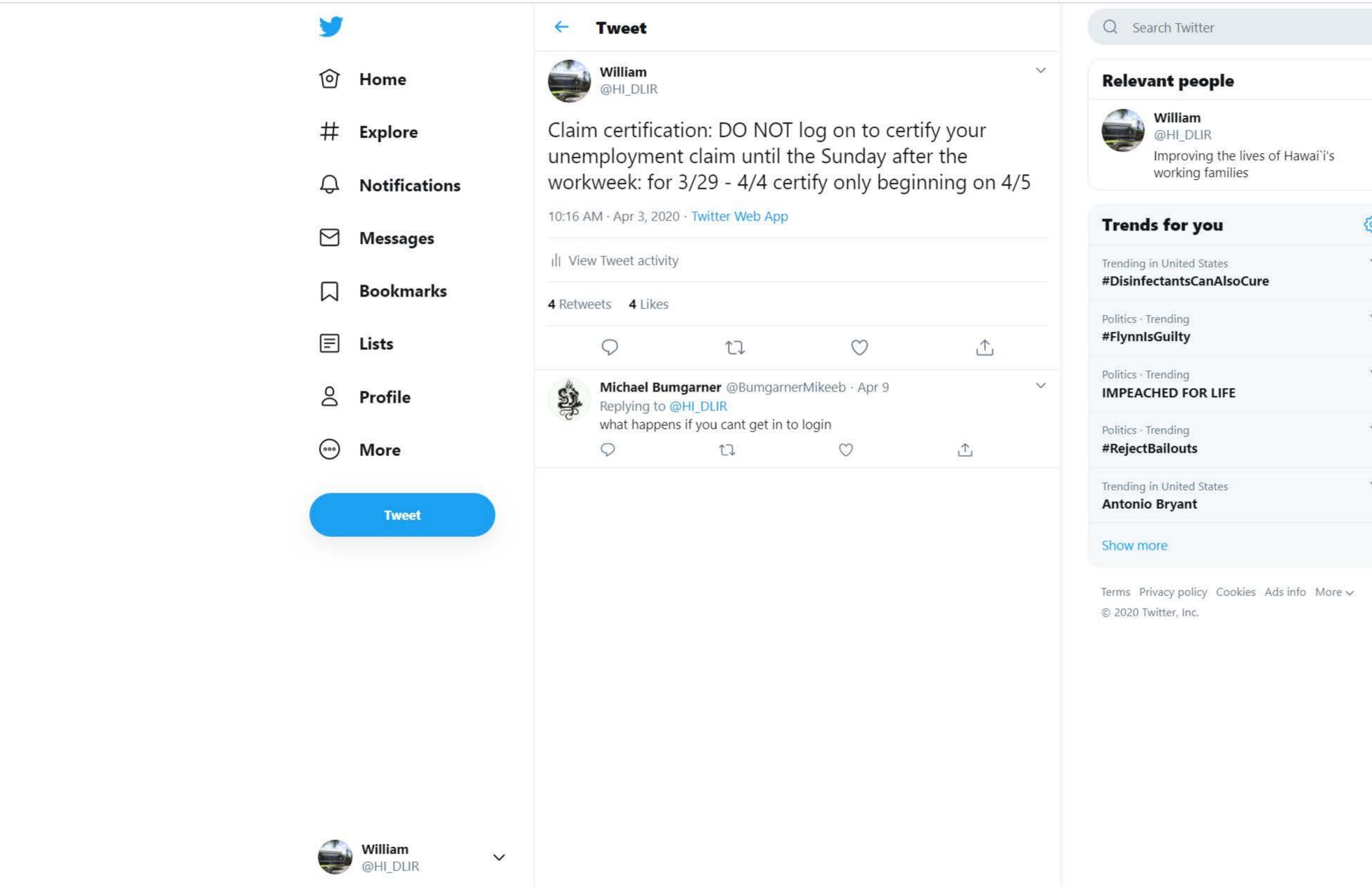




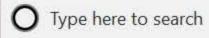




































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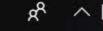




