KS Unemployment Insurance: 2021 Reform Recommendations November 17, 2020

Presented to:

2020 Kansas Special Committee on Economic Recovery

Presented By:

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On behalf of:

KS SHRM and Kansas Employer Community



Objectives



- Current Kansas Business Concerns & Impact
 - Employers (ERs) and Employees (EEs)
- Unemployment Compensation: Post COVID-19
- Kansas UI Trust Fund Balance & Projections
- Solutions: 2021 KS UI Reform Recommendations
 - 1. Expanded & MERIT Rated TF Solvency/Credit Adjustments (Effective CY 2022)
 - 2. Shared Work Program Enhancements
 - 3. Claimant Fraud Provisions Relating to Employer Chargeability
 - 4. Duration of Benefits Realignment w/ 5.0% Full Employment Threshold
- Kansas Unemployment System IT Modernization
 - With Legislative AND Business Oversight



Current Kansas Business Concerns & Impact

- Staff Level Management
 - Furloughs, Layoffs: Short-Term & Permanent, and Shared Work Program
 - Leave and Sick Pay
 - Employee Safety and Morale
 - Employee Testing
 - Temporary office, factory, and store closures
 - Government Mandates
- UI Claims Management
 - Fraudulent vs. legitimate claims
 - Time, money, productivity, identity theft, tax consequences (ERs & EEs)
 - Very limited to no communication from KDOL on specifics (ERs & EEs)
 - Tax implications of identity theft (ERs & EEs)
- Ongoing Recruiting Challenges
 - Work search requirement
- The Next Wave is Building...







Unemployment Compensation: Post COVID-19 Federal

- U.S. DOL: Proposed Solvency Standard Changes
 - Increase FUTA taxes sooner w/ FUTA reduction offset credits
 - Current: <u>TF zero balance</u> for two consecutive January 1sts
 - Proposed: <u>TF balance >=0.5 Average High Cost Multiple</u> for two consecutive January 1sts
- Congressional Relief Request from Business Community August 3, 2020
 - Provide federal funds transfer to state UI trust funds equal to amount of benefits paid due to COVID
 - Provide short-term transfers of federal funds to state UI trust fund accounts under Sec. 2103 of CARES Act (increase 50% to 100%) to reduce the charges to reimbursing employers due to the COVID-19 recession
 - Extend the Title XII interest waiver through 2021
 - Delay the application of the FUTA offset credit reduction for a year





COVID-19: Title XII Advance Activities State UI Borrowing

State	Outstanding Advance Balance	Advance Authorization Current Month	Gross Advance Draws Current Month	Interest Accrued for FY2020*
California	15,791,552,796.50	3,500,000,000.00	972,000,000.00	0.00
Colorado	543,236,392.27	500,000,000.00	43,027,406.23	0.00
Connecticut	402,305,886.47	150,000,000.00	7,171,345.03	0.00
Delaware	32,223,956.89	32,000,000.00	3,055,981.75	0.00
Georgia	701,499,879.90	325,000,000.00	20,500,000.00	0.00
Hawaii	664,414,776.43	435,000,000.00	14,237,307.28	0.00
Illinois	2,642,807,923.79	889,000,000.00	24,995,019.02	0.00
Indiana	64, <mark>4</mark> 86,938.06	120,000,000.00	28,120,595.24	0.00
Kentucky	486,984,947.63	350,000,000.00	26,446,246.00	0.00
Louisana	113,202,460.62	200,000,000.00	11,951,204.29	0.00
Maryland	0.00	100,000,000.00	0.00	0.00
Massachusetts	1,962,854,648.58	792,000,000.00	37,713,774.11	0.00
Minnesota	666,569,618.20	350,000,000.00	50,587,656.21	0.00
New Jersey	384,289,306.31	600,000,000.00	77,293,000.00	0.00
New Mexico	136,374,379.78	125,000,000.00	12,306,118.06	0.00
New York	8,460,328,729.46	1,000,000,000.00	133,834,149.58	0.00
Ohio	1,139,385,996.50	400,000,000.00	9,388,000.00	0.00
Pennsylvania	617,572,170.44	300,000,000.00	51,218,228.09	0.00
Texas	5,325,067,890.20	1,300,000,000.00	70,466,603.81	0.00
Virginia	67,354,746.00	160,000,000.00	0.00	0.00
Virgin Islands	80,108,748.15	6,000,000.00	1,810,567.00	0.00
West Virgina	114,190,719.75	125,000,000.00	2,489,704.01	0.00
als	40,396,812,911.93	11,759,000,000.00	1,598,612,905.71	0.00



- 22 States borrowing
- +\$21.2B in 14 weeks (8/3/20 11/9/20)
- Interest Rate: 2.40870090%

As of August 3, 2020

- 19 States borrowing
- \$19.1B in first 20 weeks (3/16/20 8/3/20)





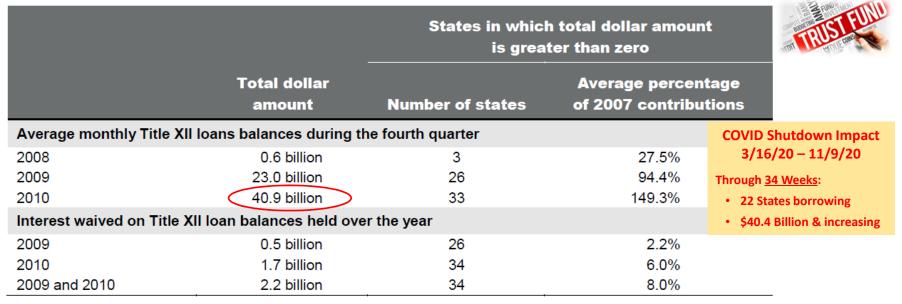


*Section 1202(b)(10)(A) of the Social Security Act as amended by Section 4103 of PL 116-127 deferred the accrual of interest on state advances until December 31, 2020.

