

respond: There will be an estimated 200 responses. The estimated amount of time required for the average respondent to respond is half an hour.

(6) An estimate of the additional public burden (in hours) associated with the collection: The total estimated burden on the public is 100 hours annually.

If additional information is required contact: Brenda Dyer, Deputy Clearance Officer Information Management and Security Staff, Justice Management Division, United States Department of Justice, 601 D Street, NW., Patrick Henry Building, Suite 1600, NW., Washington, DC 20530.

Dated: June 10, 2003.

Brenda Dyer,

Deputy Clearance Officer, Department of Justice.

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DEPARTMENT OF LABOR

Employment and Training Administration

Workforce Security Programs: Unemployment Insurance Program Letter Interpreting Federal Law

The Employment and Training Administration interprets federal law requirements pertaining to unemployment compensation (UC). These interpretations are issued in Unemployment Insurance Programs Letters (UIPLs) to State Workforce Agencies. The UIPL described below is published in the **Federal Register** in order to inform the public.

UIPL 30-02, Changes 2 and 3

UIPL 30-02, Changes 2 and 3 and their attachments provide the states with the requirements of the Temporary Extended Unemployment Compensation (TEUC) Act of 2002, as deemed amended by Section 4002 of Public Law 108-11, as operating instructions and responses to questions pertaining to the TEUC available to certain displaced airline and airline related workers.

Dated: June 5, 2003.

Emily Stover DeRocco,

Assistant Secretary.

Employment and Training Administration Advisory System

U.S. Department of Labor, Washington, DC 20210

Classification: OWS

Correspondence Symbol: DU10

Date: April 25, 2003

Advisory: Unemployment Insurance Program Letter No. 30-02, Change 2.

To: All State Workforce Agencies.

From: Cheryl Atkinson s/s, Administrator, Office of Workforce Security.

Subject: Temporary Extended Unemployment Compensation (TEUC) Act of 2002—Additional TEUC for Displaced Airline and Related Workers.

1. *Purpose.* To provide State Workforce Agencies (SWAs) instructions for implementing the changes to the TEUC program related to displaced airline and related workers.

2. *References.* Title II of the Job Creation and Worker Assistance Act of 2002 (The Temporary Extended Unemployment Compensation Act of 2002), Public Law 107-147; Public Law 108-1; UIPL No. 30-02 dated July 5, 2002; UIPL No. 30-02, Change 1, dated January 9, 2003; Section 4002 of Public Law 108-11, signed by the President on April 16, 2003; Section 205 of the Federal-State Extended Unemployment Compensation Act of 1970, as amended; Section 233 of the Trade Act of 1974; 20 CFR Part 615; ET Handbook No. 401; ET Handbook No. 410.

3. *Summary.* Section 4002 of P.L. 108-11 creates special rules for determining TEUC eligibility for certain displaced airline and related workers, who were separated for one of the specified reasons from a qualifying base period employer on or after September 11, 2001. In brief, such workers will qualify for up to 39 weeks of basic TEUC (henceforth "TEUC-A"), plus up to 13 weeks of TEUC-X (henceforth "TEUC-AX"). TEUC-A is payable for weeks of unemployment beginning with the first week beginning after April 16, 2003, through the week ending no later than December 28, 2003. Individuals with TEUC-A or TEUC-AX balances remaining on December 28, 2003, can claim those balances during the transition period which ends with the last week that begins on or before December 26, 2004. TEUC-A claims cannot be augmented with TEUC-AX (that is, TEUC-AX entitlement cannot be established) during the transition period.

Rescissions: None

Expiration Date: Continuing

4. *Summary of the New Provisions.* For weeks of unemployment beginning after April 16, 2003, the new provisions (see Attachment A to this UIPL) do the following for *displaced airline and related workers*:

a. Prescribes that TEUC-A is payable and monetary determinations and redeterminations may be effective through the last week ending before December 29, 2003;

b. Prescribes a basic TEUC-A benefit amount that is the lesser of 150 percent of the maximum benefit amount (MBA) of regular benefits of the parent claim or 39 times the individual's average weekly benefit amount (AWBA);

c. Provides a TEUC-AX augmentation of $\frac{1}{3}$ of the basic TEUC-A MBA for "eligible individuals."

d. Provides a transition period during which benefits may be paid to each eligible individual who has "an amount remaining" in his/her TEUC-A or AX account as of December 28, 2003. The transition period ends with the last week beginning on or before December 26, 2004.

5. *Interpretation.* SWAs are required to continue to follow the Department of Labor's interpretation of the TEUC Act and the operating instructions previously published in UIPL No. 30-02, and UIPL No. 30-02, Change 1, to guide states in administering the TEUC program, except as changed by this advisory with respect to the determination of eligibility for "eligible individuals" as defined in Section 4002(a)(1) of Public Law 108-11.

These instructions are issued to the states and cooperating state agencies as guidance provided by the Department in its role as the principal in the TEUC program. As agents of the United States, the states and cooperating state agencies may not vary from the operating instructions without the prior approval of the Department. The interpretations and procedures issued in this document are in addition to those previously issued as UIPL No. 30-02, and UIPL No. 30-02, Change 1, and apply only with respect to the TEUC determination in accordance with the provisions of Public Law 108-11.

6. *TEUC Agreements.* TEUC, including TEUC-A, is administered through voluntary agreements between states and the Department of Labor. All states have agreements with the Secretary to administer the TEUC program under provisions of the TEUC Act. The existing agreements remain in effect, and no new agreements are necessary.

7. Notifications.

a. Identification and Notification of Potentially Eligible Claimants.

Implementation of the requirements of Section 4002, Public Law 108-11, requires identification of each potentially "eligible individual," including each interstate claimant. To satisfy this requirement, SWAs must send written notification to each individual who was laid-off from a base period employer on or after September 11, 2001. SWAs must send immediate written notification to each such individual who has exhausted all available TEUC benefits from the beginning of the TEUC program. (SWAs are not required to contact individuals whose separation was not due to a lay-off. As discussed in item 8.b. below, these individuals are not eligible for TEUC-A.) We provide the following draft notice:

Notice

Additional benefits are now available under the Temporary Emergency Unemployment Compensation program for unemployed airline and related workers.

If you are currently unemployed, you should contact us if you worked in an airline or related industry and you believe that you lost your job with a base period employer, at least partially, as a result of terrorist actions of September 11, 2001, as a result of security responses to these attacks or the closing of an airport, or as a result of the military conflict in Iraq.

Airline and related industries are: air carriers, businesses operating at an airport, businesses that perform additional, value-added production processes for air carriers or businesses providing products, supplies and services that are received or utilized by an airline.

To distribute the workload associated with making TEUC-A nonmonetary