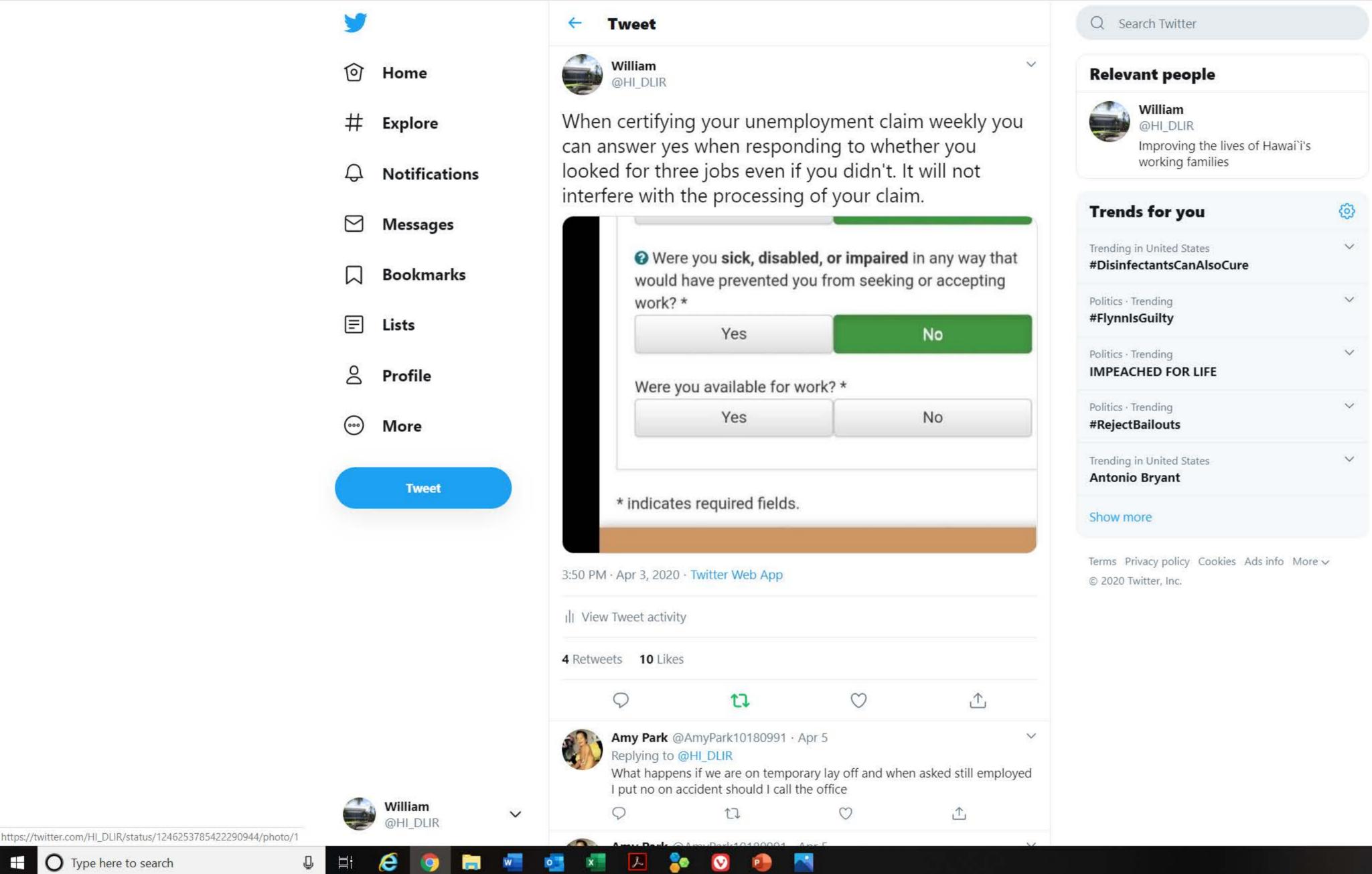








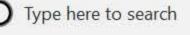


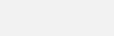








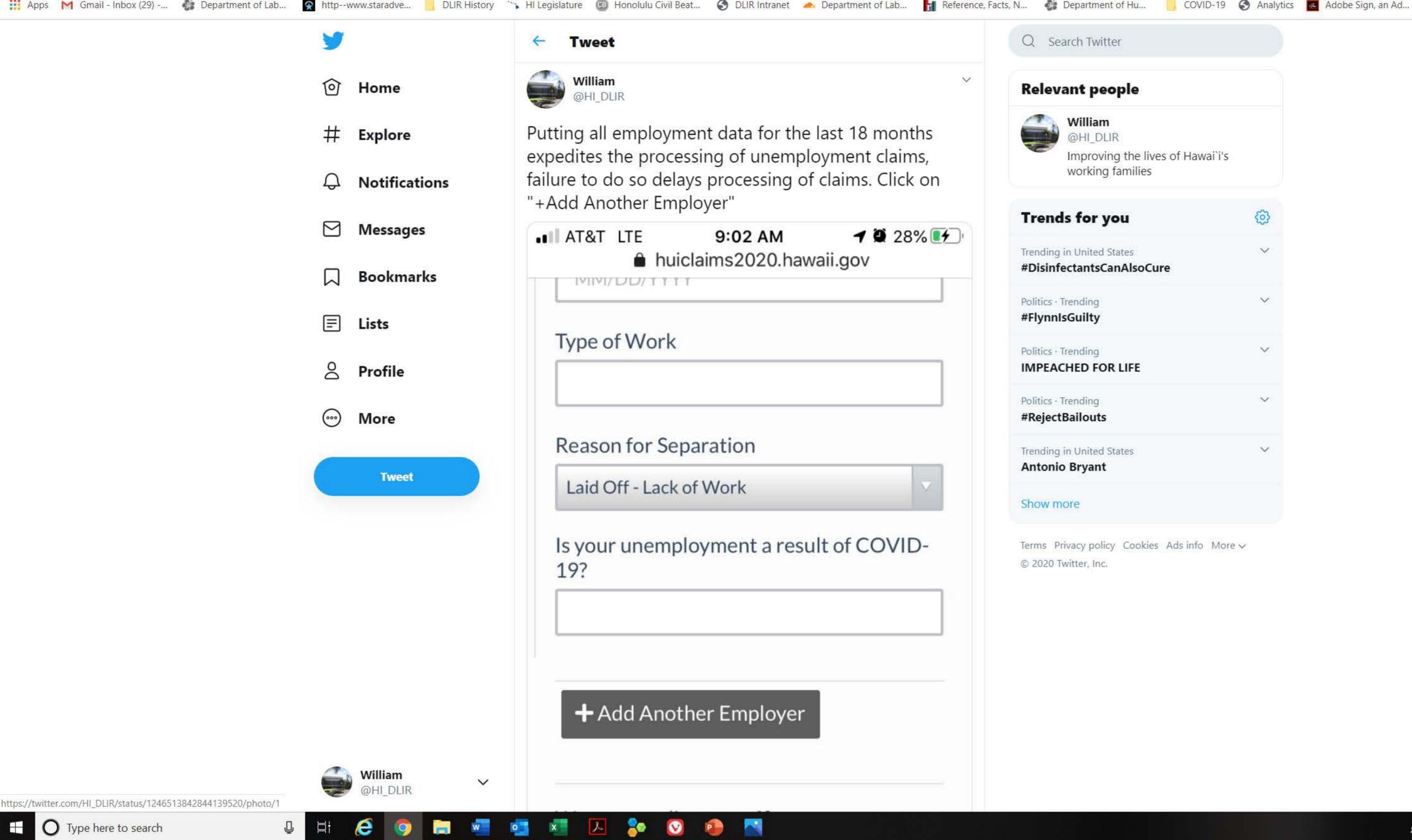












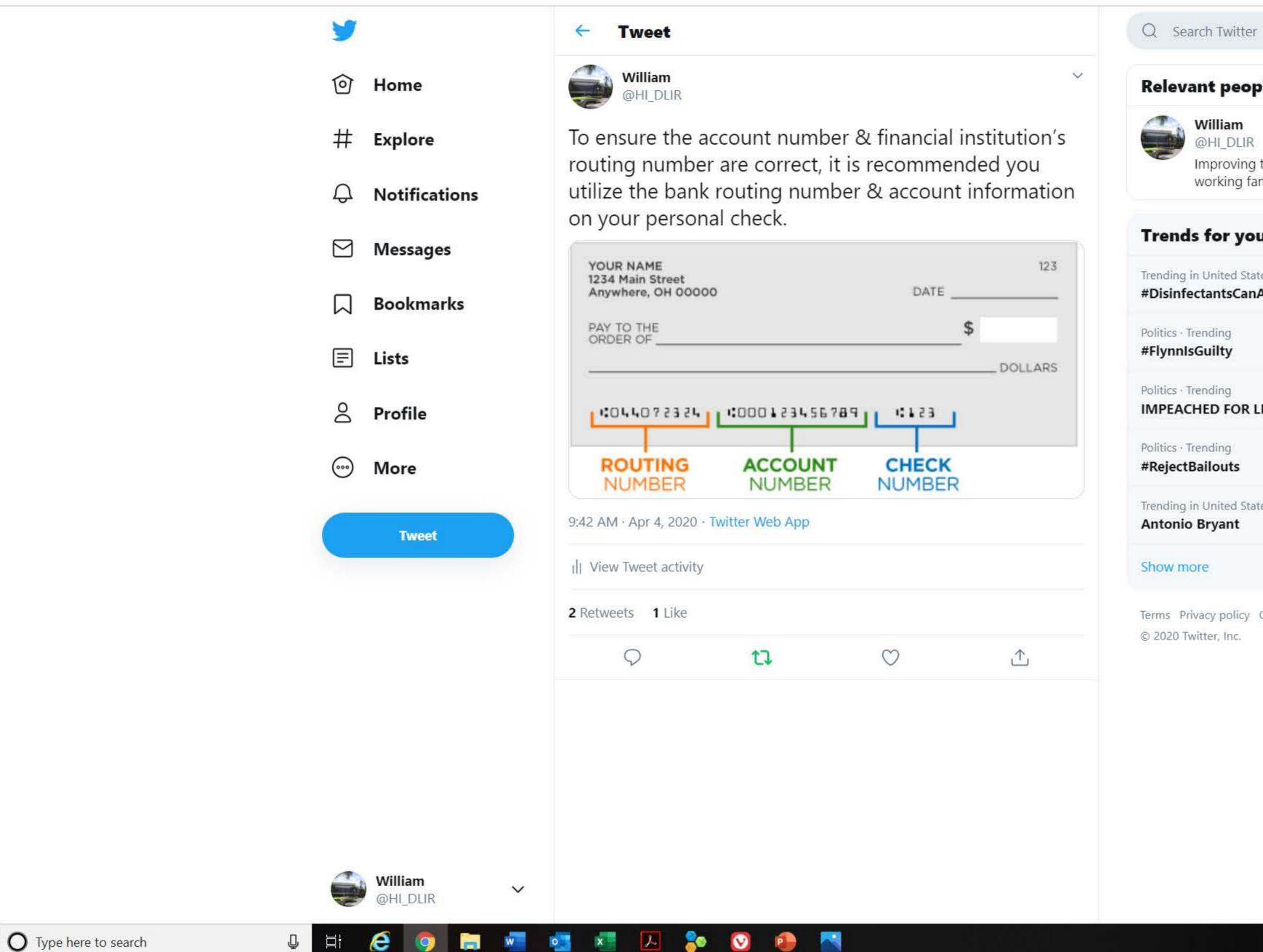








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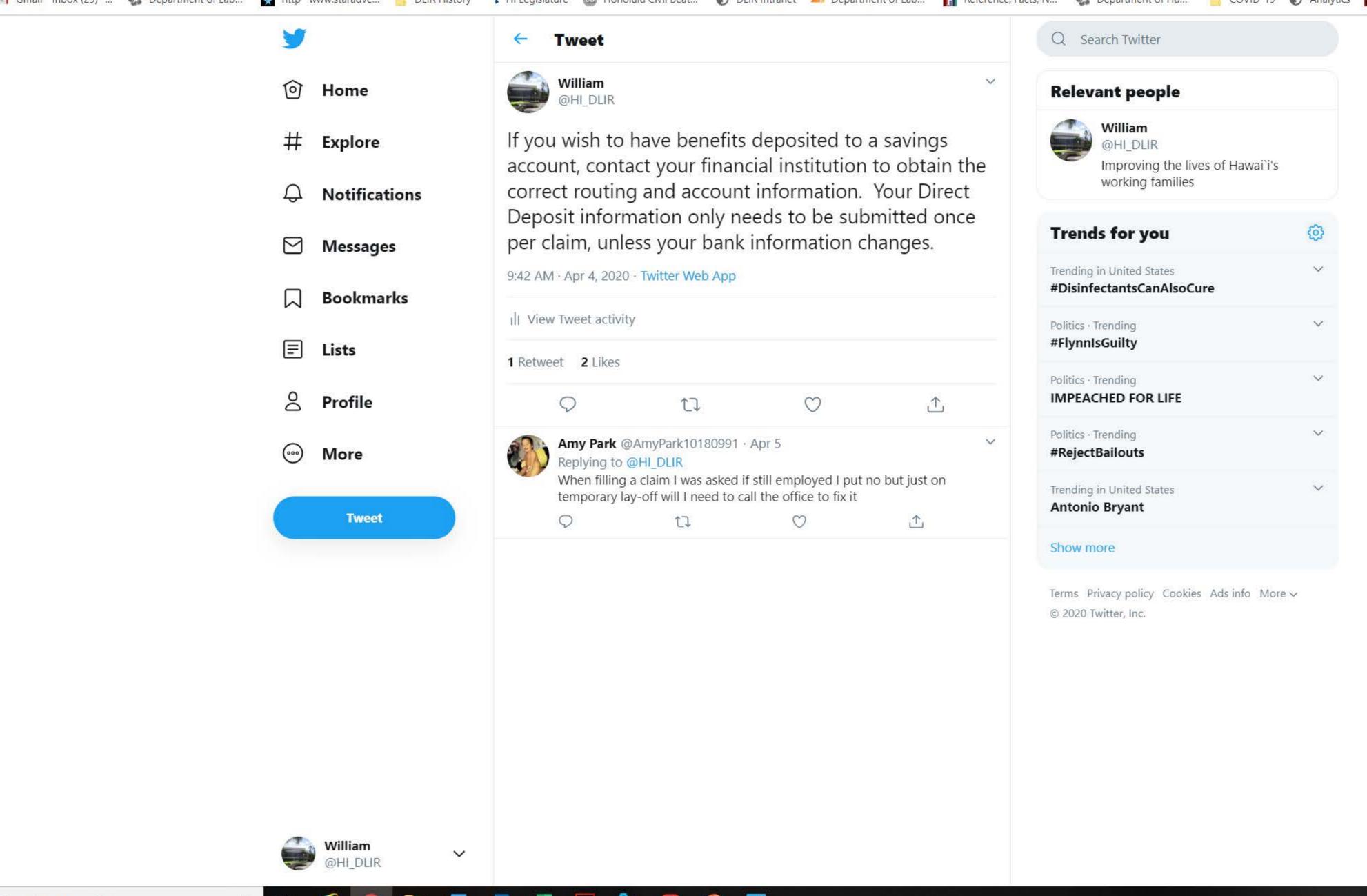


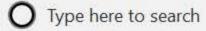


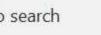
























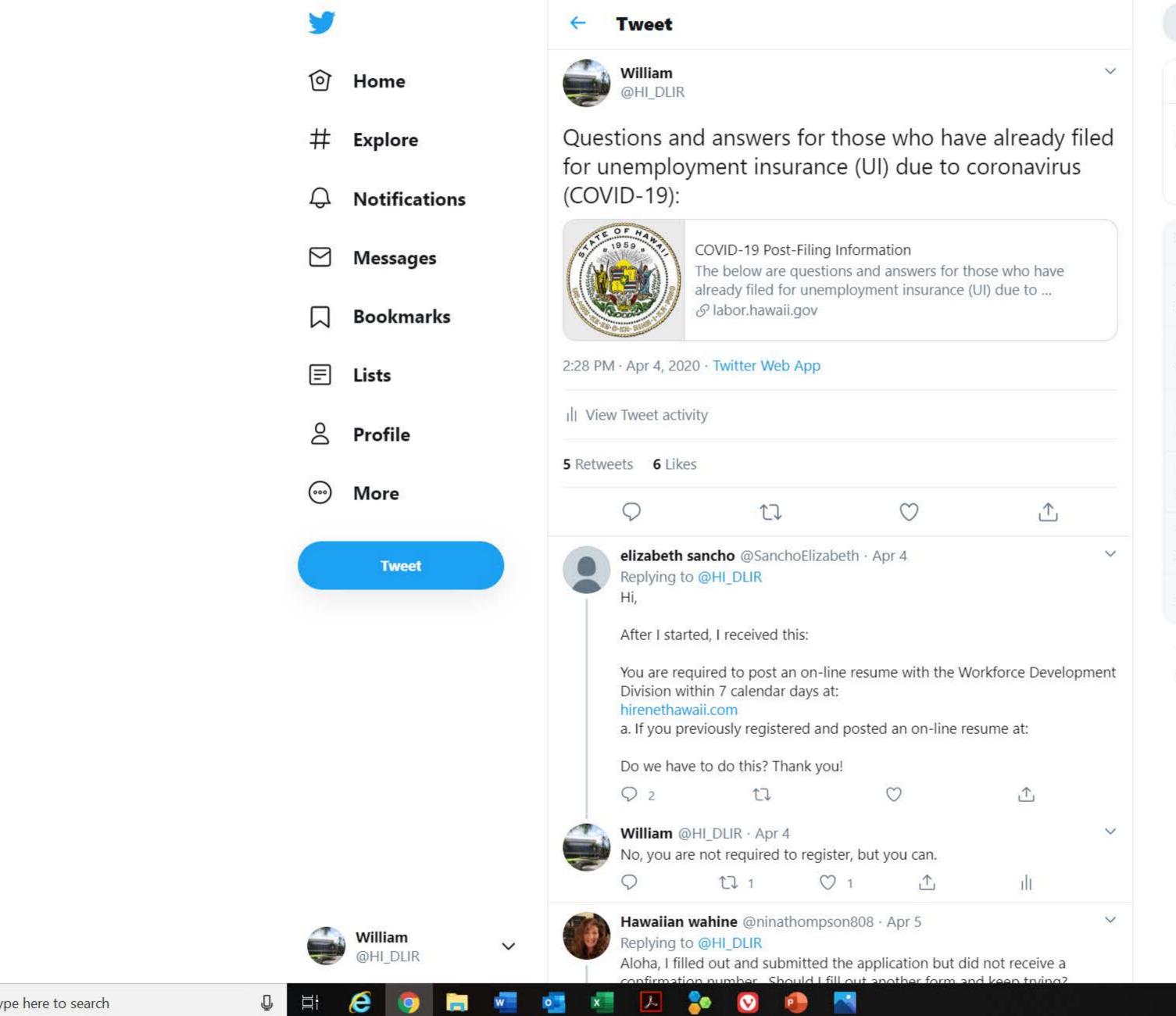












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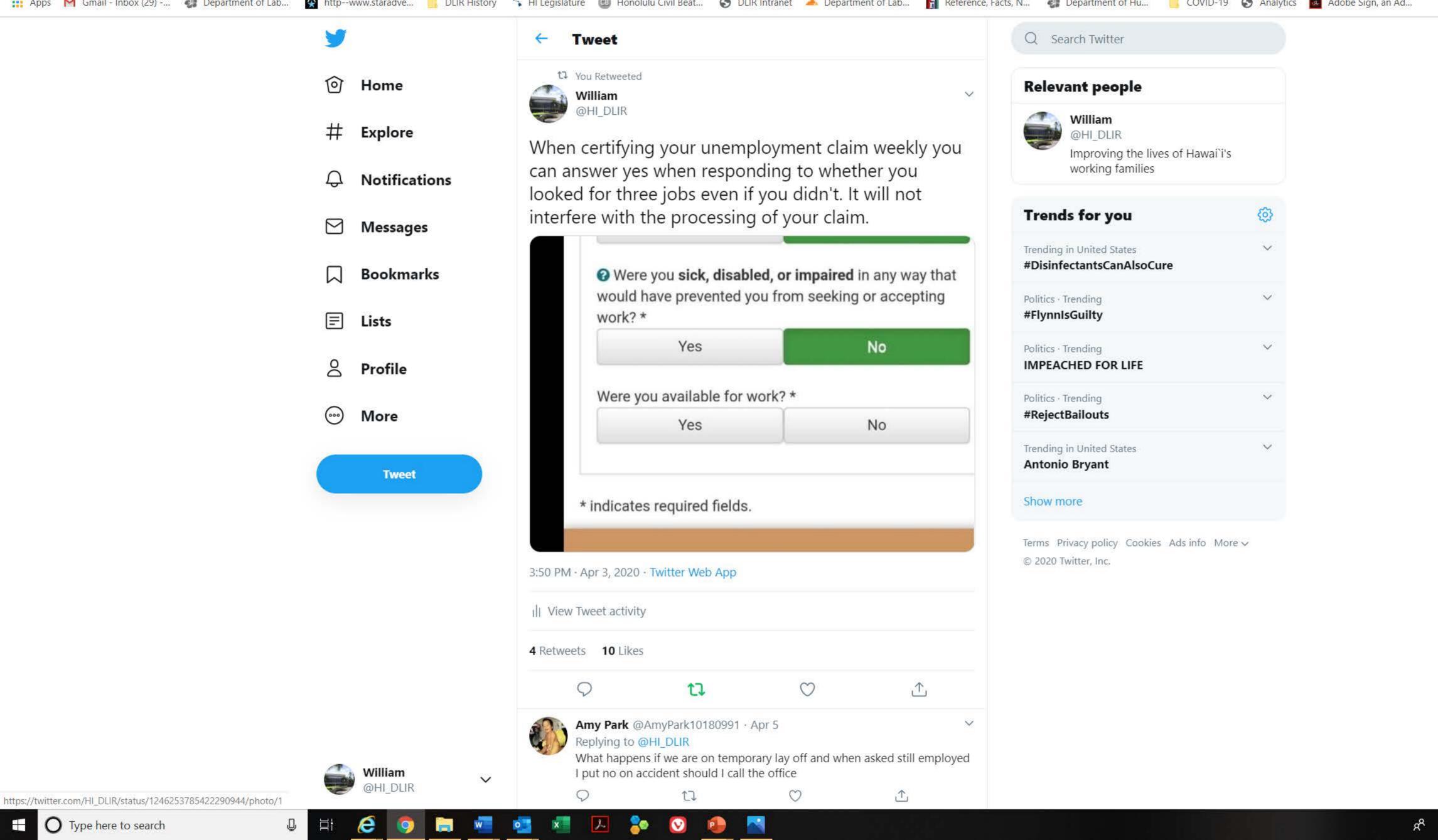
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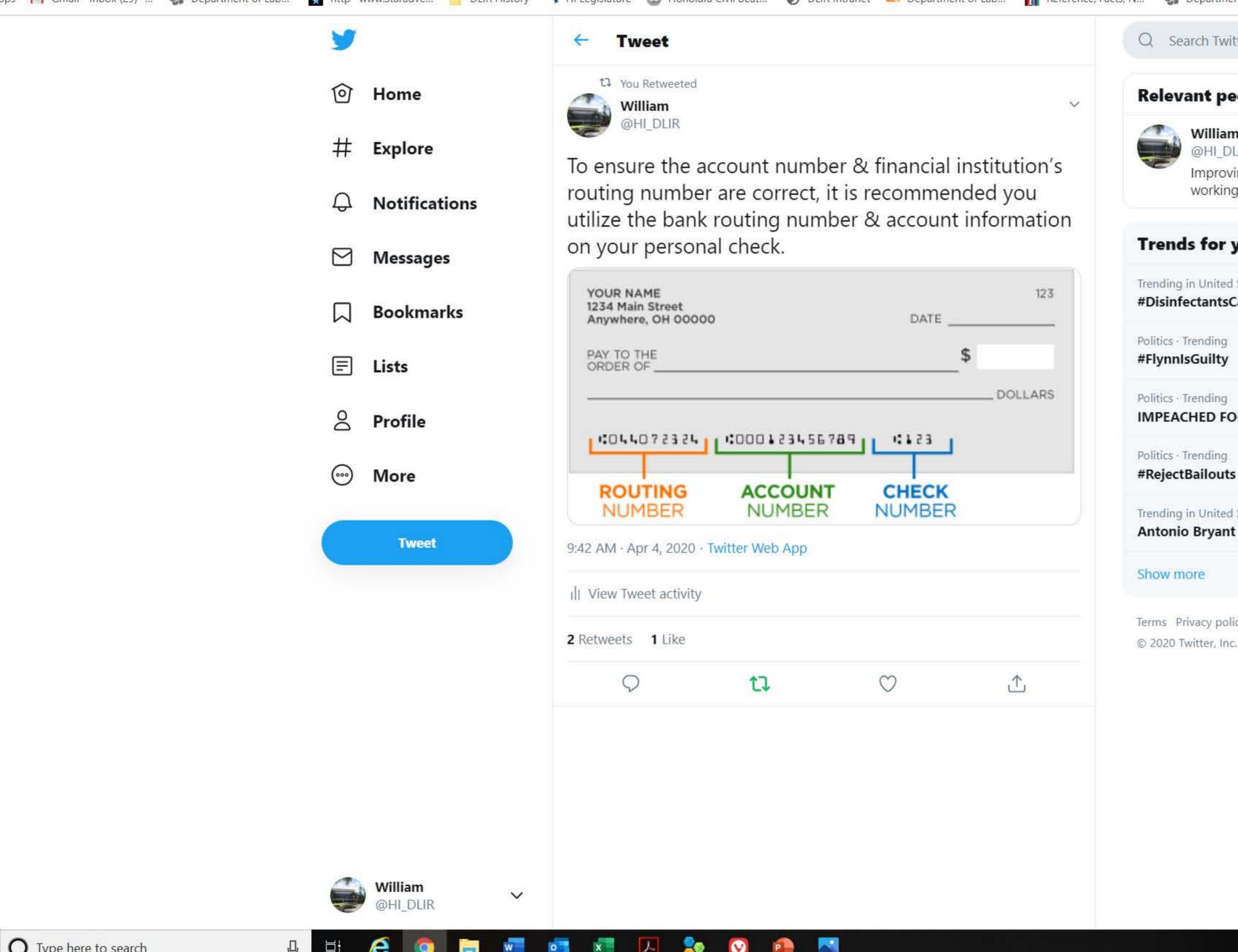








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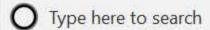






