**Black Numbers with a Orange Background means state is within 15% of monthly limit.

Great Recession: Title XII Advance Activities State Borrowing

Table A.1. Title XII advances to Unemployment Trust Fund (UTF) accounts and interest waived due to the ARRA provision



Source: https://www.dol.gov/sites/dolgov/files/OASP/legacy/files/ARRA_UC_Rept_Addtl_Benefits_GR.pdf



Great Recession: Title XII Advance Activities State Borrowing

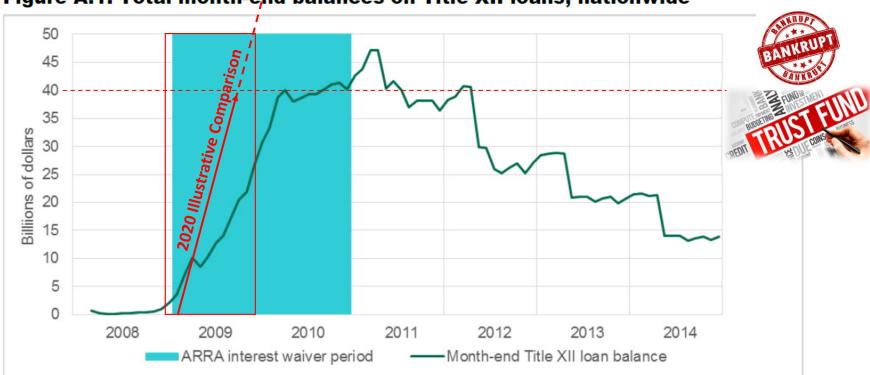


Figure A.1. Total month-end balances on Title XII loans, nationwide

Source: https://www.dol.gov/sites/dolgov/files/OASP/legacy/files/ARRA_UC_Rept_Addtl_Benefits_GR.pdf



UI Trust Fund Contributions w/ CARES Act Dollars

as of 11/11/20

20 States Total – North Dakota	a was first state to act on May 12, 2020	
Alabama	\$300M	h 2 ·
Arizona	\$400	0 00
Arkansas	\$165M	W To
Delaware - New Castle County	\$67.5M	Wise lax
Georgia	\$1.5 BILLION	Moves
Indiana	Exploring UI Trust Fund allocation	
lowa	\$490M	
Kentucky	Committed to significant amt of CARES Act	\$ to UI Trust Fund by Year End
Maine	\$295M	
Mississippi	\$181.8M	
Montana	\$200M	KS SHRM & The KS Business Community:
Nebraska	\$427M	• Submitted letter to The KS SPARK Committee on 8/26/20
New Hampshire	\$50M	• Requested \$300M for KS UI Trust Fund
North Dakota	\$410M	 To offset fraud & projected increased SUTA rates Result = No dollars were or have been allocated
Oklahoma	\$100M	
South Carolina	\$920M	
South Dakota	\$45.6M	Contraction of the local data and the local data an
Tennessee	Committed to significant amt of CARES Act	\$ to UI Trust Fund by Year End
West Virginia	\$687M	
Wyoming	\$25M	
*Grev = Title VII Advances	\$6.26B+	



*Grey = Title VII Advances

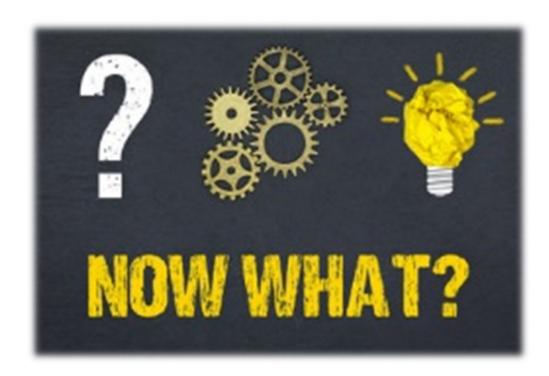
Kansas UI Trust Fund Balance Forecast Modeling As of 10/31/20

- Rolling 4 Week Average Traditional Claimant Benefit Amounts
 - 12/31/20: \$350M \$375M
 - 04/30/21: \$225M \$250M
 - 12/31/21: (\$550M \$500M)
- Decreasing Average Traditional Claimant Benefit Amounts in 2021
 - 12/31/20: \$350M \$375M
 - 04/30/21: \$390M \$415M
 - 12/31/21: \$440M \$465M





Unemployment Compensation: Post COVID-19 Kansas



2021 Kansas UI Reform Recommendations



Current KS Unemployment Neutral, Standard Tax Rate Table

- Employers earn their rate group based on contributions paid in VS benefit amounts claimed against their Employer account
 - Account Balance / 3 year average of Taxable Wages
 - Equals an employer's calculated Reserve Ratio
 - Translates to an employer's <u>earned</u> Rate Group and corresponding, <u>actual</u> Merit Tax Rate for the upcoming year

Example:

- \$325,315 Acct. Bal. / \$53,643 Avg. Taxable Wages
- Reserve Ratio = 6.0645%
- Translates to Rate Group 19, resulting in a 3.80% Neutral, Standard Earned Merit Tax Rate

Contribution Rates Effective for Rate Year 2016 & Ensuing Years for Employers with a <u>Positive</u> Account Balance								
Ne	utral, Standa	rd - Earne	ed Rate Sched	lule: 5				
Rate Group	Reserve Ra (in per		Merit Rate (in percent)	Solvency Surcharge / Credit (in percent)				
-	Upper	Lower						
1 Be	est ^{1,000,000}	18.590	0.200					
2 Act	tors 18.589	17.875	0.400					
3	17.874	17.160	0.600					
4	17.159	16.445	0.800					
5	16.444	15.730	1.000					
6	15.729	15.015	1.200					
7	15.014	14.300	1.400					
8	14.299	13.585	1.600					
9	13.584	12.870	1.800					
10	12.869	12.155	2.000					
11	12.154	11.440	2.200					
12	11.439	10.725	2.400					
13	10.724	10.010	2.600					
14	10.009	9.295	2.800					
15	9.294	8.580	3.000					
16	8.579	7.865	3.200					
17	7.864	7.150	3.400					
18	7.149	6.435	3.600					
1 9	6.434	5.720	3.800					
20	5.710	5.005	4.000					
21	5.004	4.290	4.200					
22	4.289	3515	4.400					
23	3.574	2.860	4.600					
24	2.859	2.145	4.800					
25	2.144	1.430	5.000					
26	1,429	0.715	5.200					
27	0.714	0.000	5.400					
			e Year 2016 & Er					
	for Employers \	with a <u>Nega</u>	tive Account Bala	arice				

