

Non Material Justification, UIPL 26-13, Change 1, 1205-0222

UIPL 26-13, Change 1, is a reminder to states to send copies of new and proposed legislation affecting their unemployment compensation (UC) programs to the Office of Unemployment Insurance (OUI). This UIPL is necessitated by the enactment in the 2012 Middle Class Tax Act of a work search requirement for conformity with Federal law. Because work search was not previously a conformity requirement, some states may not have realized their obligation to send copies of new and proposed legislation affecting work search in UI programs. No increased burden is anticipated as a result of UIPL 26-13, Change 1.

In addition to the Middle Class Tax Act requirement, as specified by 1205-0222, section 303(a)(6), SSA, and regulations at 20 CFR 601.3, 609.1(d)(1), and 20 CFR 614.1(d)(1) do require states to submit certain conformity documents through the MA 8-7 to assure that states are properly administering state and Federal UC programs. The Trade Adjustment Assistance program, which includes Trade Readjustment Allowances (TAA/TRA), provides similar regulatory requirements at 20 CFR 617.52(c)(1).

The MA 8-7, contained in OMB control number 1205-0222, is the mechanism for submitting required documents. The ultimate purpose of the documents submission is to provide the Secretary of Labor with sufficient information to determine if (a) state UC law conforms to the Federal Unemployment Tax Act, so that employers in a state may qualify for tax credits; (b) state UC law conforms to Title III, SSA, for the state to obtain administrative grants; and (c) the state fulfills its obligations under applicable Federal UC programs.