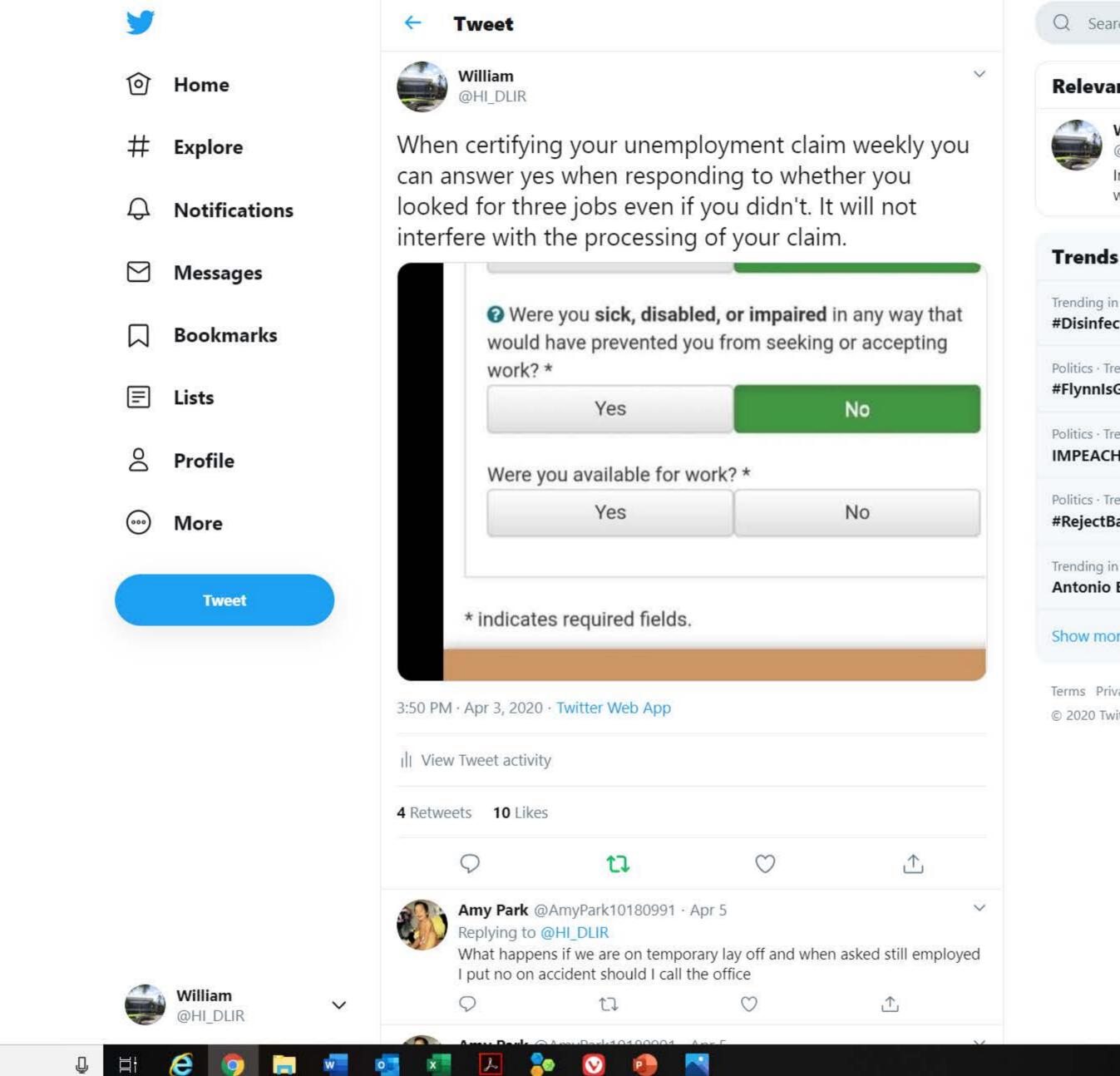












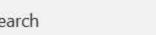
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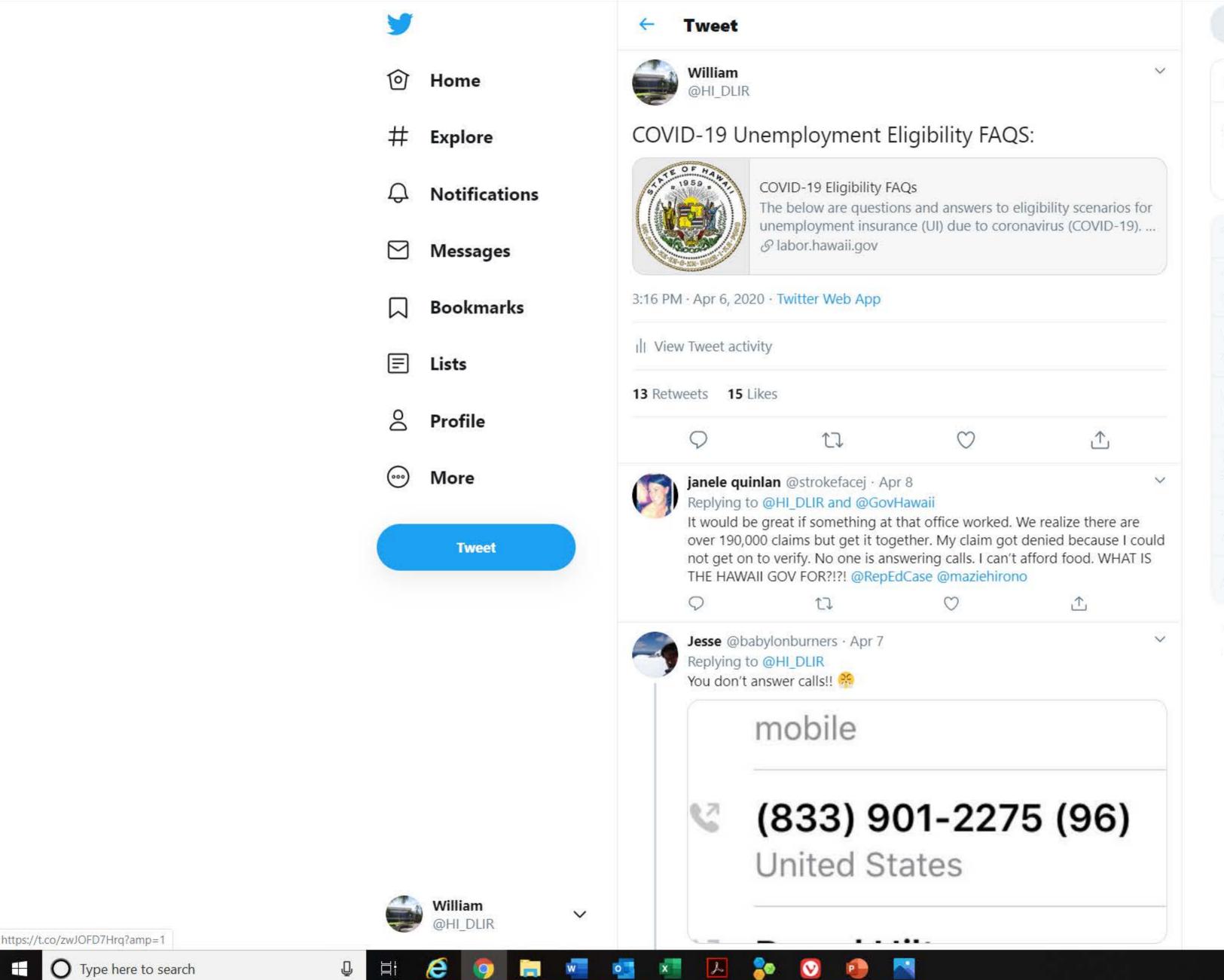












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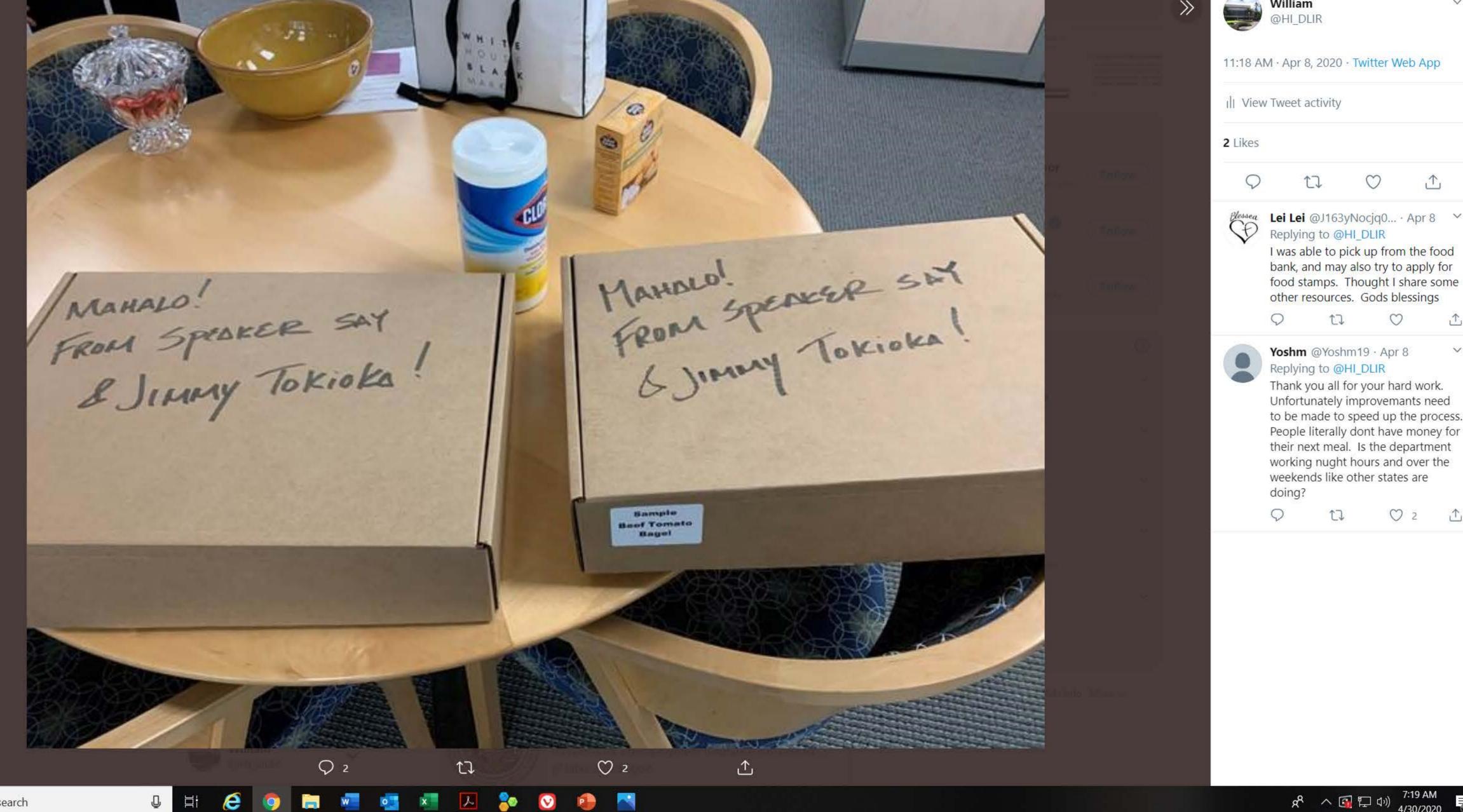
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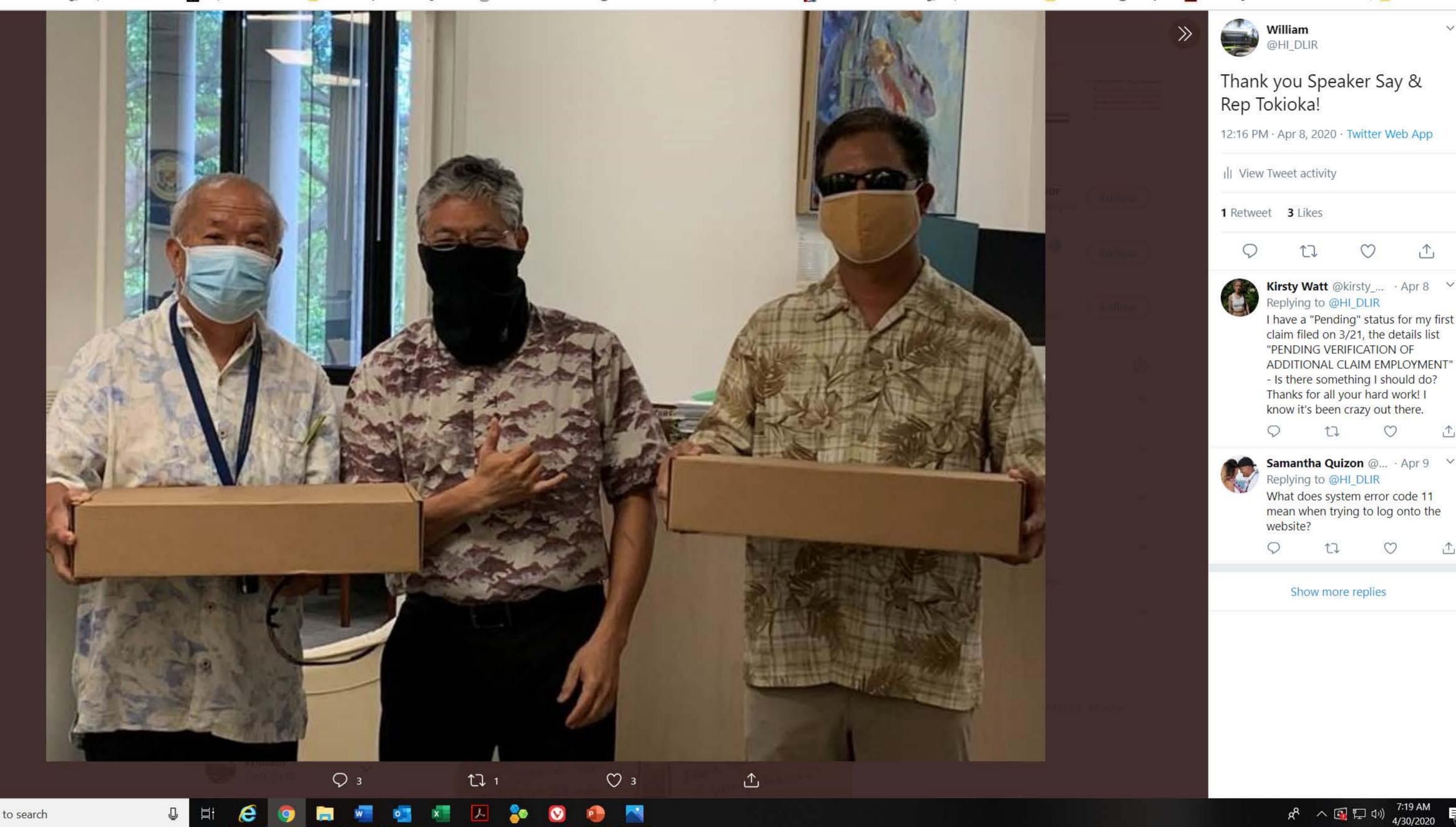






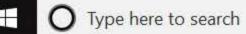


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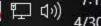