			Year 2016 & Er	
28	-0.001	-0.714	5.600	
29	-0.715	-1.429	5.800	
30	-1.430	-2.144	6.000	
31	-2.145	-2.859	6.200	
32	-2.860	-3.574	6.400	
33	-3.575	-4.289	6.600	
34	-4.290	-5.004	6.800	
35	-5.005	-5.719	7.000	
36	-5.720	-6.434	7.200	
37 WO	rst _6.435	-7.149	7.400	
38 Act	ors _7.150	-1,000,000	7.600	



2021 KS UI Reforms: Solvency Adjustments

- Expand and apply MERIT principles to the solvency adjustments, the same philosophy used for the existing Neutral, Standard Table Tax Rate Structure
- Change solvency adjustments from a FULL adjustment load to a MERIT based, cascading, incremental and proportional adjustment system:
 - Earned Rate Group (RG) 1: Neutral, standard rate = 0.20:
 - Current/Full Solvency Adjustment:
 - 0.20 + 1.60 solvency adjustment = 1.80 -
 - Proposed/MERIT Solvency Adjustment:
 - 0.20 + 1.60/38 Groups (0.042105263) X 1 (RG) = 0.2421
 - Earned Rate Group (RG) 19: Neutral, standard rate = 3.80:
 - Current/Full Solvency Adjustment:
 - 3.80 + 1.60 solvency adjustment = 5.40 -
 - Proposed/MERIT Solvency Adjustment:
 - 3.80 + 1.60/38 Groups (0.042105263) X 19 (RG) = 4.5999
 - Earned Rate Group (RG) 38 (N11): Neutral, standard rate = 7.60:
 - Current/Full Solvency Adjustment:
 - 7.60 + 1.60 solvency adjustment = 9.20 •
 - Proposed/MERIT Solvency Adjustment:
 - 7.60 + 1.60/38 Groups (0.042105263) X 38 (RG) = 9.2000

Curre	nt/FULL Solvency Adj.	Propose	d/MERIT Solvency Adj
Full	Rate Group Solv. Adj. Multiplier	Full	Rate Group Solv. Adj. Mulitplier
		2.000	0.0526
		1.800	0.0474
1.600	N/A - Full Amt Applied	1.600	0.0421
1.400	N/A - Full Amt Applied	1.400	0.0368
1.200	N/A - Full Amt Applied	1.200	0.0316
1.000	N/A - Full Amt Applied	1.000	0.0263
0.000	N/A - Full Amt Applied	0.000	0.0000
-0.050	N/A - Full Amt Applied	-1.000	-0.0263
		-1.200	-0.0316
		-1.400	-0.0368
		-1.600	-0.0421
		-1.800	-0.0474
		-2.000	-0.0526

for Employers with a Po Joutral Standard - Earned Rat

17.875

17.160

15.730 15.015

14.300 13.585

12.870

11.440 10.725 10.010

0 400

0.600 0.800

1.000

1.400 1.600

1 800

2.000

2.200 2.400

vency Adj.

18.589 17.874 17.159

16.444 15.729

15.729 15.014 14.299 13.584 12.869 12.154 11.439 10.724

10 11 12

- ALL solvency adjustments proportional to each Neutral, Standard Earned Rate Group and the Associated Tax Rate
 - MERIT principles applied; Levels impact across EACH Rate Group and for EACH Employer
 - Employer's tax rate (w/ or w/o solvency adj.) based on their earned experience rating; resulting from their usage of system



2021 KS UI Reforms: Solvency Adjustments

_									
	ncy Adjustment					000			
	Solvency Adjustment Rate				0.0	421			
Rate Group	Standard/Earned Rate	Current - F	ull Increment	Current -	Full Rate	Proposed - M	ERIT Increment	Proposed	- Balanced
1	Best 0.200	1.600	800.00%	1.800	900.00%	0.0421	21.05%	0.2421	121.05%
2 (Actors) ^{0.400}	1.600	400.00%	2.000	500.00%	0.0842	21.05%	0.4842	121.05%
3	0.600	1.600	266.67%	2.200	366.67%	0.1263	21.05%	0.7263	121.05%
4	0.800	1.600	200.00%	2.400	300.00%	0.1684	21.05%	0.9684	121.05%
5	1.000	1.600	160.00%	2.600	260.00%	0.2105	21.05%	1.2105	121.05%
6	1.200	1.600	133.33%	2.800	233.33%	0.2526	21.05%	1.4526	121.05%
7	1.400	1.600	114.29%	3.000	214.29%	0.2947	21.05%	1.6947	121.05%
8	1.600	1.600	100.00%	3.200	200.00%	0.3368	21.05%	1.9368	121.05%
9	1.800	1.600	88.89%	3.400	188.89%	0.3789	21.05%	2.1789	121.05%
10	2.000	1.600	80.00%	3.600	180.00%	0.4211	21.05%	2.4211	121.05%
11	2.200	1.600	72.73%	3.800	172.73%	0.4632	21.05%	2.6632	121.05%
12	2.400	1.600	66.67%	4.000	166.67%	0.5053	21.05%	2.9053	121.05%
13	2.600	1.600	61.54%	4.200	161.54%	0.5474	21.05%	3.1474	121.05%
14	2.800	1.600	57.14%	4.400	157.14%	0.5895	21.05%	3.3895	121.05%
15	3.000	1.600	53.33%	4.600	153.33%	0.6316	21.05%	3.6316	121.05%
16	3.200	1.600	50.00%	4.800	150.00%	0.6737	21.05%	3.8737	121.05%
17	3.400	1.600	47.06%	5.000	147.06%	0.7158	21.05%	4.1158	121.05%
18	3.600	1.600	44.44%	5.200	144.44%	0.7579	21.05%	4.3579	121.05%
19	3.800	1.600	42.11%	5.400	142.11%	0.8000	21.05%	4.6000	121.05%
20	4.000	1.600	40.00%	5.600	140.00%	0.8421	21.05%	4.8421	121.05%
21	4.200	1.600	38.10%	5.800	138.10%	0.8842	21.05%	5.0842	121.05%
22	4.400	1.600	36.36%	6.000	136.36%	0.9263	21.05%	5.3263	121.05%
23	4.600	1.600	34.78%	6.200	134.78%	0.9684	21.05%	5.5684	121.05%
24	4.800	1.600	33.33%	6.400	133.33%	1.0105	21.05%	5.8105	121.05%
25	5.000	1.600	32.00%	6.600	132.00%	1.0526	21.05%	6.0526	121.05%
26	5.200	1.600	30.77%	6.800	130.77%	1.0947	21.05%	6.2947	121.05%
27	5.400	1.600	29.63%	7.000	129.63%	1.1368	21.05%	6.5368	121.05%
N1	5.600	1.600	28.57%	7.200	128.57%	1.1789	21.05%	6.7789	121.05%
N2	5.800	1.600	27.59%	7.400	127.59%	1.2211	21.05%	7.0211	121.05%
N3	6.000	1.600	26.67%	7.600	126.67%	1.2632	21.05%	7.2632	121.05%
N4	6.200	1.600	25.81%	7.800	125.81%	1.3053	21.05%	7.5053	121.05%
N5	6.400	1.600	25.00%	8.000	125.00%	1.3474	21.05%	7.7474	121.05%
N6	6.600	1.600	24.24%	8.200	124.24%	1.3895	21.05%	7.9895	121.05%
N7	6.800	1.600	23.53%	8.400	123.53%	1.4316	21.05%	8.2316	121.05%
N8	7.000	1.600	22.86%	8.600	122.86%	1.4737	21.05%	8.4737	121.05%
N9	Worst 7.200	1.600	22.22%	8.800	122.22%	1.5158	21.05%	8.7158	121.05%
N10	7.400	1.600	21.62%	9.000	121.62%	1.5579	21.05%	8.9579	121.05%
N11	Actors 7.600	1.600	21.05%	9.200	121.05%	1.6000	21.05%	9.2000	121.05%
							\sim		

