

ETA 9054 Appeals Time Lapse

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# UI REPORTS HANDBOOK NO. 401

## ETA 9054 Appeals Time Lapse

### A. Facsimile of Form

#### Section A. Lower Authority Appeals Time Lapse from Date Filed to Decision Date

Days	Total (1)	Intrastate (2)	Interstate (3)
Total			
<=30			
31-45			
46-60			
61-75			
76-90			
91-120			
> 120			

#### Section B. Higher Authority Appeals Time Lapse from Date Filed to Decision Date

Days	Total (1)	Intrastate (2)	Interstate (3)
Total			
<=45			
46-60			
61-75			
76-90			
91-120			
121-150			
151-180			
181-210			
211-240			
241-270			
271-300			
301-330			
331-360			
> 360			

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**B. Purpose**

The ETA 9054 report contains monthly information on the time it take States to issue lower authority and higher authority appeals decisions from the date the request for a lower authority hearing or a higher authority appeal is filed to the date on the decision.

**C. Due Date and Transmittal**

The report is due in the ETA National Office on the 20th of the month following the month to which the data relates. This report will be transmitted electronically.

**D. General Reporting Instructions**

Appeals Time Lapse measures require that the State report the universe of all appeals to derive counts of the number of records for both Intrastate and Interstate claims. Edit checks can be found in Handbook 402, Unemployment Insurance Required Reports User's Manual, Appendix C.

1. Lower Authority Appeals Time Lapse

- a. Includes remanded and reopened cases. If a case is remanded from higher authority appeals for a new hearing and decision by the lower authority, time lapse begins on the date the case is remanded from the higher authority.
- b. Excludes episodic claims programs such as Extended Benefits, Disaster Unemployment Assistance, and Trade Readjustment Allowances.

2. Higher Authority Appeals Time Lapse

- a. Includes remanded and reopened cases. If a case is remanded to the lower authority for additional evidence and will be returned to the higher authority for a decision, the higher authority time lapse measurement continues without interruption. If a case is remanded to the lower authority for a new hearing and decision, the higher authority time lapse stops at that point because it is considered a decision.
- b. Excludes episodic claims programs such as Extended Benefits, Disaster Unemployment Assistance, and Trade Readjustment Allowances.

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**E. Definitions**

Definitions, unless otherwise specified in these instructions, will follow the definitions for the ETA 5130 found elsewhere in this handbook.

1. Date Appeal Filed. Generally, this will be date on which an appeal was filed by mail or in person. State law may consider a dated postmark or dated private postal meter to be the date of filing. However, a dated postmark is frequently not available. In this case, a date on the appeal request should be used. If this is also not available, then the date one day prior to receipt by the agency may be used. The agency authorized to accept appeals may be the local office, the lower or higher authority appeals unit, or any other agency or person authorized to accept appeals on behalf of the appeals authority.
2. Decision Date. The date the decision was mailed to the interested parties concerned.

**F. Item by Item Instructions**

Enter the total number of lower authority and higher authority appeals decisions issued for the report period in the appropriate Intrastate or Interstate column and individual totals for each time lapse interval.

1. All Intrastate/Interstate Lower Authority Appeals Time Lapse.
  - a. Column 1, Total Decisions. Enter under column 1 the total number of all Intrastate and Interstate lower authority appeals decisions and individual totals for each time lapse interval. Each total reported in this column equals the sum of columns 2 and 3.
  - b. Column 2, Intrastate Decisions. Enter under column 2 the total number of all Intrastate lower authority appeals decisions and individual totals for each time lapse interval.
  - c. Column 3, Interstate Decisions. Enter under column 3 the total number of all Interstate lower authority appeals decisions and individual totals for each time lapse interval.
2. All Intrastate/Interstate Higher Authority Appeals Time Lapse.
  - a. Column 1, Total Decisions. Enter under column 1 the total number of all Intrastate and Interstate higher authority appeals decisions and individual totals for each time lapse interval. Each total reported in this column equals the sum of columns 2 and 3.

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- b. Column 2, Intrastate Decisions. Enter under column 2 the total number of all Intrastate higher authority appeals decisions and individual totals for each time lapse interval.
  - c. Column 3, Interstate Decisions. Enter under column 3 the total number of all Interstate higher authority appeals decisions and individual totals for each time lapse interval.
3. Comments. Explain in the comments area significant variations in time lapse in lower and higher authority appeals decisions from levels in the prior period or the same period one year ago.
  - a. Administrative Factors. Describe administrative factors, such as changes in operating procedures, issuance of rules and regulations, staff turnover, change in administrative policies, precedent decisions, and increase or decrease in initial determinations, which may affect data reported in such a way that they will lack comparability with the data on prior reports or on current reports submitted by other State agencies.
  - b. Legal Factors. Describe legal factors, such as new laws or amendments or change in interpretation of existing laws, which may affect the data reported in such a way that they cannot be compared with data from prior reports or on current reports from other State agencies.
  - c. Economic Factors. Describe economic factors which may affect data reported.