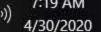


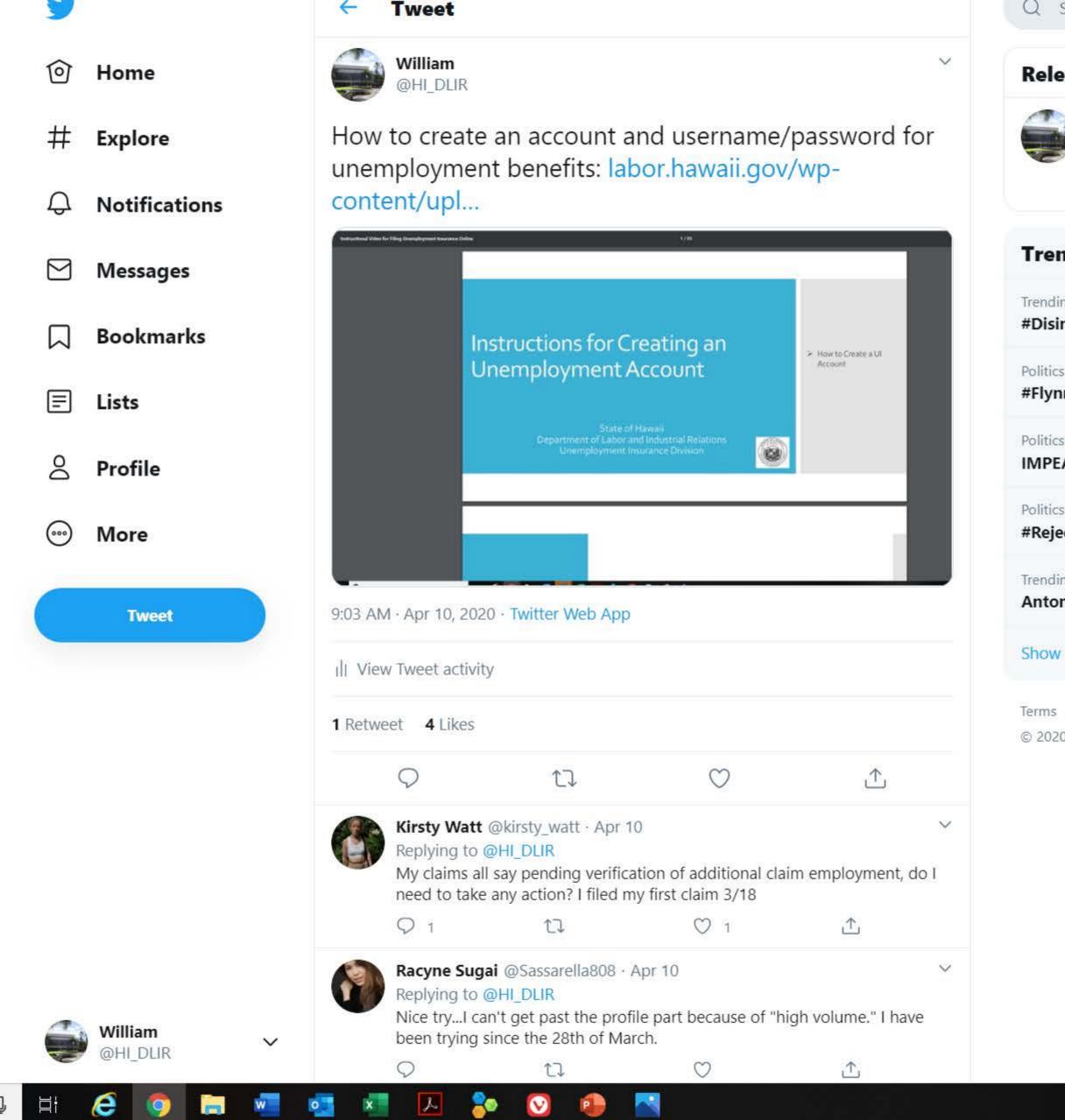










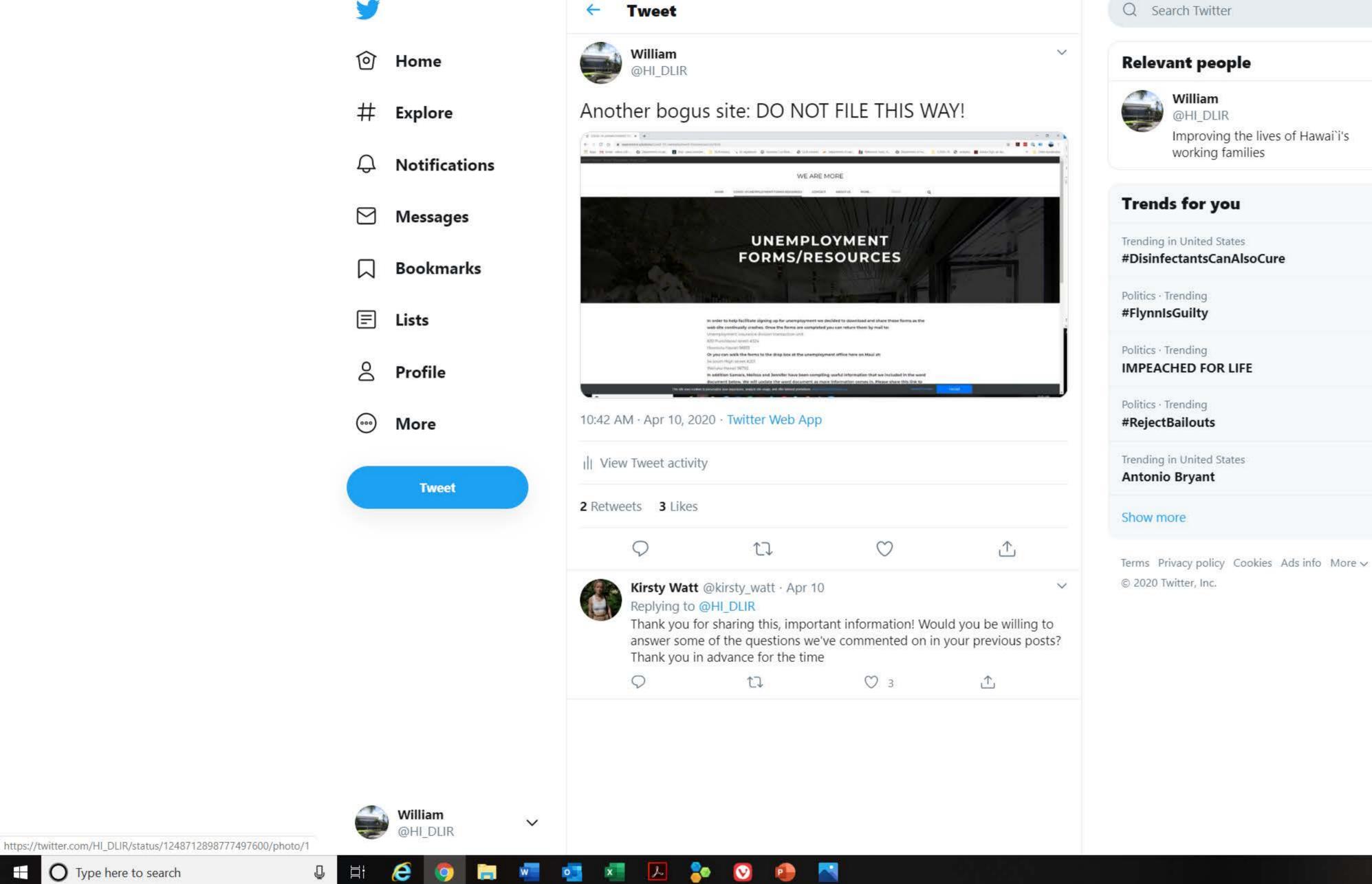


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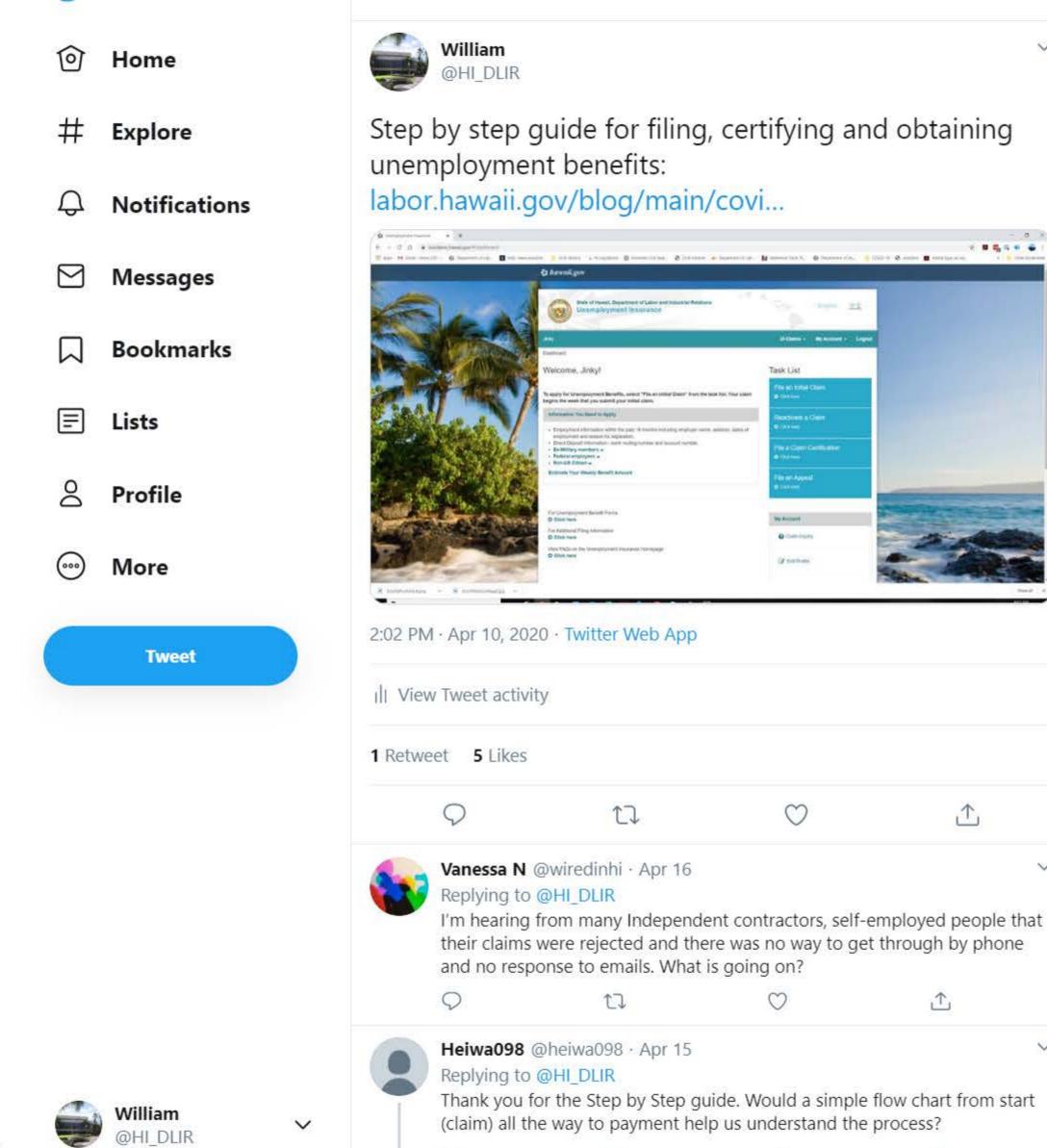
















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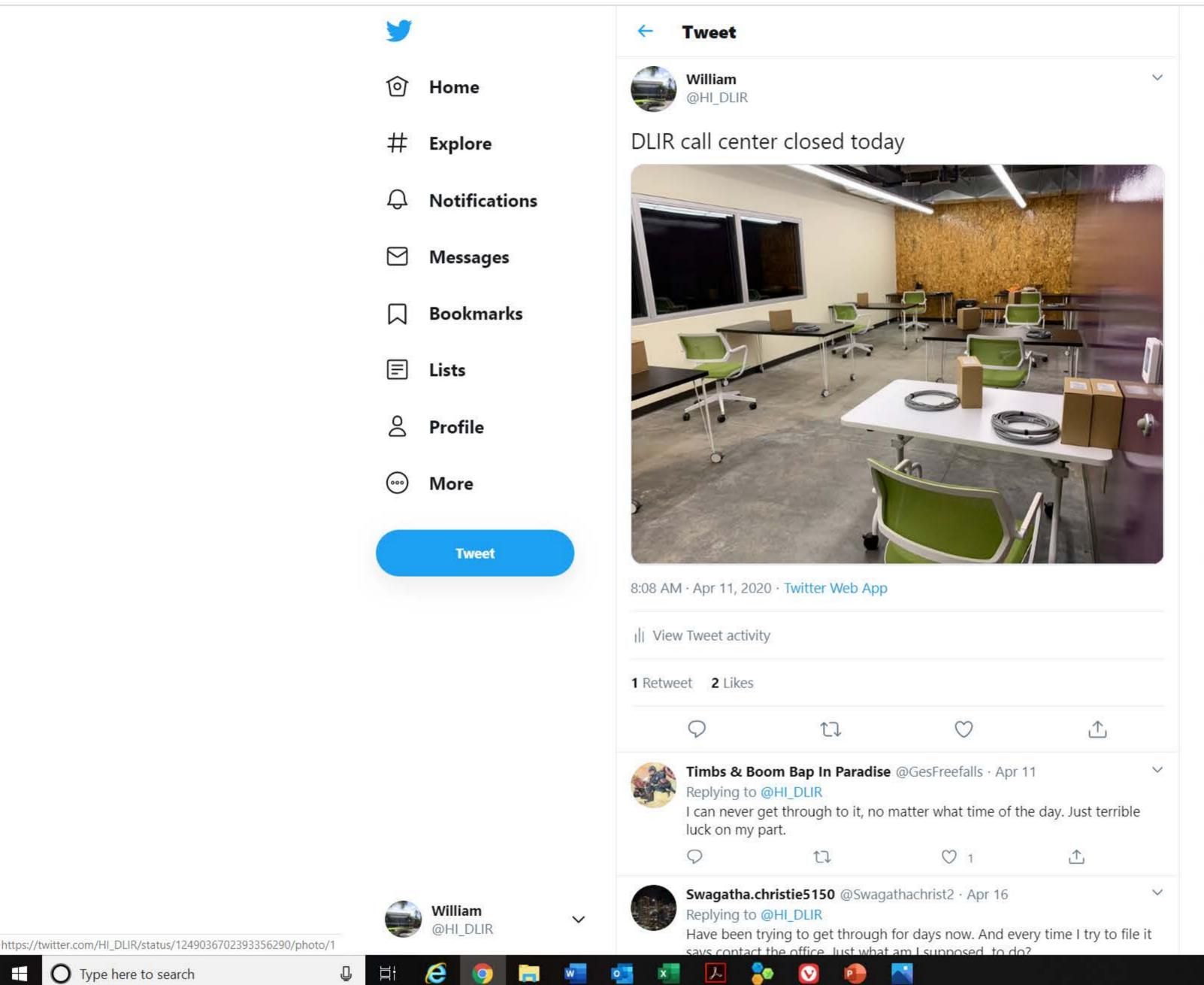