- Current/Full Solvency Adjustment:
 - Imbalanced / Unfair Approach
 - Punitive Mechanism for Good Actors



- **Proposed/MERIT** Solvency Adjustment:
 - Balanced / Fair Approach
 - Non-Punitive Mechanism for ALL Actors





Solvency Adjustments Comparison: FULL vs. MERIT

Financial Impact - FULL vs. MERIT

Financial impact - For										
# of Employees Taxable Wage Base - per EE	\$ 100 14,000	Current	Full Rate	11	mbalanced		Proposed N	MERIT Increi	ment	Balanced
Avg Taxable Wage Base	\$ 1,400,000		1.60000					0.04211		
			-1.60000					-0.04211		
Rate Group 1: Earned Rate	0.200	FULL Solv. Adj. + ER			1.80000		MERIT Solv. Adj. + ER	8	0.24	211
(Neutral Table):	1	Financial Impact	\$		22	2,400	Financial Impact	\$		589
		Current 1.60 Grp 1	\$		25	5,200	Prop. 1.60 Grp 1	\$	_	3,389
		Current Neutral Grp 1	\$			2,800	Prop. Neutral Grp 1	\$		2,800
		Current -1.60 Grp 1			N/A		Prop -1.60 Grp 1	\$		2,211
		Current -0.50 Grp 1	\$		(2	2,800)		\$		(589)
Rate Group 19: Earned Rate	3.800	FULL Solv. Adj. + ER			5.40000		MERIT Solv. Adj. + ER		4.60	0000
(Neutral Table):	19	Financial Impact	\$				Financial Impact	\$		11,200
		Current 1.60 Grp 19	\$				Prop. 1.60 Grp 19	\$		64,400
		Current Neutral Grp 19	ə \$				Prop. Neutral Grp 19			53,200
		Current -1.60 Grp 19			N/A		Prop -1.60 Grp 19	\$		42,000
		Current -0.50 Grp 19	\$		(/	7,000)	Financial Impact	\$		(11,200)
Rate Group N11: Earned Rate	7.600	FULL Solv. Adj. + ER		L	9.20000		MERIT Solv. Adj. + ER	2	9.20	0000
(Neutral Table):		Financial Impact	\$		22	2,400		\$		22,400
		Current 1.60 Grp N11	\$		128	8,800	Prop. 1.60 Grp N11	\$		128,800
		Current Neutral Grp N	11 \$			6,400	Prop. Neutral Grp N1	11 \$		106,400
		Current -1.60 Grp N11			N/A		Prop -1.60 Grp N11	\$		84,000
		Current -0.50 Grp N11	\$		()	7,000)	Financial Impact	\$		(22,400)



Fund Control Table Variables: K.S.A. 44-710a.

	С	urrent			Proposed						
	Fund (Control Tabl	e	Fund Control Table							
Schedule	Lower AHCM Threshold	Upper AHCM Threshold	Solvency Adjustment to Standard Rate	KS SUTA Tax Rate Schedules		Lower AHCM Threshold	Upper AHCM Threshold	Solvency/Credit Adjustment to <u>Maximum</u> <u>Standard Rate</u>	Solvency/Credit Adjustment as a Rate Group Multiplier to <u>Earned Rate Group</u>	Solvency/Credit Adjustment as a Total % to Employer's <u>Earned Rate Group</u>	
1	-1000.00000	0.19999	1.60%		1	-1000.00000	-0.00001	2.00%	0.052632%	26.32%	
2	0.20000	0.44999	1.40%		2	0.00000	0.24999	1.80%	0.04737%	26.68%	
3	0.45000	0.59999	1.20%	Solvency	3	0.25000	0.44999	1.60%	0.04211%	21.05%	
4	0.60000	0.74999	1.00%	Schedules	4	0.45000	0.59999	1.40%	0.03684%	18.42%	
5	0.75000	1.14999	0.00%		5	0.60000	0.69999	1.20%	0.03158%	15.79%	
6	1.15000	1000.00000	-0.50%		6	0.70000	0.74999	1.00%	0.02632%	13.16%	
				Standard Schedule	7	0.75000	1.24999	0.00%	0.00000%	0.00%	
					8	1.25000	1.29999	-1.00%	-0.02632%	-13.16%	
					9	1.30000	1.39999	-1.20%	-0.03158%	-15.79%	
				Credit	10	1.40000	1.54999	-1.40%	-0.03684%	-18.42%	
				Schedules	11	1.55000	1.74999	-1.60%	-0.04211%	-21.05%	
					12	1.75000	1.99999	-1.80%	-0.04737%	-23.68%	
					13	2.00000	1000.00000	-2.00%	-0.05263%	-26.32%	

