The Race to the Top: Efforts to Improve UI Access and Eligibility in Massachusetts.

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Positive Features in MA UI Law

- Highest UI Benefit Amount ($653)
- 30 weeks of benefits
- $25 dependency allowance
- Expansive protections for DV survivors
- Labor market attachment of 30 X WBA (15 weeks)
- Urgent, compelling and necessitous reasons for quit
- All notices must be produced in at least 9 languages
- Health insurance coverage for unemployed workers & their families
Improving UI Access & Eligibility Requires Teamwork: The Massachusetts Lesson

- Legal Services - “go to” source for on-the-ground advice about UI in state (PLUS work with NELP!)

- State-fed and unions: MA AFL-CIO, MA Building Trades, UAW (“two-fer” UAW 2320, the National Organization of Legal Services Workers, AFL-CIO)

- Find champion – Senator Kennedy, Secretary of Labor, UI Agency Head, Ombudsman\Customer Services, DOL

- Reach out to Advisory Council and other stakeholders (especially community and labor members)
Multi-Forum Advocacy

(1) Representation

(2) Administrative Advocacy

(3) Legislative Advocacy
(1) Representation

- Individual cases
  - heart of the work
  - maximize impact
  - identify systemic issues

- Systemic litigation
  - Enforcing statutory rights for LEP
  - Addressing claimant “fraud” allegations
  - Part-Time Worker Eligibility

- Engage the private bar
  - provide training, materials, referrals
(2) Administrative Advocacy

- Meet with state agency director; Advisory Council
- Statewide advocacy coalition
- Monitor treatment of vulnerable claimants (LEP, non-citizens, injured workers, workers w/ disabilities, former welfare recipients)

Sources: UIPL 30-11(9/16/11); 29 CFR Pt. 32
(2) Administrative Advocacy (cont)

- Review agency materials (handbooks etc.) and upcoming on-line computer systems
- Promote labor/low wage workers issues, e.g. access to extended benefits for training
- Propose regulations – e.g. TPA, Temp UI

Sources: Computer [www.itsc.org](http://www.itsc.org) (SIDES); Training – TEN 11-09 (10/15/09); TEGL 2-09(8/26/09); 21-08(5/8/09) + ch1(7/8/09); UIPL 27-09(6/15/09); TPA – Contesting UI claims, J. Deparle, NYT, 4/4/10; Conn. Agencies Regs sec.31-272-8; Temp UI – 26 USC 3304 (a)(5)(B); UIPL 41-98(8/17/98) + Ch. 1(7/19/2000).
(3) Legislative Advocacy

- State
  - √ Solvency issues (increasing/indexing TWB)
  - √ EB 3 yr look back
  - √ Work with labor and educate policy-makers
  - √ Statutory fixes

  (*best defense is an offense*)

Source: Comparison of state laws:
(3) Legislative Advocacy (cont)

- Federal
  - √ EUC Fix
  - √ Solvency
  - √ Extensions

- Work with NELP!