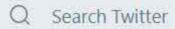










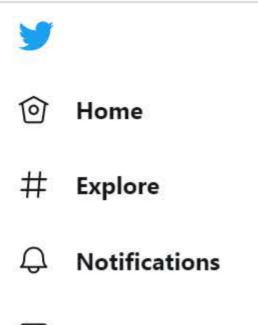




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Trends for you	63
Trending in United States #DisinfectantsCanAlsoCure	~
Politics · Trending #FlynnIsGuilty	~
Politics · Trending IMPEACHED FOR LIFE	~
Politics · Trending #RejectBailouts	~
Trending in United States Antonio Bryant	~
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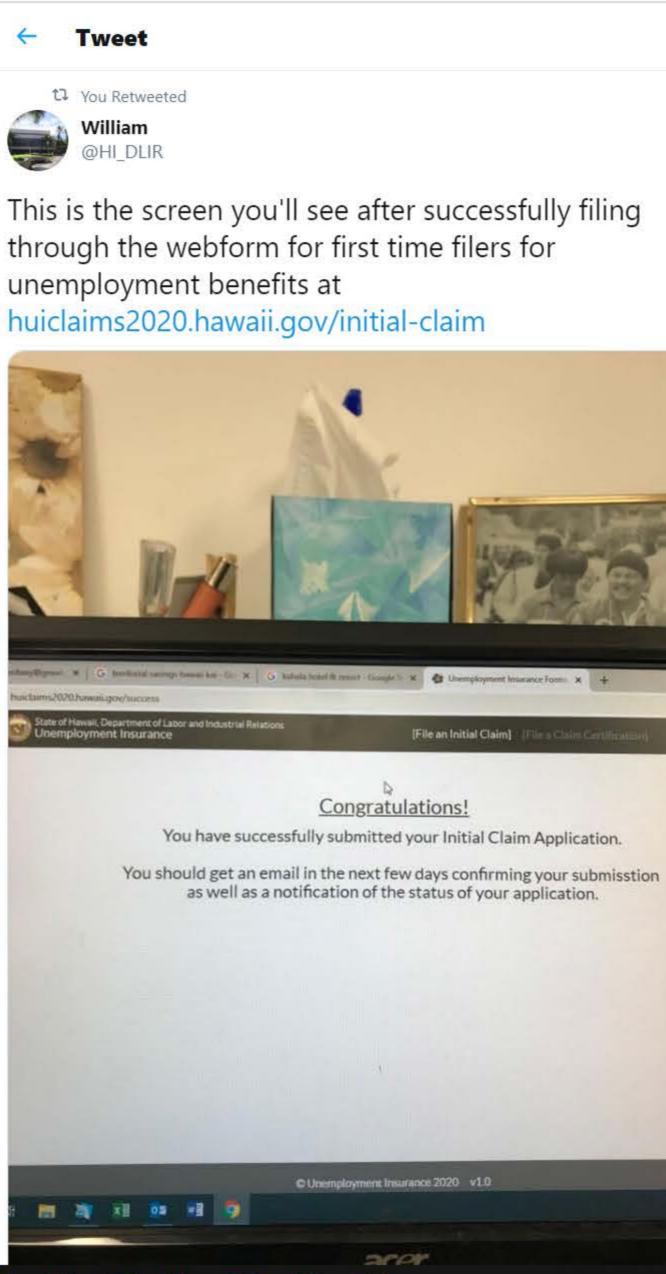


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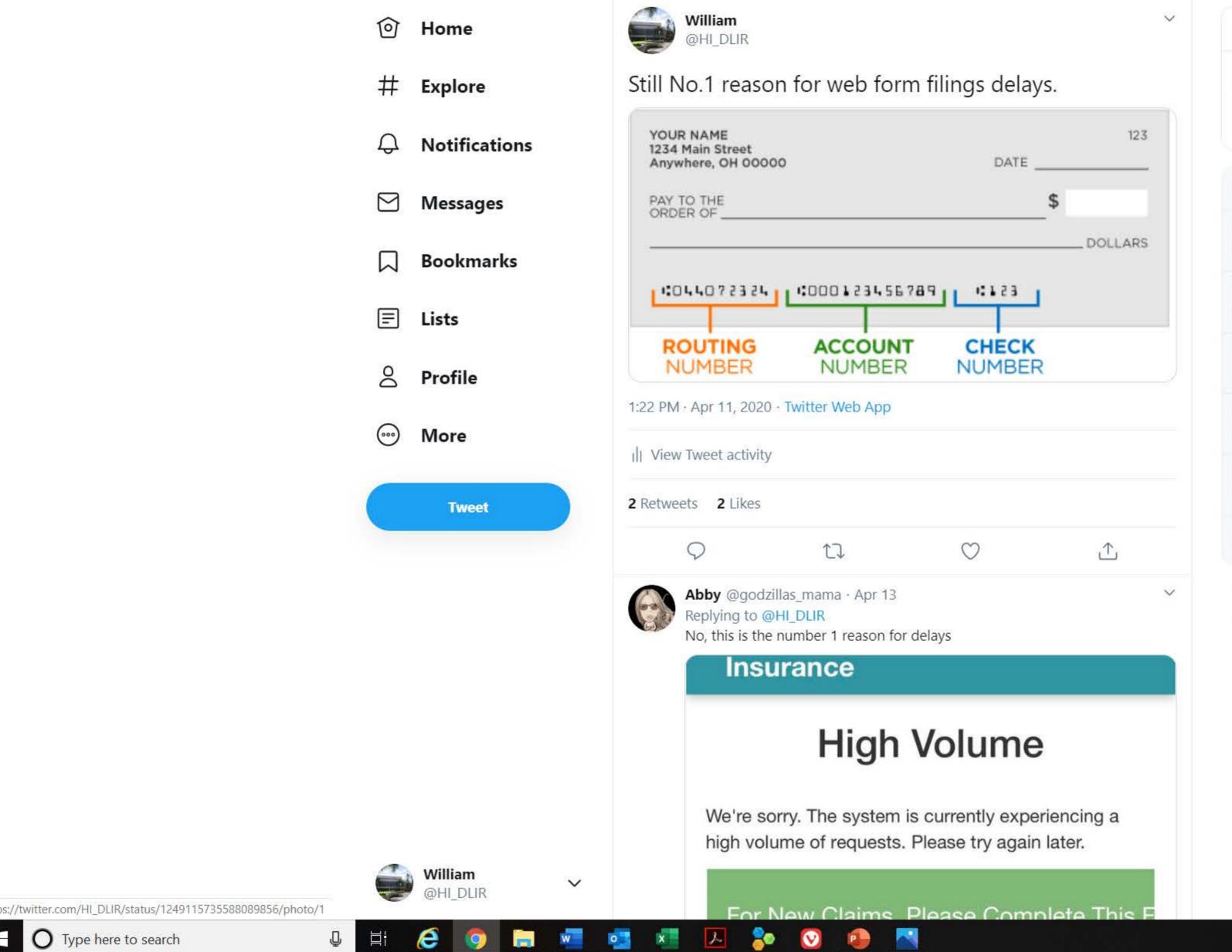






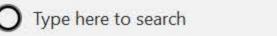




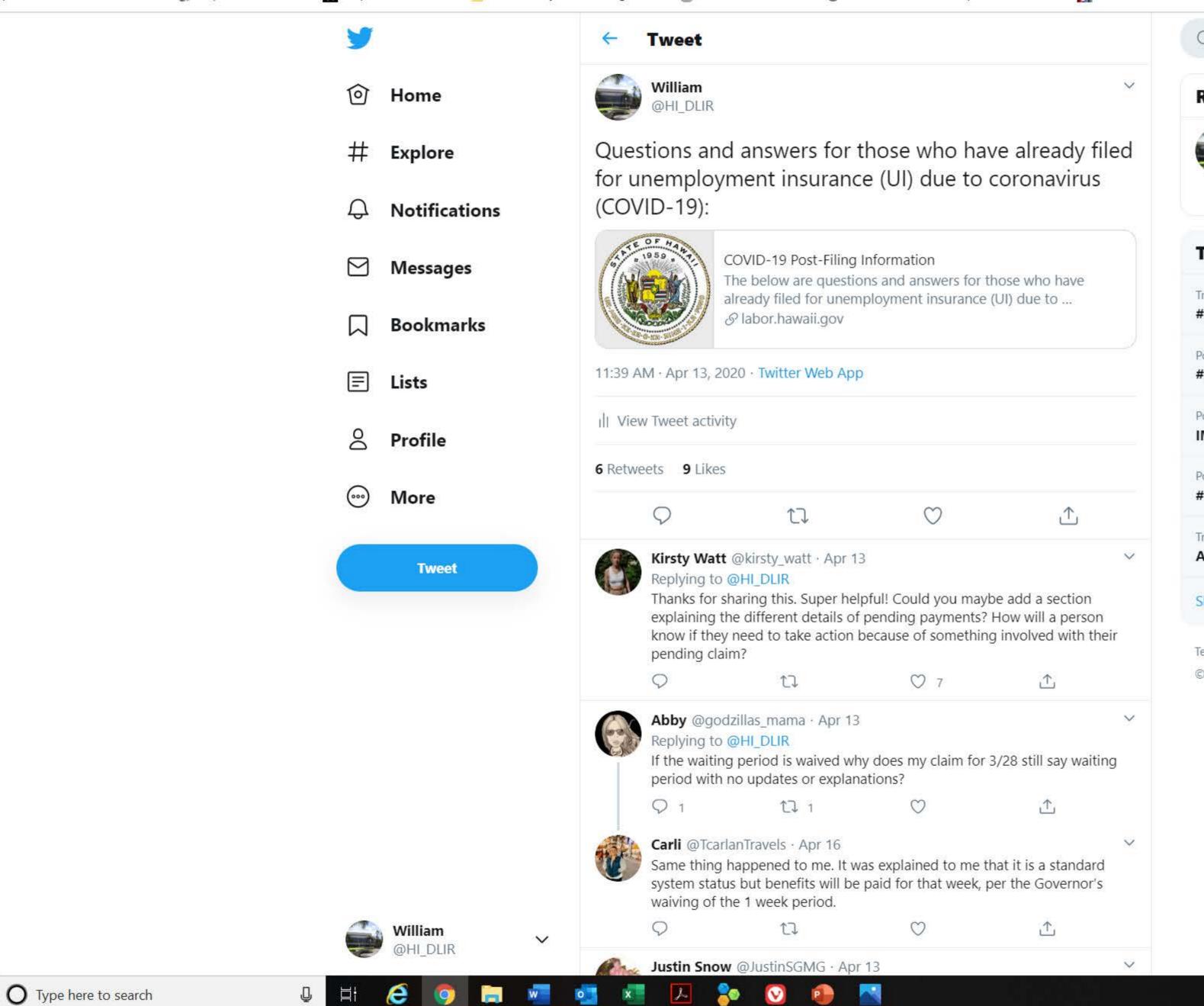












Relevant people



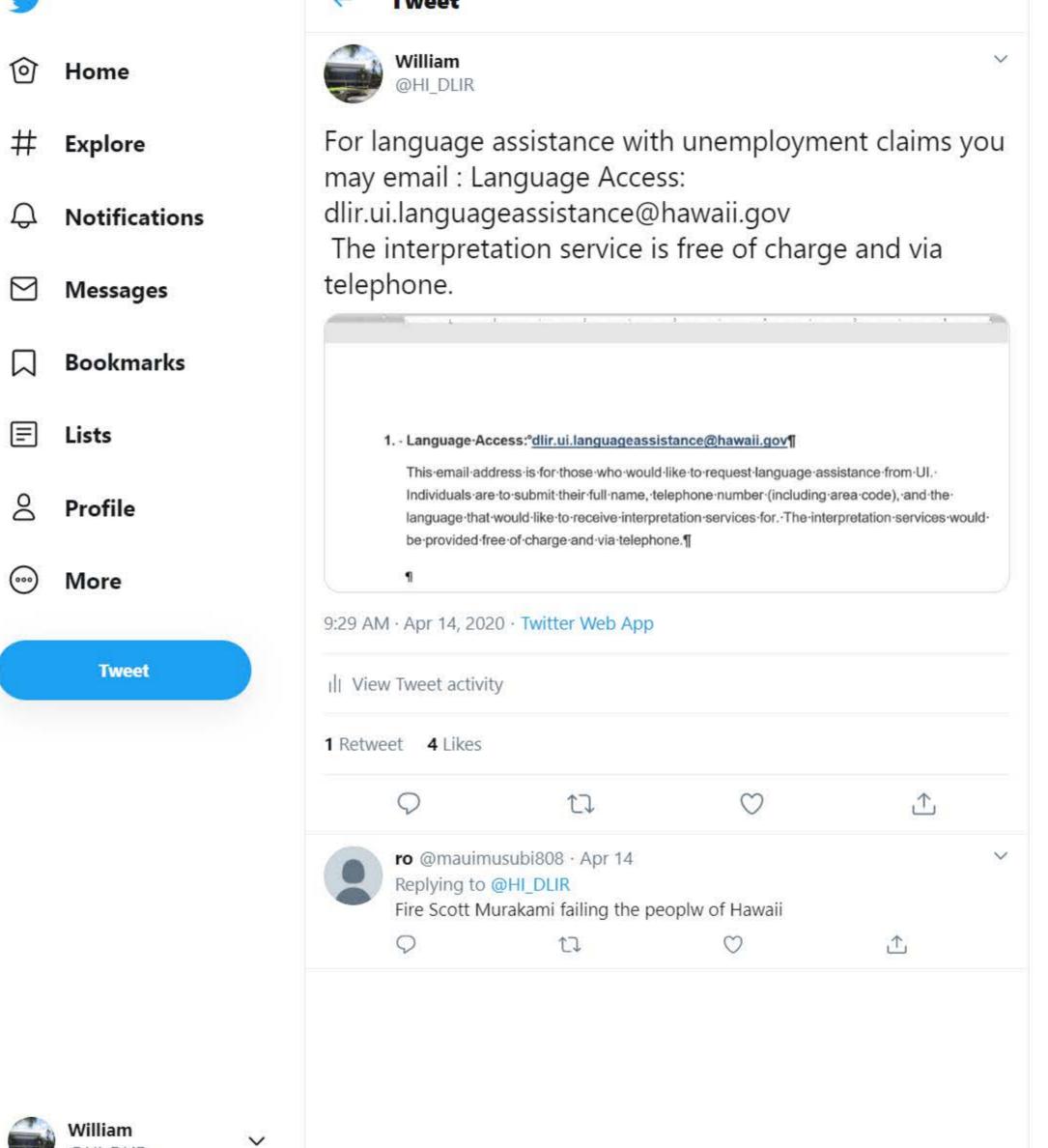
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a search (white)



