* Comparison for an Employer with 100 Employees Using a 1.60% Solvency Adjustment:

0.20 → **1.80** | +\$**22,400**

Rate Group 1:

•

- Rate Group 19: 3.80 → 5.40 | +\$22,400
- Rate Group 38 (N11): 7.60 → 9.20 | +\$22,400
- Rate Group 1: 0.20 → 0.2421 | +589
- Rate Group 19: 3.80 → 4.5999 | +\$11,200
- Rate Group 38 (N11): 7.60 → 9.2000 | +\$22,400



Proposed KS SUTA Tax Rate Schedules: K.S.A. 44-710a.

Earned Rate Group:	Standard Earned Rate:	Solvency Schedules/Rates			Standard Schedule/Rates	Credit Schedules/Rates								
Group:	Ndle:	1	2	3	4	5	6	7	8	9	10	11	12	13
1	0.20000%	0.252632%	0.24737%	0.24211%	0.23684%	0.23158%	0.22632%	0.20000%	0.17368%	0.16842%	0.16316%	0.15789%	0.15263%	0.14737%
2	0.40000%	0.505263%	0.49474%	0.48421%	0.47368%	0.46316%	0.45263%	0.40000%	0.34737%	0.33684%	0.32632%	0.31579%	0.30526%	0.29474%
3	0.60000%	0.757895%	0.74211%	0.72632%	0.71053%	0.69474%	0.67895%	0.60000%	0.52105%	0.50526%	0.48947%	0.47368%	0.45789%	0.44211%
4	0.80000%	1.010526%	0.98947%	0.96842%	0.94737%	0.92632%	0.90526%	0.80000%	0.69474%	0.67368%	0.65263%	0.63158%	0.61053%	0.58947%
5	1.00000%	1.263158%	1.23684%	1.21053%	1.18421%	1.15789%	1.13158%	1.00000%	0.86842%	0.84211%	0.81579%	0.78947%	0.76316%	0.73684%
6	1.20000%	1.515789%	1.48421%	1.45263%	1.42105%	1.38947%	1.35789%	1.20000%	1.04211%	1.01053%	0.97895%	0.94737%	0.91579%	0.88421%
7	1.40000%	1.768421%	1.73158%	1.69474%	1.65789%	1.62105%	1.58421%	1.40000%	1.21579%	1.17895%	1.14211%	1.10526%	1.06842%	1.03158%
8	1.60000%	2.021053%	1.97895%	1.93684%	1.89474%	1.85263%	1.81053%	1.60000%	1.38947%	1.34737%	1.30526%	1.26316%	1.22105%	1.17895%
9	1.80000%	2.273684%	2.22632%	2.17895%	2.13158%	2.08421%	2.03684%	1.80000%	1.56316%	1.51579%	1.46842%	1.42105%	1.37368%	1.32632%
10	2.00000%	2.526316%	2.47368%	2.42105%	2.36842%	2.31579%	2.26316%	2.00000%	1.73684%	1.68421%	1.63158%	1.57895%	1.52632%	1.47368%
11	2.20000%	2.778947%	2.72105%	2.66316%	2.60526%	2.54737%	2.48947%	2.20000%	1.91053%	1.85263%	1.79474%	1.73684%	1.67895%	1.62105%
12	2.40000%	3.031579%	2.96842%	2.90526%	2.84211%	2.77895%	2.71579%	2.40000%	2.08421%	2.02105%	1.95789%	1.89474%	1.83158%	1.76842%
13	2.60000%	3.284211%	3.21579%	3.14737%	3.07895%	3.01053%	2.94211%	2.60000%	2.25789%	2.18947%	2.12105%	2.05263%	1.98421%	1.91579%
14	2.80000%	3.536842%	3.46316%	3.38947%	3.31579%	3.24211%	3.16842%	2.80000%	2.43158%	2.35789%	2.28421%	2.21053%	2.13684%	2.06316%
15	3.00000%	3.789474%	3.71053%	3.63158%	3.55263%	3.47368%	3.39474%	3.00000%	2.60526%	2.52632%	2.44737%	2.36842%	2.28947%	2.21053%
16	3.20000%	4.042105%	3.95789%	3.87368%	3.78947%	3.70526%	3.62105%	3.20000%	2.77895%	2.69474%	2.61053%	2.52632%	2.44211%	2.35789%
17	3.40000%	4.294737%	4.20526%	4.11579%	4.02632%	3.93684%	3.84737%	3.40000%	2.95263%	2.86316%	2.77368%	2.68421%	2.59474%	2.50526%
18	3.60000%	4.547368%	4.45263%	4.35789%	4.26316%	4.16842%	4.07368%	3.60000%	3.12632%	3.03158%	2.93684%	2.84211%	2.74737%	2.65263%
19	3.80000%	4.800000%	4.70000%	4.60000%	4.50000%	4.40000%	4.30000%	3.80000%	3.30000%	3.20000%	3.10000%	3.00000%	2.90000%	2.80000%
20	4.00000%	5.052632%	4.94737%	4.84211%	4.73684%	4.63158%	4.52632%	4.00000%	3.47368%	3.36842%	3.26316%	3.15789%	3.05263%	2.94737%
21	4.20000%	5.305263%	5.19474%	5.08421%	4.97368%	4.86316%	4.75263%	4.20000%	3.64737%	3.53684%	3.42632%	3.31579%	3.20526%	3.09474%
22	4.40000%	5.557895%	5.44211%	5.32632%	5.21053%	5.09474%	4.97895%	4.40000%	3.82105%	3.70526%	3.58947%	3.47368%	3.35789%	3.24211%
23	4.60000%	5.810526%	5.68947%	5.56842%	5.44737%	5.32632%	5.20526%	4.60000%	3.99474%	3.87368%	3.75263%	3.63158%	3.51053%	3.38947%
24	4.80000%	6.063158%	5.93684%	5.81053%	5.68421%	5.55789%	5.43158%	4.80000%	4.16842%	4.04211%	3.91579%	3.78947%	3.66316%	3.53684%
25	5.00000%	6.315789%	6.18421%	6.05263%	5.92105%	5.78947%	5.65789%	5.0000%	4.34211%	4.21053%	4.07895%	3.94737%	3.81579%	3.68421%
26	5.20000%	6.568421%	6.43158%	6.29474%	6.15789%	6.02105%	5.88421%	5.20000%	4.51579%	4.37895%	4.24211%	4.10526%	3.96842%	3.83158%
27	5.40000%	6.821053%	6.67895%	6.53684%	6.39474%	6.25263%	6.11053%	5.40000%	4.68947%	4.54737%	4.40526%	4.26316%	4.12105%	3.97895%
N1: 28	5.60000%	7.073684%	6.92632%	6.77895%	6.63158%	6.48421%	6.33684%	5.60000%	4.86316%	4.71579%	4.56842%	4.42105%	4.27368%	4.12632%
N2: 29	5.80000%	7.326316%	7.17368%	7.02105%	6.86842%	6.71579%	6.56316%	5.80000%	5.03684%	4.88421%	4.73158%	4.57895%	4.42632%	4.27368%
N3: 30	6.00000%	7.578947%	7.42105%	7.26316%	7.10526%	6.94737%	6.78947%	6.0000%	5.21053%	5.05263%	4.89474%	4.73684%	4.57895%	4.42105%
N4: 31	6.20000%	7.831579%	7.66842%	7.50526%	7.34211%	7.17895%	7.01579%	6.20000%	5.38421%	5.22105%	5.05789%	4.89474%	4.73158%	4.56842%
N5: 32	6.40000%	8.084211%	7.91579%	7.74737%	7.57895%	7.41053%	7.24211%	6.40000%	5.55789%	5.38947%	5.22105%	5.05263%	4.88421%	4.71579%
N6: 33	6.60000%	8.336842%	8.16316%	7.98947%	7.81579%	7.64211%	7.46842%	6.60000%	5.73158%	5.55789%	5.38421%	5.21053%	5.03684%	4.86316%
N7: 34	6.80000%	8.589474%	8.41053%	8.23158%	8.05263%	7.87368%	7.69474%	6.80000%	5.90526%	5.72632%	5.54737%	5.36842%	5.18947%	5.01053%
N8: 35	7.00000%	8.842105%	8.65789%	8.47368%	8.28947%	8.10526%	7.92105%	7.00000%	6.07895%	5.89474%	5.71053%	5.52632%	5.34211%	5.15789%
N9: 36	7.20000%	9.094737%	8.90526%	8.71579%	8.52632%	8.33684%	8.14737%	7.20000%	6.25263%	6.06316%	5.87368%	5.68421%	5.49474%	5.30526%
N10: 37	7.40000%	9.347368%	9.15263%	8.95789%	8.76316%	8.56842%	8.37368%	7.40000%	6.42632%	6.23158%	6.03684%	5.84211%	5.64737%	5.45263%
N11: 38	7.60000%	9.600000%	9.40000%	9.20000%	9.00000%	8.80000%	8.60000%	7.60000%	6.60000%	6.40000%	6.20000%	6.00000%	5.80000%	5.60000%





