



Reemployment Guidance Letter No. 1

February 4, 2013



- TO:** Workforce Development Community
- SUBJECT:** Procedure for Rescheduling and Identifying Reportable Unemployment Insurance (UI) Issues Relating to UI Customers' Appointments in the One Stop
- ACTION:** One-Stop Operators and New York State Department of Labor (NYSDOL) Managers should ensure all One-Stop staff are informed of this procedure.

This program guidance is organized into five sections:

- I. Purpose
- II. Procedure
- III. Re-Employment Operating System (REOS) Data Entry Instructions
- IV. Reporting Potential UI Issues
- V. Handling Rescheduling Policy Exceptions

I. Purpose

A workforce system responsive to customer needs is flexible and allows customers to request appointments to be rescheduled prior to the mandatory appointment.

Offices must design their weekly appointment schedules to offer flexibility for rescheduling appointments upon request in advance of appointment date. Staff must be available to answer telephone inquiries from the phone number provided in the appointment letter. Staff responding to inquiries regarding mandatory Employment Services (ES)/UI scheduled appointments must be trained in the REOS system to accommodate rescheduling requests.

While flexible rescheduling is offered as a basic customer service, it does not apply to customers demonstrating a pattern of abuse by repeated requests for rescheduling appointments, raising concerns related to their work search compliance, their availability for work, or their active work search. How to handle this type of exception is discussed at the end of the procedure in Section V, Handling Rescheduling Policy Exceptions.

II. Procedure

When a customer requests to reschedule in advance of a mandatory appointment, staff must offer a new date and time for the customer to report. The new date and time must be within a range of five business days before or after their original appointment. The customer's reason for not attending the original appointment is not needed if the customer can reschedule within the five business day range.

Mandatory appointments for UI customers in the One Stop Center are required to be scheduled (or rescheduled) through the REOS system for a specific date and time. Under no circumstance should the customer be instructed to report at any time of their choosing during the week. A Failure to Report (FTR) hold on benefits cannot be placed on non-specific, open time frame appointments; an FTR hold can only be placed on appointments scheduled (or rescheduled) for a specific date and time.

The One Stop Center is not responsible for initiating and/or conducting UI fact-finding related to the circumstances of the rescheduling request. However, statements voluntarily offered by the customer in receipt of UI, in support of their request for re-scheduling may alert staff to possible availability or capability issues. Staff must take note if or when a customer is unable to attend a rescheduled appointment within five business days of their original appointment; or in instances when a customer requests a reschedule earlier than 5 days before their original scheduled appointment. In these situations, One Stop staff is responsible for documenting / reporting the facts presented by the customer and advising the customer of the availability requirements when certifying for UI benefits. Refer to Section IV, Reporting Potential UI Issues for further details on how to handle these situations.

The following are examples (not an exhaustive list) of the types of statements that should be considered non-issues for UI purposes as long as they are short term and the individual is available for rescheduling within five business days.

- Job Interview
- Doctor Appointment
- Child care issue for that day and time
- Transportation issues such as car problem - flat tire, missed bus, cannot get ride for that day and time
- Short-term illness - Cold, Flu
- Snow Storm
- Court appearance
- General conflicts that only affect a specific date and time, not all future dates

Customers should be informed at the time of their request for rescheduling whether their request will be honored or not (if an exception) and given the new rescheduled appointment date and time. It is not necessary to provide the customer with formal written notice of the date and time of the rescheduled appointment. However, when practical, providing the customer with written confirmation of the new date and time to report is a *best practice*, whether the written notice be handed to the customer in person, sent as a formal REOS letter via regular mail, or sent as a confirming email.

Minimally, in all cases, staff must:

- Verbally confirm the date / time of the rescheduled appointment at the time of the customer's request;
- Record the appointment in REOS; and
- Record a supporting REOS comment.

III. REOS Data Entry Instructions

A. For rescheduled appointments other than a request for a different time slot within the same day, follow the instructions below.

1. Enter Results for original appointment date / time:

Under the Appointments / Correspondence Tab of the claimant REOS record:

- Find and select the original appointment date and time in question.
- Record: Attended – No.
- Reason Not Attended: Select – Excused / Rescheduled.

Important Note: Do not record a Failure to Report (FTR) when agreeing to reschedule based on a customer request for a new/different appointment date and/or time. An FTR is only recorded when a customer is a no call, no show for a mandatory appointment; or when a customer has a recorded REOS history of rescheduling appointments **and** was instructed that their request to reschedule cannot be accommodated (as per below section on policy exception guidance).