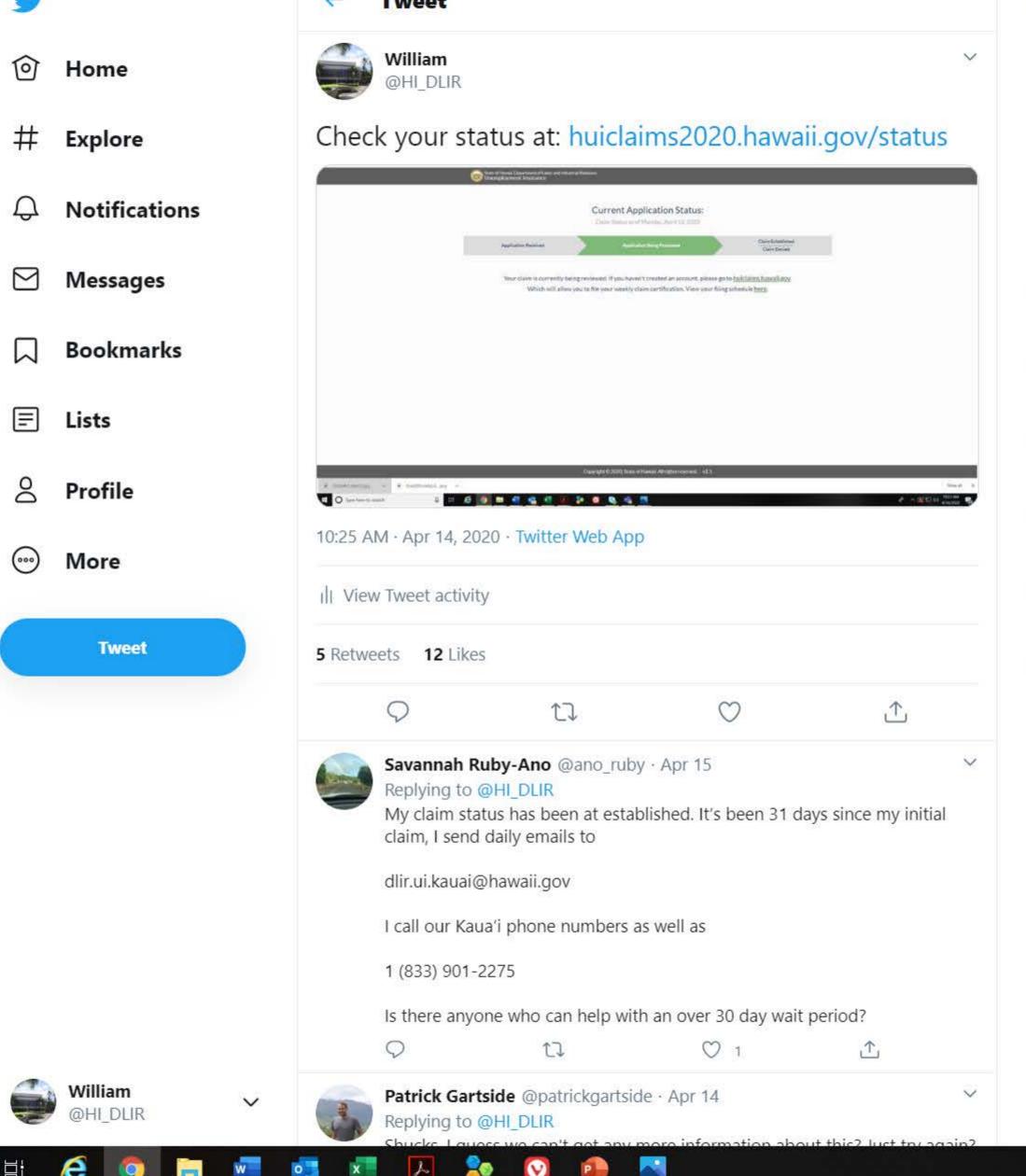










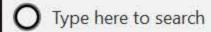




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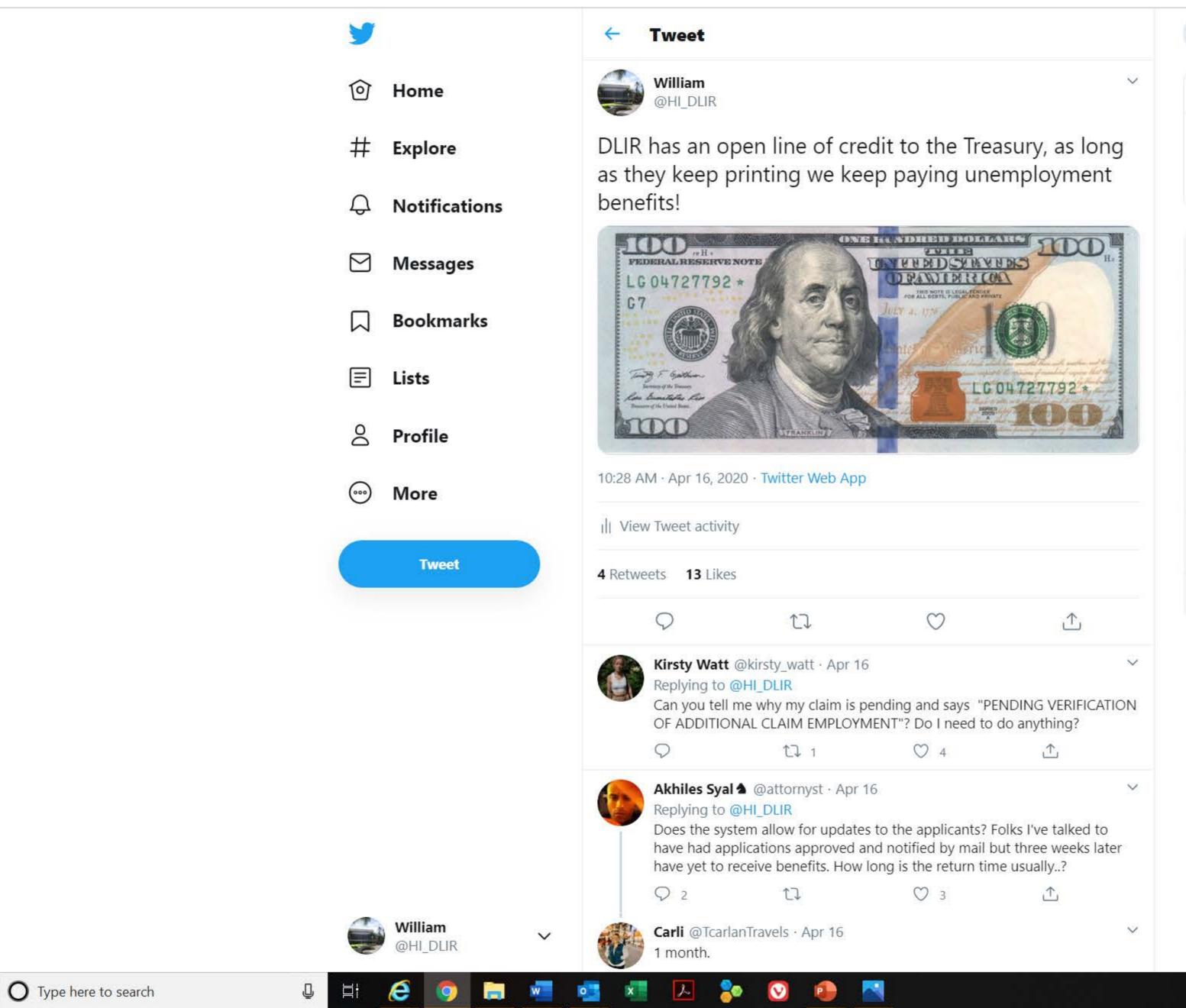












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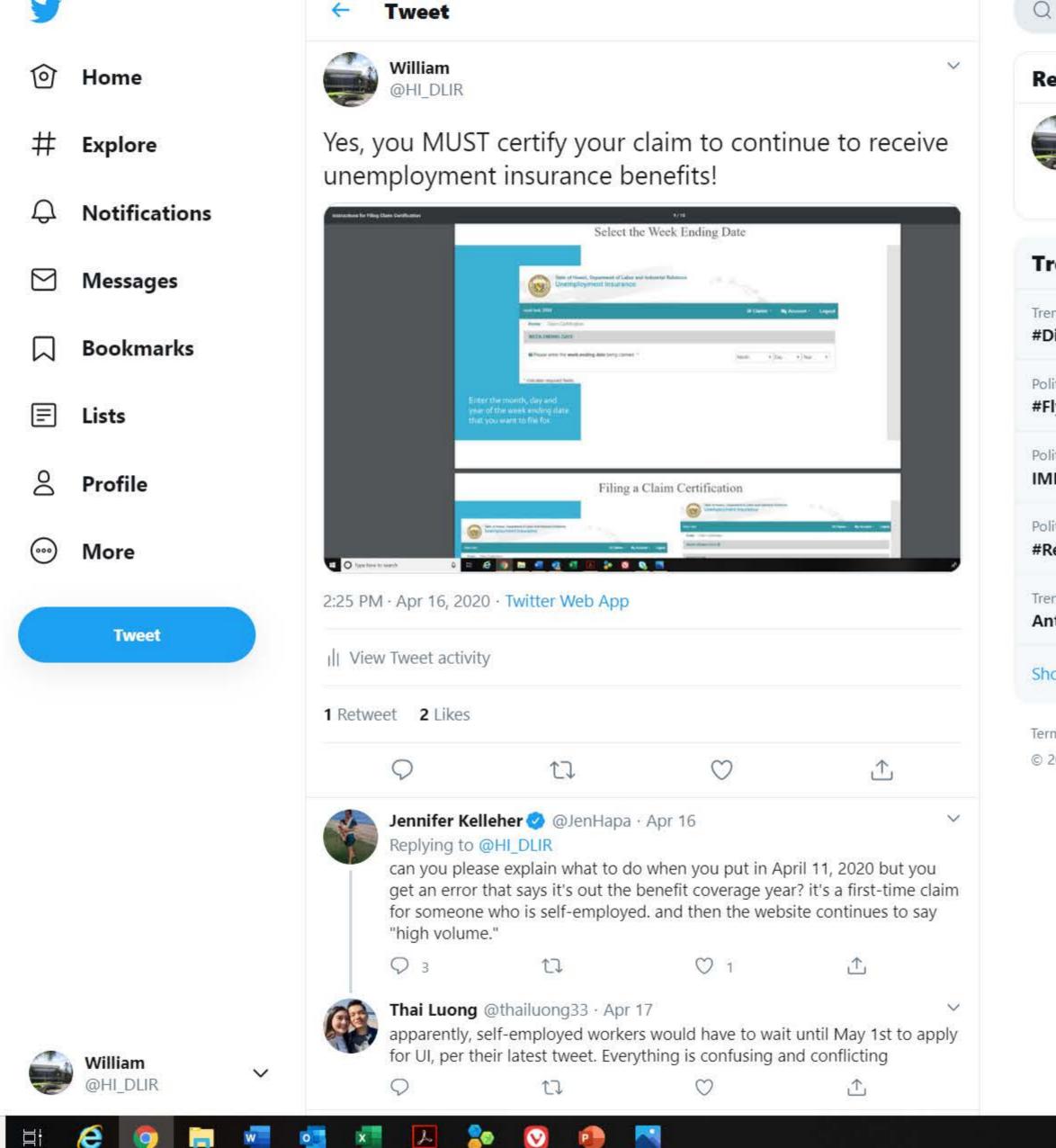
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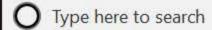


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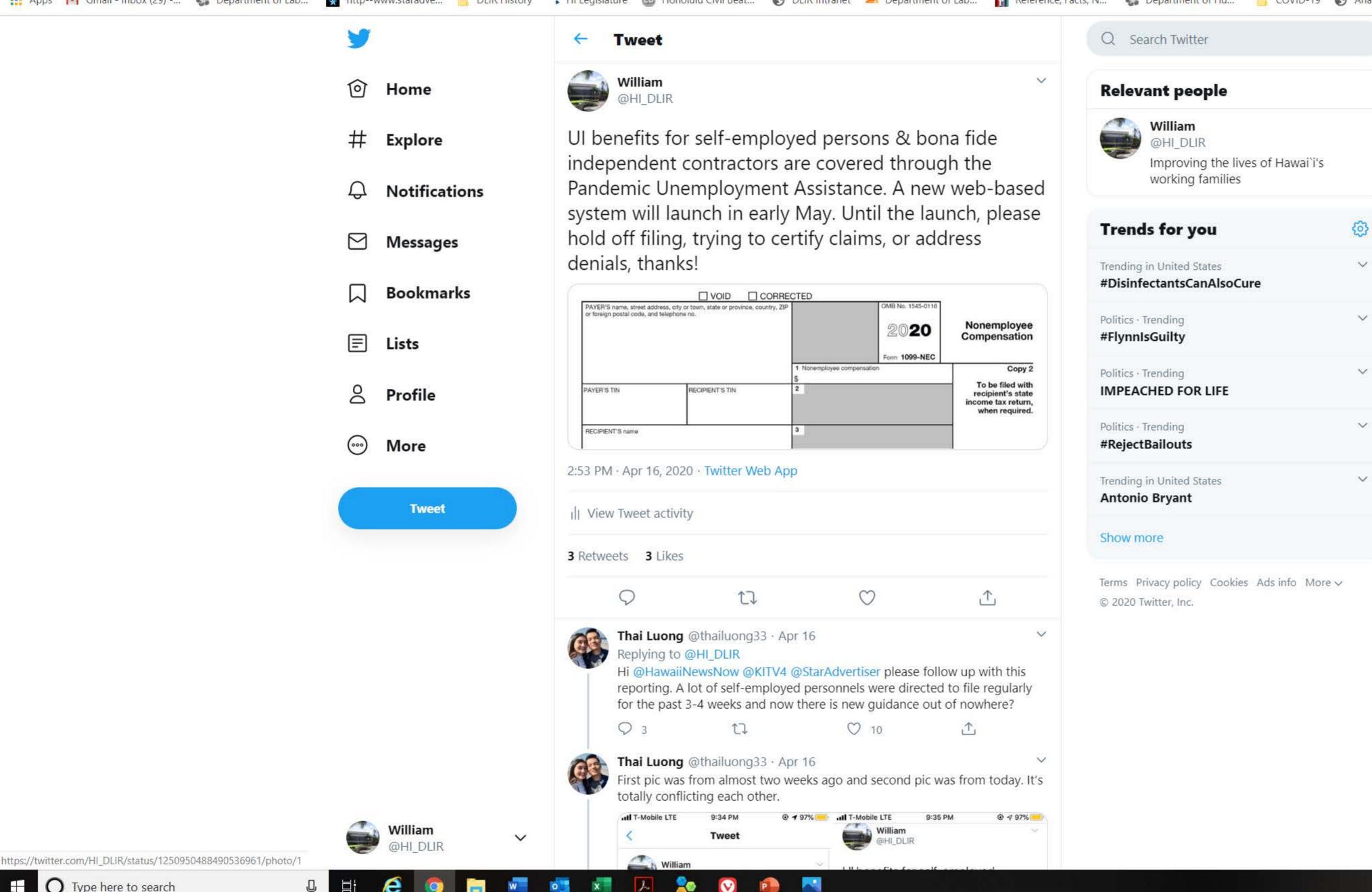