States w/ Shared Work Programs 26 States as of 04/27/2020

State	State Max UI Weekly Benefit \$	% of Ho Allowable		Reduced er Program	Min Wkly <u>WorkShare</u>	Max Wkly <u>WorkShare</u>
		Min %		Max %	Benefit \$	Benefit \$
Arizona	\$240	10%	-	40%	\$24	\$96
Arkansas	\$451	10%	-		\$45	
California	\$450	10%	-	60%	\$45	\$270
Colorado	\$618	10%	-	40%	\$62	\$247
Connecticut	\$649	10%	-	60%	\$65	\$389
District of Columbia	\$440	10%	-	40%	\$44	\$176
Florida	\$275	10%	-	40%	\$28	\$110
lowa	\$511	10%	-	50%	\$51	\$256
Kansas	\$488	20%	-	40%	\$98	\$195
Maine	\$445	10%	-	50%	\$45	\$223
Maryland	\$430	Unspecified	-	Unspecified		
Massachusetts	\$823	10%	-	60%	\$82	\$494
Michigan	\$362	15%	-	45%	\$54	\$163
Minnesota	\$740	20%	-	50%	\$148	\$370
Missouri	\$320	20%	-	40%	\$64	\$128
Nebraska	\$440	10%	-	60%	\$44	\$264
New Hampshire	\$427	10%	-	50%	\$43	\$214
New Jersey	\$713	20%	-	60%	\$143	\$428
New York	\$504	20%	-	60%	\$101	\$302
Ohio	\$480	10%	-	50%	\$48	\$240
Oregon	\$668	20%	-	40%	\$134	\$267
Pennsylvania	\$572	20%	-	40%	\$114	\$229
Rhode Island	\$586	10%	-	50%	\$59	\$293
Texas	\$521	10%	-	40%	\$52	\$208
Washington	\$790	10%	-	50%	\$79	\$395
Wisconsin	\$370	10%	-	50%	\$37	\$185



LA – Never implemented; repealed in 2014 OK – Repealed in 2015 VA – Expired on 1/1/20

KS Shared Work Program

- Implemented in 1988
- 07/17/20 Metrics:
 - 507 KS Employers
 - 740 Unique Plans
 - 29,255 EEs/Claimants
 - 8.31% of total initial claimants between 3/21/20 – 7/11/20
 - CY 2009: 2.5% of total claimants



Sources:

NELP - https://www.nelp.org/publication/work-sharing-an-alternative-to-layoffs/

NCSL - https://www.ncsl.org/research/labor-and-employment/work-share-programs.aspx