2. Record the new rescheduled appointment date / time, confirm with customer:

- Under the Appointments / Correspondence Tab of the customer's REOS record, add a new appointment date / time and appropriate rescheduled appointment purpose.
- Verbally confirm new appointment date / time with customer and, as best practice if practical, also print and mail, email, or hand the customer written confirmation of the new date / time.
- Verbally advise the customer of the importance of appearing on time for the rescheduled appointment and the consequences of failure to report.
- Add a REOS Comment documenting that the customer was excused/rescheduled. Comment should include: staff the customer spoke with, method of communication (e.g., phone, in-person), date staff spoke with the customer, new date and time of the appointment, the method(s) of confirming the new appointment date / time with the customer (verbal only, verbal with follow-up by email, verbal with follow-up by formal letter via regular mail, or handed written notice of new appointment date / time in person), and indication that the customer was advised of consequence of FTR.

Example: Customer called on 8/1/12 to reschedule mandatory ES/UI appointment (insert appointment purpose) and spoke with Sally Jones. Rescheduled for 8/9/12 at 10am. Verbally advised the claimant that failing to report to the scheduled appointment would stop the claimant's unemployment insurance benefits; confirmed the date / time of new appointment with customer; and sent follow-up email confirmation providing written notice of date / time.

B. For customers able to attend and receive the scheduled service on the same day of their scheduled appointment but at a different time:

- Staff do not have to change the REOS appointment time. Record attendance in REOS under the original appointment time scheduled.

C. For customers unable to reschedule within the five business day timeframe:

- Inform the customer that you are unable to reschedule their appointment and advise the customer of the impact on UI benefits if they fail to report to the originally scheduled appointment.
- Record a comment documenting that the customer requested to be rescheduled but was not available for rescheduling within the five business day timeframe. Provide the following details:
 - The date that the customer requested to be rescheduled;
 - To whom the customer spoke;
 - What alternative dates / times were offered the customer within the five business day timeframe;
 - Any statements that the customer made regarding their unavailability for rescheduling within the five business day timeframe;
 - Any information provided as to when the customer would again be available for scheduling; and
 - A record of UI advisories given to the customer related to both the consequence of FTR and the availability requirements when certifying for benefits.
- Keep the original appointment open in REOS until the date of the appointment and if the individual fails to report, then mark the attendance as NO with the reason of FTR.

IV. Reporting Potential UI Issues

If while requesting to reschedule an appointment, a customer discloses information related to a potential ongoing UI issue, staff should follow the normal procedures outlined in the *UI Issues Identification and Reporting Handbook* to insure that the claimant is advised and that the issue is documented and reported via the appropriate UI Issues E-form via REOS. The identification and reporting of UI Issues should be handled as outlined in this handbook whether staff is alerted to the potential issue during a discussion with a customer about a rescheduling request or at any other point of contact with the customer.

A UI issue cannot be established related to a benefit week until or unless the customer certifies for benefits for the week in question. If the customer's statements indicate that they may be potentially unavailable or otherwise ineligible for a future time, it only becomes a reportable UI issue if they claim benefits for that future period and they are actually unavailable / ineligible. In these cases, a One Stop staff person is responsible for documenting the facts presented by the customer and

advising the customer of the availability requirements when certifying for UI benefits. However, the issue should only be reported to UID via a UI Issues e-form if all of the required elements outlined in the *UI Issues Identification and Reporting Handbook* have been met.

V. Handling Rescheduling Policy Exceptions

The flexible rescheduling policy outlined above is offered as a customer service. It does not apply to customers demonstrating a pattern of abuse by repeated requests for rescheduling appointments or repeat failures to report. This raises concerns related to their work search compliance, their availability for work, or their active work search.

One Stop Center staff should use their professional judgment and consider extenuating circumstances that may be presented by the customer in deciding to deny a request for rescheduling. To deny a request for rescheduling, minimally there should exist a clear pattern of repeat (two or more) attempts to avoid attendance at mandated reemployment service appointments. This pattern can be evidenced by any combination of requests to be excused / rescheduled and actual failures to report.

If request for rescheduling is denied:

- Advise the customer that their request to reschedule cannot be accommodated based on their prior history of repeat FTRs / rescheduling requests. Further advise that if they fail to report to the originally scheduled appointment, that an immediate FTR hold will be placed on their benefits.
- Keep the original appointment in REOS until the date of the appointment and if the individual fails to report, then mark the attendance as NO with the Reason Not Attended as FTR. Place an FTR Hold on the customer's benefits only as appropriate to the specific program or if it is the customer's second failure to report.

Resources

For questions and assistance, please contact the REOS Help Desk, help.reos@labor.ny.gov