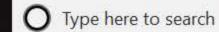






























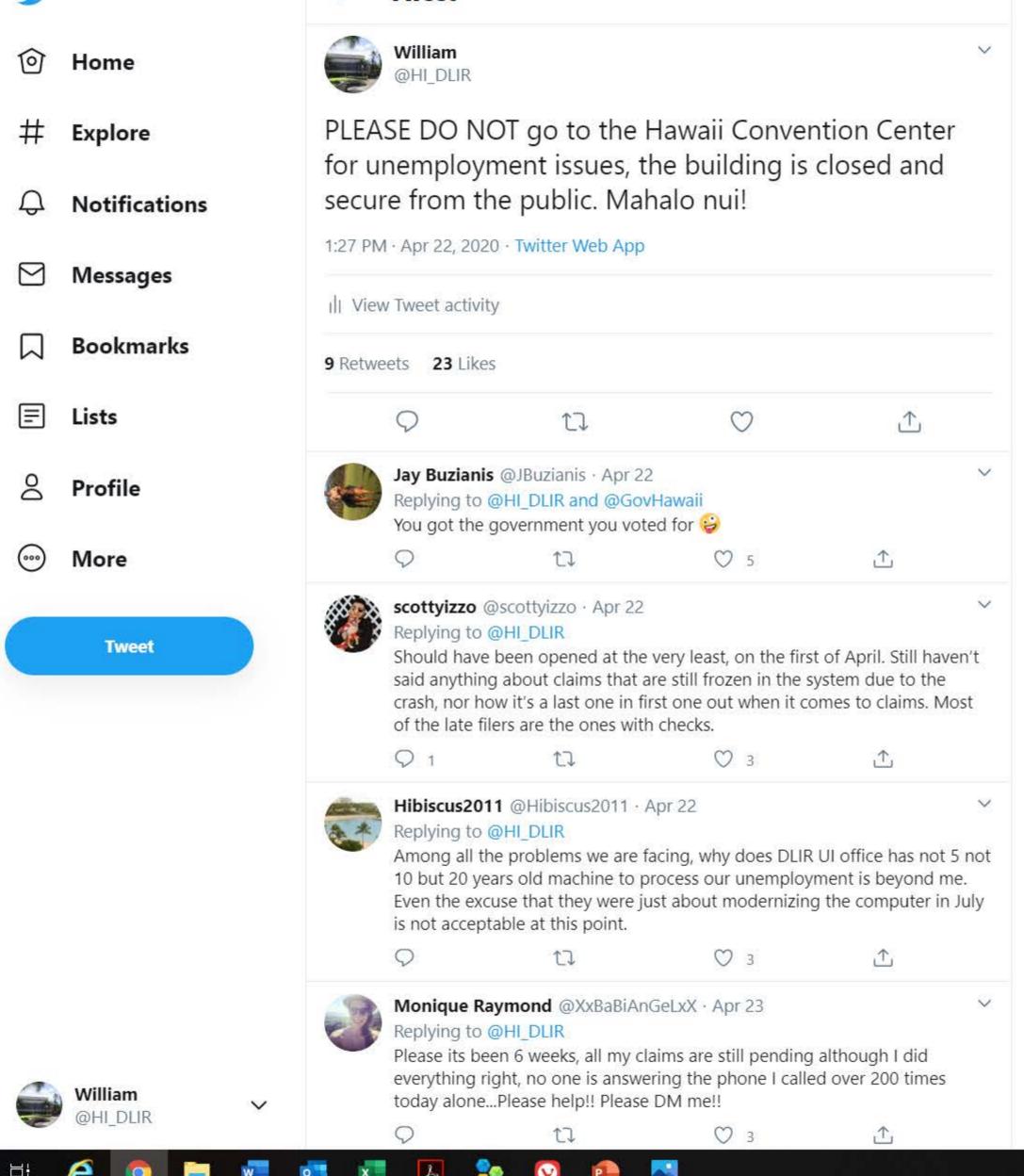












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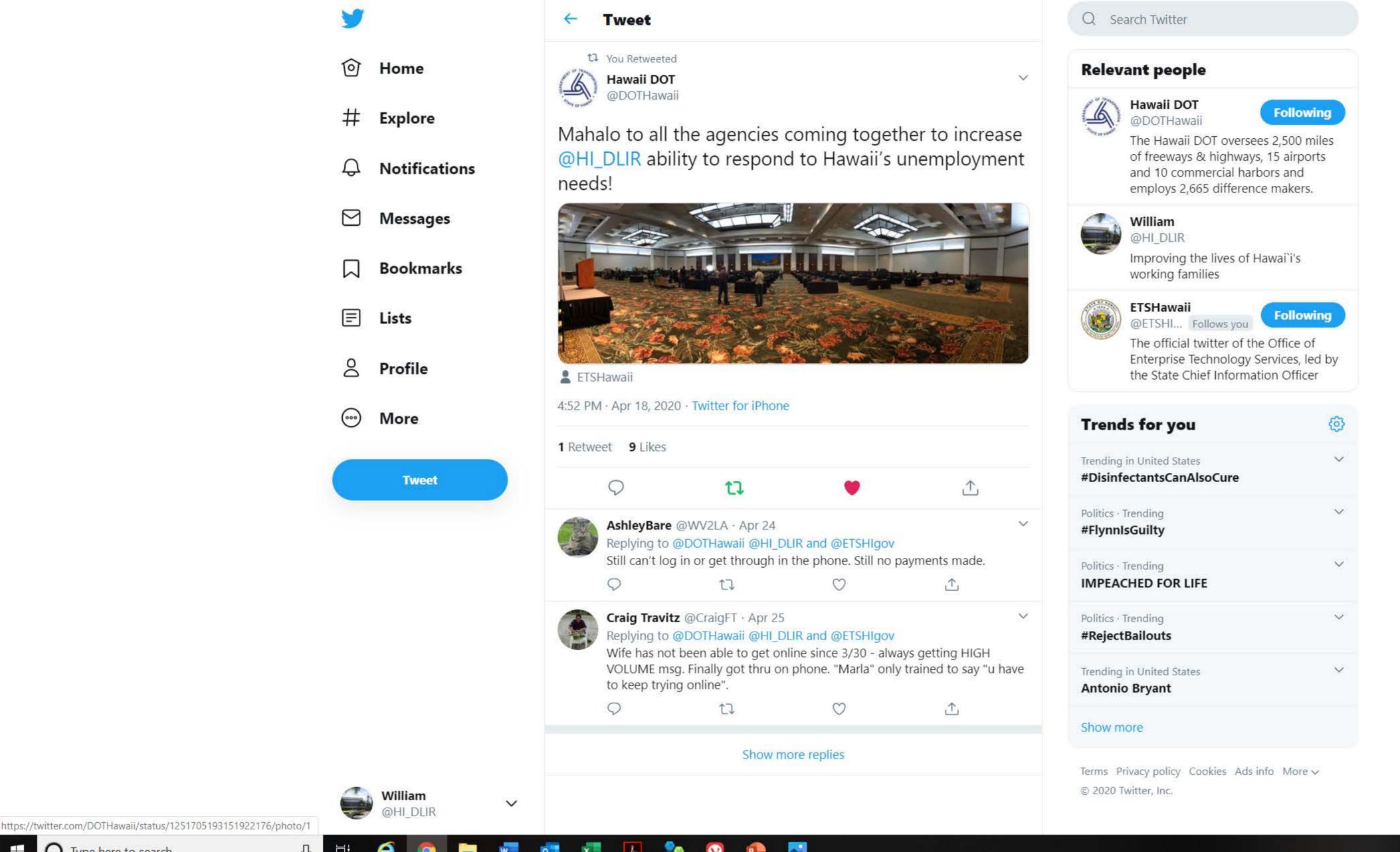


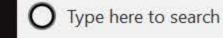




























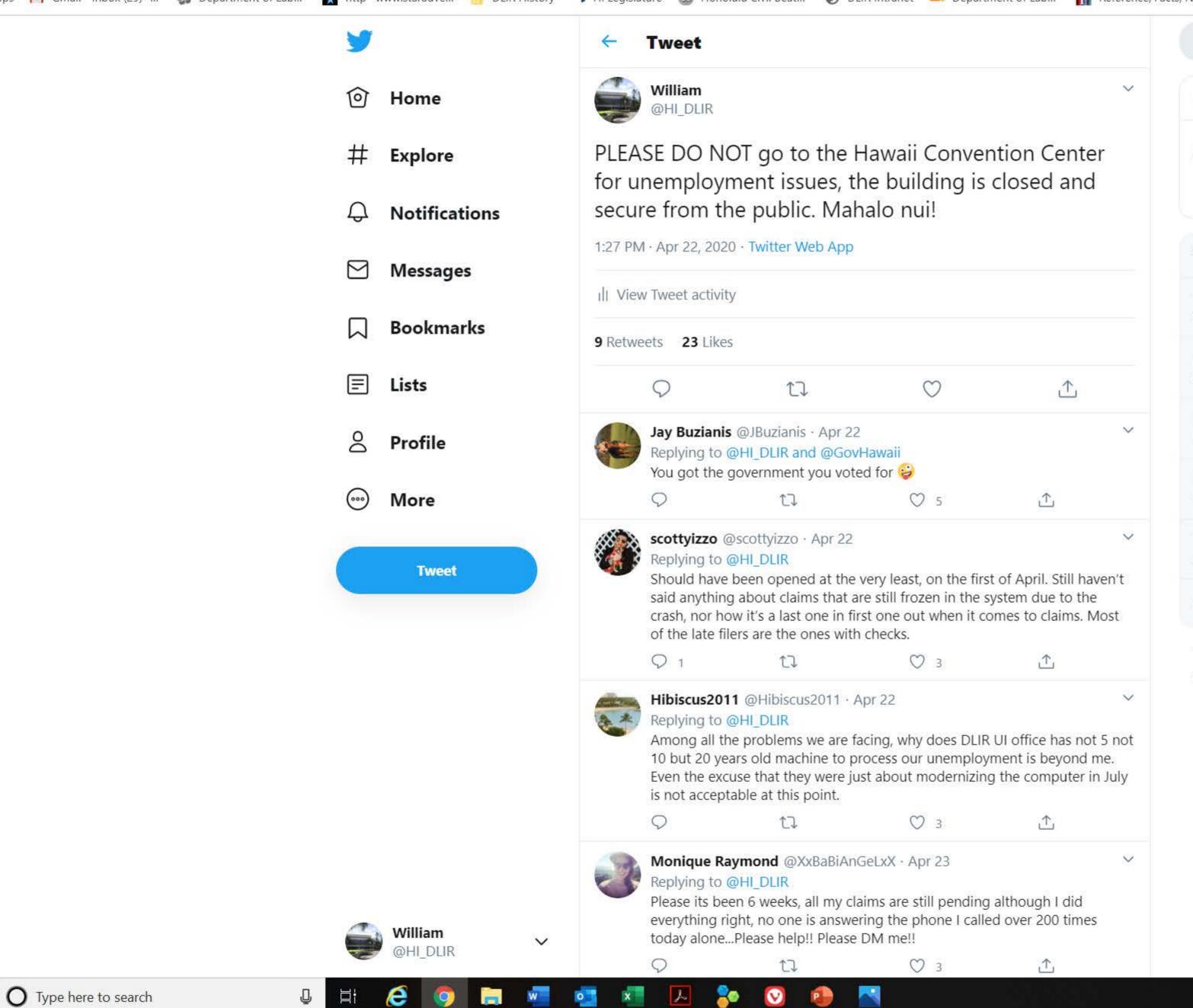












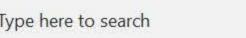




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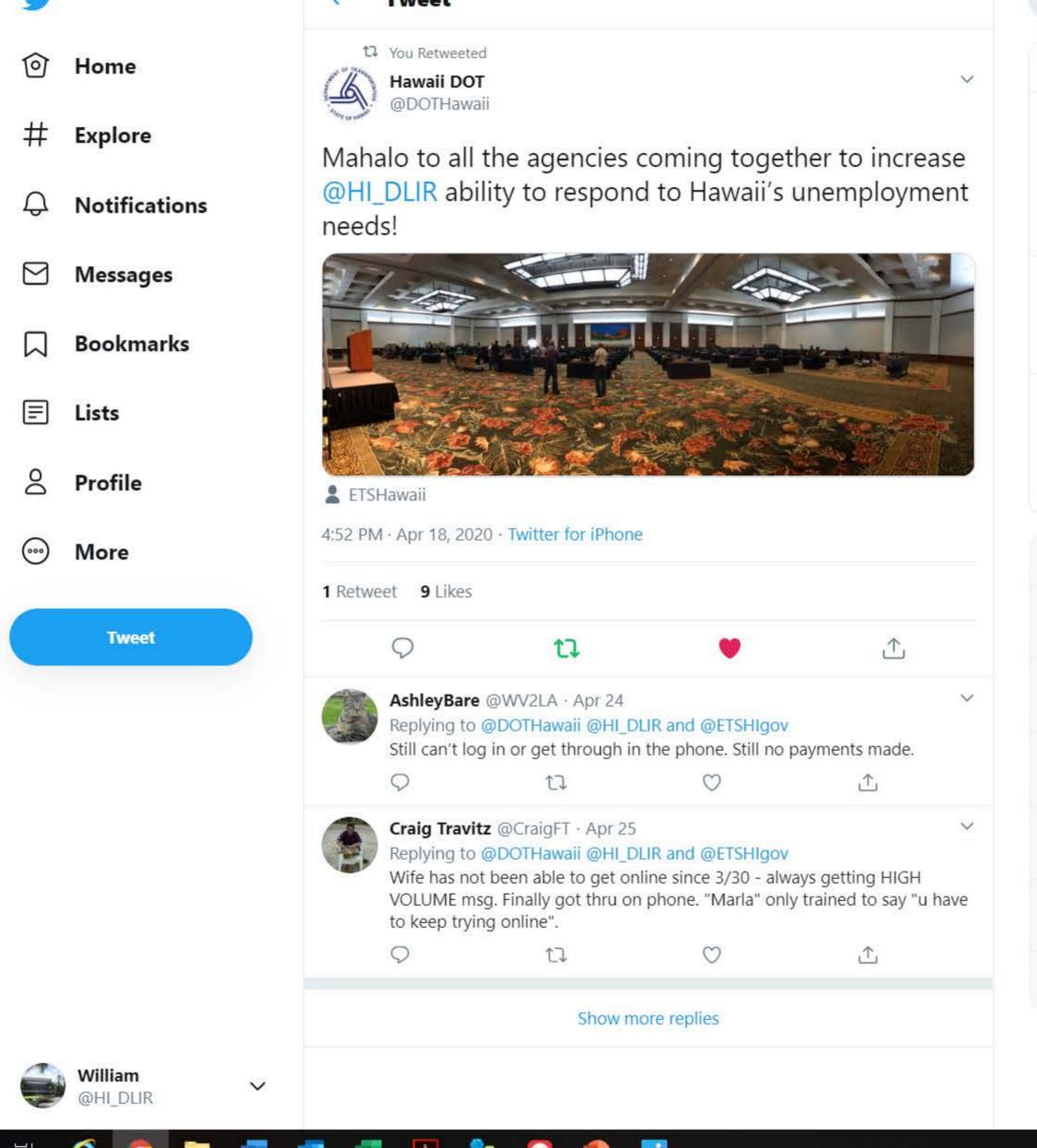