2021 KS UI Reforms: Expand KS Work Share Program

Expand Short-Term Compensation Program

- SAVING KANSAS EMPLOYERS' MONEY AND EMPLOYEES' JOBS
- Current: At least 20% but not more than 40% weekly hours reduction
 - No current defined # of weeks; general business assumption is 26 weeks
- Proposed: At least **10%** but not more than **50%** weekly hours reduction during a negative business cycle, recession, pandemic, etc.
 - No limit of # of weeks per year, but total paid cannot exceed 26 x WBA
 - Claim balance per claimant's WBA x max eligible weeks based on current State UI Rate
 - Convert Employer Weekly Certification process to electronic submission
 - Additional and better marketing/promotion to Employer Community
- Current: Not applicable to negative balanced and delinquent governmental and 2020 (1) reimbursing employers; 2020 COVID Pandemic – Governor Kelly's E.O. 2021 (2) temporarily allows negative rated employers to participate 2022 (3) • Proposed: Limit negative rated employers (rate groups N1-N11) to 2023 (4) 1 program year (12 months) over any 5 year period of time 2024 (5) within 12 months of the U.S. economy entering a recession 2025 (Definition: Significant decline in economic activity | 2 consecutive Qtrs. w/ GDP decline) 2026 Example: 2020 U.S. Recession - Start Date = 02/01/20 2027 (1)...
 - Negative Rated KS ER Work Share Program application date deadline: 1/30/21



2021 KS UI Reforms: Claimant Fraud Provisions

Current:

- Employer receives chargeability credits as/when Claimant pays fraud dollars back
- Single-level offense approach:
 - Misdemeanor if <\$500; felony if \$500 or more, AND
 - Administrative monetary penalty of 25% of benefits fraudulently obtained, AND
 - 5 year disqualification

Proposed:

- Employer receives full chargeability credits <u>IMMEDIATELY</u> upon fraud determination
- Single-level offense approach:
 - Misdemeanor if <\$500; felony if \$500 or more, AND
 - Administrative monetary penalty of 25% of benefits fraudulently obtained, AND
 - 5 year disqualification



2021	. KS UI Reforms	: Duratic	on of Benefits					
K.S.A. 44-705 (j) – At beginning of claimants benefit year; 3 month seasonally adjusted average unemployment rate for Kansas								
			529 Months 01/1976 – 01/2020:					
Current:	1) Less than 4.5%	= 16 weeks	266 50.28%					
	2) <u>4.5%</u> but less than 6%	= 20 weeks	215 40.64%					
	3) at least 6%	= 26 weeks	48 9.07%					
Proposed	: 1) Less than * <u>5%</u>	= 16 weeks	373 70.51%					
	2) * <u>5%</u> but less than 6%	= 20 weeks	108 20.41%					
	3) at least 6%	= 26 weeks	48 9.07%					
	Note: The Federal Reserve considers a base unemployment rate (U-3 rate) of 5.0% – 5.2% as "full employment" in the economy							
5 U.S. Recessions from								

Current:	1) Less than <u>4.5%</u>	= 16 weeks	266 50.28%
	2) 4.5% but less than 6%	= 20 weeks	215 40.64%
	3) at least 6%	= 26 weeks	48 9.07%
Proposed	: 1) Less than * <u>5%</u>	= 16 weeks	373 70.51%
	2) * <u>5%</u> but less than 6%	= 20 weeks	108 20.41%
	3) at least 6%	= 26 weeks	48 9.07%

5 U.S. Recessions from					
<u>01/1976 – 01/2020:</u>					
Avg. = 12.2 Months	2.31%				
Total = 61.0 Months	11.53%				

	Date	KSUI%	3 Mo. Seasonally Adj Avg	Current KS UI Tiers – # Benefit ¥eeks
	2015-07-01	4.7	4.47%	16
	2015-07-01	4.1	4.43%	16
	2015-00-01	3.6	4.17%	16
	2015-10-01	3.6	3.80%	16
	2015-11-01	3.6	3.60%	16
	2015-12-01	3.6	3.60%	16
	2016-01-01	4.2	3.80%	16
	2016-02-01	4.2	4.00%	16
	2016-03-01	4.1	4.17%	16
	2016-04-01	3.8	4.03%	16
	2016-05-01	3.8	3.90%	16
	2016-06-01	4.3	3.97%	16
	2016-07-01	4.8	4.30%	16
	2016-08-01	4.4	4.50%	20
	2016-09-01	3.9	4.37%	16
	2016-10-01	3.8	4.03%	16
	2016-11-01	3.7	3.80%	16
	2016-12-01	3.6	3.70%	16
	2017-01-01	4.2	3.83%	16
	2017-02-01	4.0	3.93%	16
	2017-03-01	3.7	3.97%	16
	2017-04-01	3.5	3.73%	16
	2017-05-01	3.5	3.57%	16
	2017-06-01	3.8	3.60%	16
	2017-07-01	4.3	3.87%	16
	2017-08-01	4.0	4.03%	16
	2017-09-01	3.3	3.87%	16
	2017-10-01	3.1	3.47%	16
	2017-11-01	3.2	3.20%	16
	2017-12-01	3.1	3.13%	16
	2018-01-01	3.7	3.33%	16
	2018-02-01	3.7	3.50%	16
	2018-03-01	3.5	3.63%	16
	2018-04-01	3.1	3.43%	16
	2018-05-01	3.1	3.23%	16
	2018-06-01	3.5	3.23%	16
	2018-07-01	3.8	3.47%	16
	2018-08-01	3.4	3.57%	16
	2018-09-01	2.9	3.37%	16
	2018-10-01	2.9	3.07%	16
	2018-11-01	2.9	2.90%	16
	2018-12-01	3.0	2.93%	16
	2019-01-01	3.7	3.20%	16
	2019-02-01	3.5	3.40%	16
	2019-03-01	3.4 2.8	3.53% 3.23%	16 19
	2019-04-01 2019-05-01	2.0	3.07%	16 16
	2019-05-01	3.0	3.07%	16
ļ	2013-06-01	3.8	3.37%	16
	2019-07-01	3.0 3.4	3.50%	16
ļ	2013-08-01	2.7	3.30%	16
	2013-03-01	2.7	2.97%	16
ļ	2013-10-01	2.0	2.80%	16
	2013-11-01	2.9	2.87%	16
	2020-01-01	3.4	3.07%	16



KS UI Modernization: Current UI System Problems

Business Problems

- KDOL Unemployment Division staff spending time on processes that could and should be automated
- Difficult to implement changes necessary to keep up with customer and legislative demands
- Growing expectation of customers for better service – including self service (EEs and ERs)
- Lack of Fraud Detection No Integration

Technical Problems

- Inability to replace skills required to maintain & enhance COBOL and Assembler applications
- A confusing mix of platforms and technologies, making it difficult to streamline business processes
- Disparate data files, making it difficult to access data in a logical, related fashion
- Inflexible legacy systems
- Organizational Issues
- Shortage of knowledgeable UI staff resulting from early retirement incentive plans
- Difficulty in finding, recruiting and retaining IT personnel trained in COBOL







KS UI Modernization: An Optimum Solution

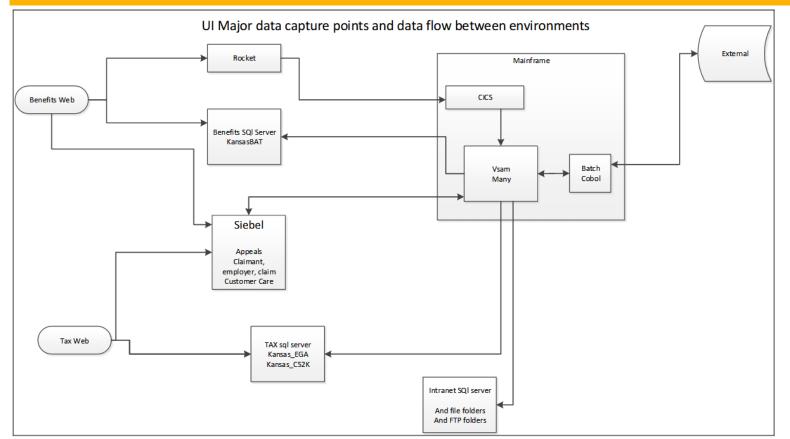
New Technology & Platform

- Component Centric Architecture
- Configurability
- Results-Driven Customer Empowerment
- Extensibility
- Reporting
- Adaptable and Scalable Platform
- Enterprise Service Bus
- Version Control
- Change Control
- Multi-Speed IT
- Data Migration / Data Architecture
- Legacy Integration





KS UI Modernization: Current UI System Architecture





KDOL UI System Data Environment as of October 2016 Source: http://itsc.org/Documents/NASWA%20RFP%20-%20KDOL%20Data%20Management%20and%20Data%20Analytics.pdf

KS UI Modernization: A Phased Approach

Phase 1: Planning/Analyzing Stage (2021)

- Set a realistic timetable to avoid rushing implementation
- Embed talented agency staff in modernization effort and get their buy-in every step of way
- Gather requirements and identify key conditions up front in an RFP
 - Agency requirements & ask customers (employers and claimants) for features/benefits request
- Be willing to revamp the agency's business processes along with the technology
- Analyze data architecture

Phase 2: Design Stage (2021–2022)

- Get user feedback from a broad range of stakeholders (Employers and Claimants)
- Allow plenty of "sandbox" time for agency staff
- Building in a set of key features that will help customers and reduce the burden on agency staff





KS UI Modernization: A Phased Approach

Phase 3: Implementation Stage (2023)

- Avoid going "live" in high claims season (November–March period)
- Consider rolling out pieces of a new system in stages
- Provide training and support staff on an ongoing basis
- Staff up call centers and deploying additional staff to workforce centers
- Develop a robust community engagement plan
- Expect bugs and have a process in place to fix them
- Provide for ongoing feedback from customers and front-line staff

Phase 3A: UI Tax & Benefits Modernization (2023)

- Database Management / Migration
- Claimant Portal
- Employer Portal
- UI Tax System
- UI Benefits System

Phase ∞: Ongoing Maintenance & Modernization (2024+)

- Systematic auditing of the UI IT system
 - Modernization is not a one-time endeavor, but rather an ongoing process





KS UI Modernization: System Features & Benefits

- Modernization of UI Tax **AND** Benefit Systems
- Fraud Detection and Integrity Solutions
- Enterprise Systems Architecture Analysis, Design, Development & Integration
- Custom Software Application Development
- Software Application & Data Migration
- Software Application/Infrastructure Development & Life Cycle Management
- Business Process & Requirements Definition
- Application Maintenance and Support
- Program & Project Management
- Data Center Support
 - Software Maintenance
 - Database & Server Administration
- Data Analytics, Predictive Modeling, Machine Learning
- Quality Assurance & Testing
- Security & Information Assurance

E eature Advantase B enefits



KS UI Modernization: System Features & Benefits

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w/ Legislative AND

Business Oversight

PLAN DO

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Streamlined Benefits, Tax and Appeals

- 1. Efficient Benefit Claims & Payment Management
 - Claims Management
 - Eligibility and Payment Processes
 - Monetary and Non-Monetary Determinations
 - Overpayment and Collections Management
 - Fraud Prevention ID.me
 - Accounting and Auditing
- 2. Integrated Tax Management Functionality
 - Account Registration
 - Tax and Wage Reports
 - Adjustments and Payments
 - Delinquencies and Collections
 - Tax Audit Assignments
 - Tax Performance Systems
- 3. Comprehensive Appeals Filing and Tracking
 - Appeal Filing and Management
 - Hearings and Decisions
 - Correspondence and Notices
 - Integrated Workflow
 - Self-Service Features
 - Federal Reporting



Next Steps / Questions / Comments

KDOL: Dedicated Employer Agents

- 1. Improved & dedicated communication strategy / avenues
 - Employers and Claimants

KS SHRM: Bill Draft for January 11, 2021

- 1. Expanded & MERIT Rated TF Solvency Adjustments (Effective CY 2022)
- 2. Shared Work Program Enhancements
- 3. Claimant Fraud Provisions Relating to Employer Chargeability
- 4. Duration of Benefits Realignment w/ 5.0% Full Employment Threshold

KS Legislature: Bill Draft for January 11, 2021?

1. KS UI – IT Modernization w/ Legislative AND Business Oversight



THANK YOU

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