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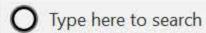
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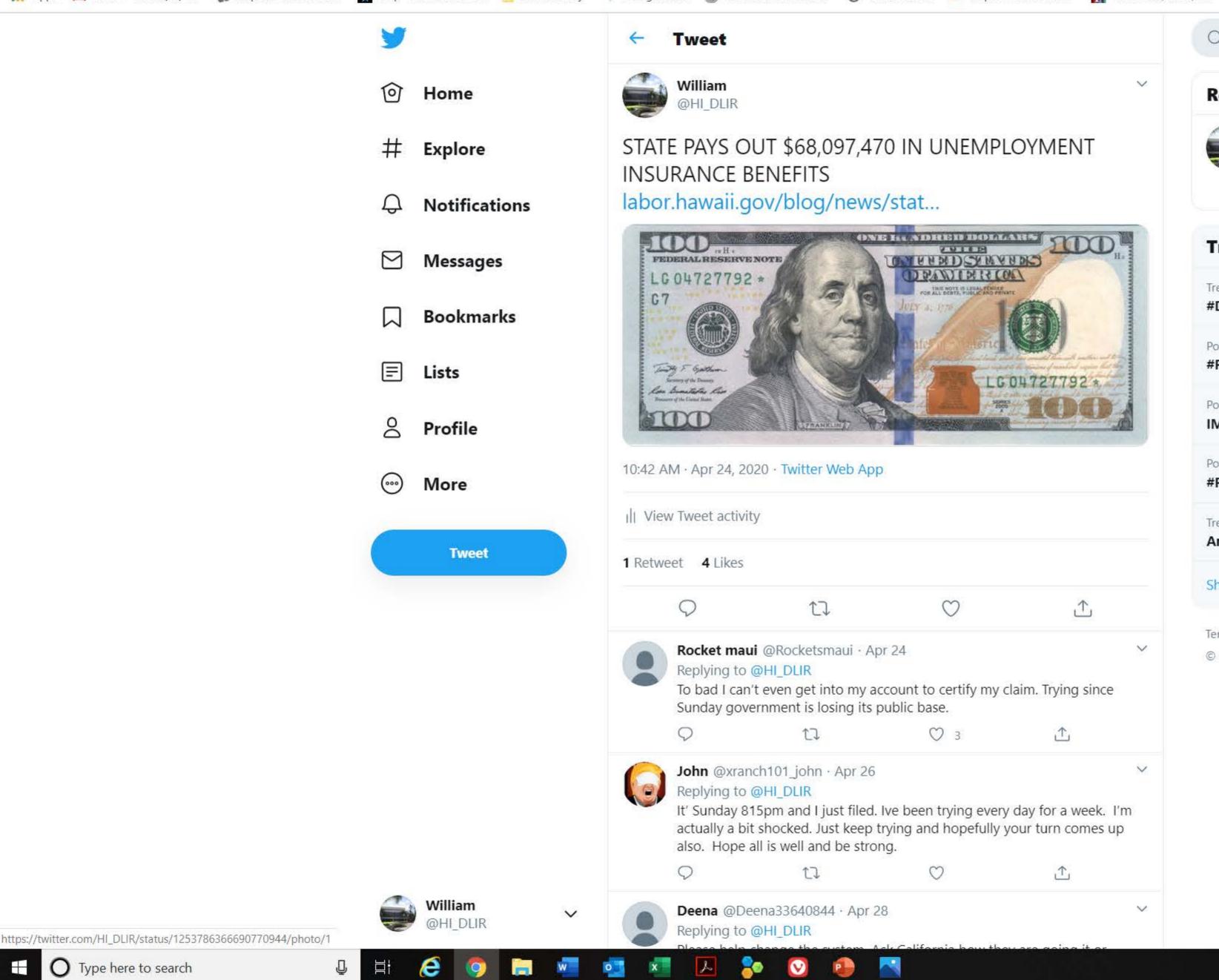










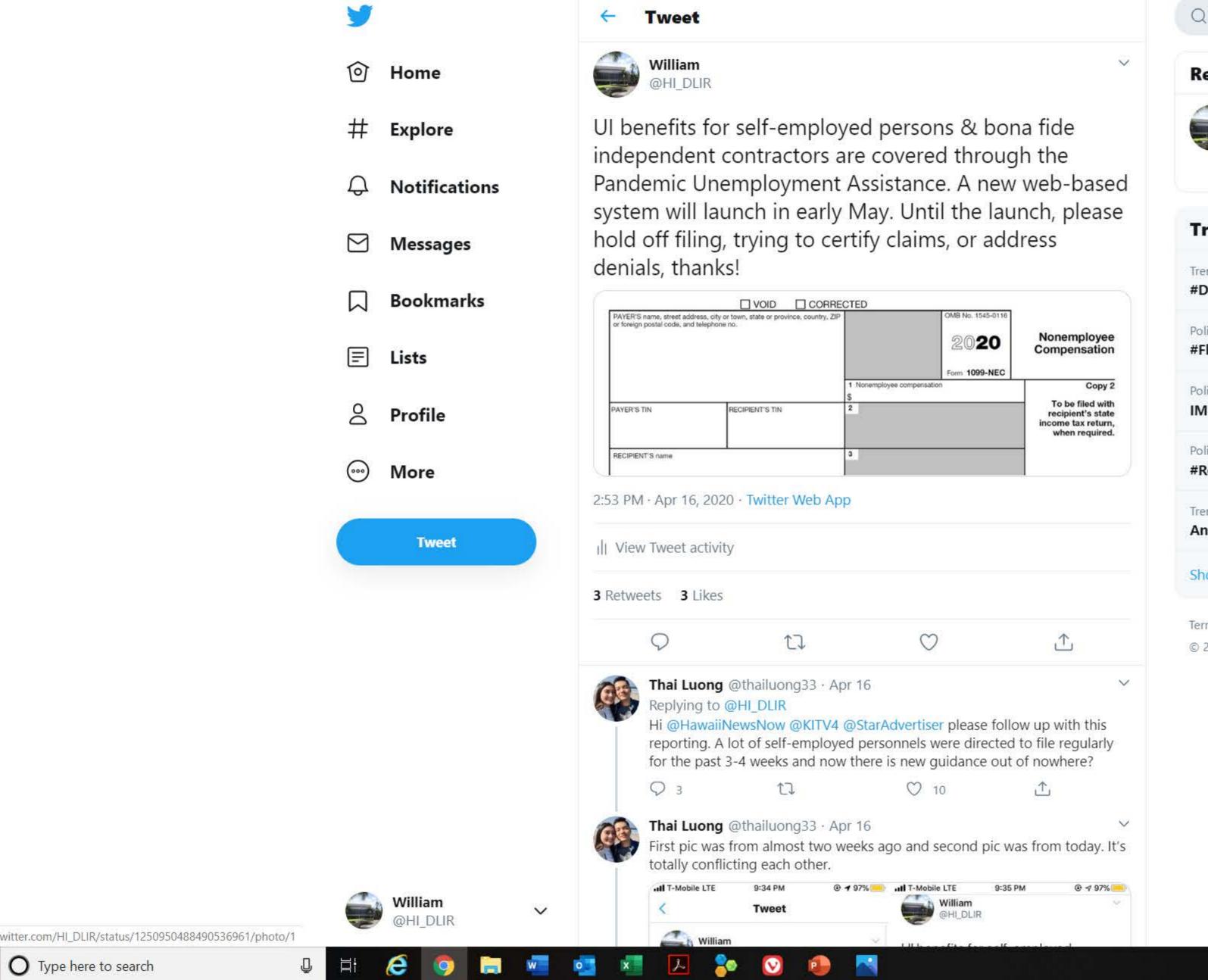












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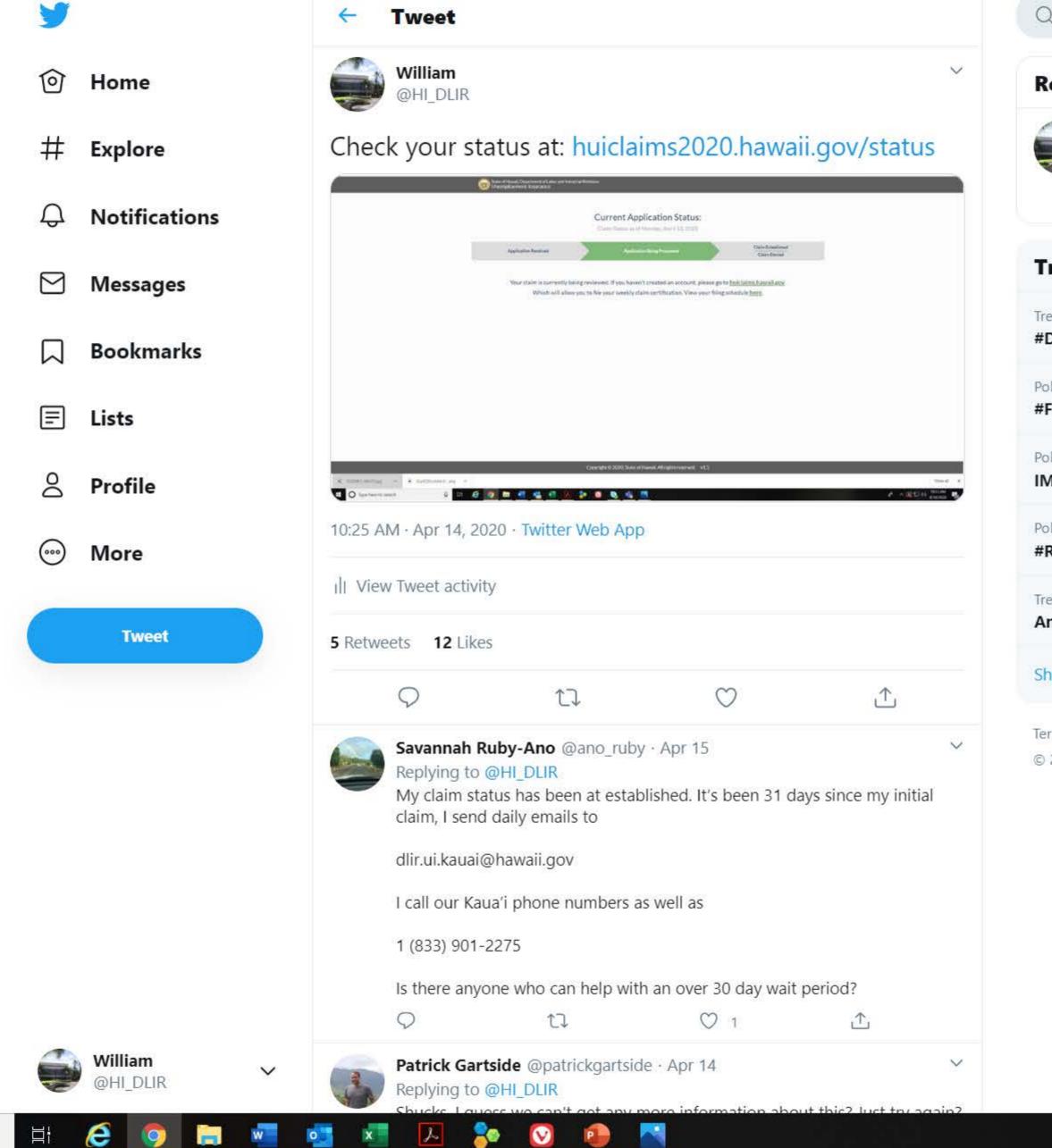












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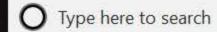


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#DisinfectantsCanAlsoCure	
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IMPEACHED FOR LIFE	
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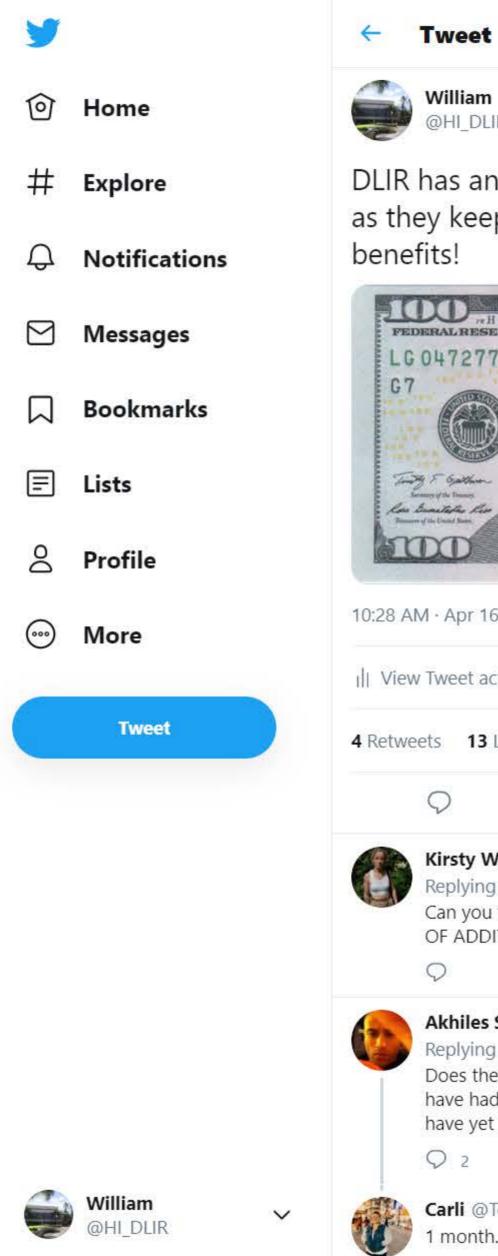


















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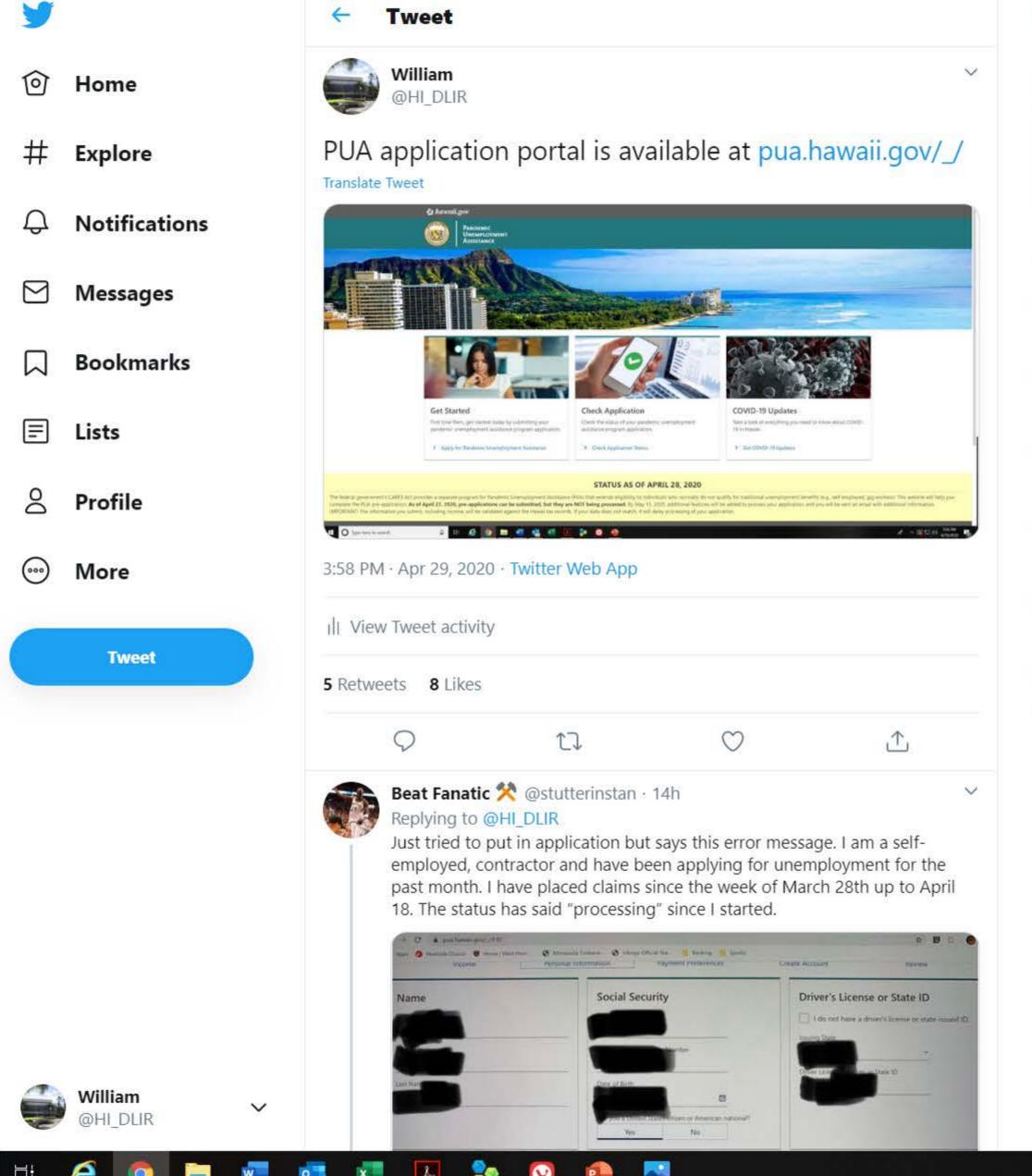












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