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A. Facsimile of Form

ETA 538 – ADVANCE WEEKLY INITIAL AND CONTINUED CLAIMS REPORT

STATE	REGION	REPORT FOR PERIOD ENDING	
Week Number:		Reflected Week Ending:	
Initial Claims, Intrastate and Interstate Taken Directly:			
Intrastate Continued Weeks Claimed:			
Interstate Liable Continued Weeks Claimed:			

Comments:

OMB No.: 1205-0028

OMB Expiration Date: 09/30/2019

Average Estimated Response Time: 30 Minutes

OMB Burden Statement: These reporting instructions have been approved under the Paperwork reduction Act of 1995. Persons are not required to respond to this collection of information unless it displays a valid OMB control number. Public reporting burden for this collection of information includes the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Submission is required to retain or obtain benefits under SSA 303(a)(6). Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the U.S. Department of Labor, Office of Workforce Security, Room S-4231, 200 Constitution Ave., NW, Washington, DC, 20210.

B. Purpose

The ETA 538, Advance Weekly Initial and Continued Claims Report, allows the National Office to gather and report data on weekly initial claims, a leading economic indicator, and continued weeks claimed, another economic indicator, within one week of the week during which these claims are filed. This report provides for an advance national compilation and release of initial claims and weeks claimed data that, on a national basis, should conceptually be the same as the total of initial claims and weeks claimed data reported on the ETA 539, Weekly Claims and Extended Benefits Trigger Data. The quick release of this information benefits policy makers and the public and reduces the length of time security is needed on state claims data. The ETA 539 will continue to be the source for published state-by-state information about initial and weeks claimed.

With the increased use of direct filing of interstate claims with the liable state, a change in the source of the advance data is necessary to ensure that the counts of all initial claims taken during the reference week are available for advance reporting and that there is no duplication of count. The initial claim count for this report will be based on the total of all intrastate initials and the total of all interstate agent and liable claims taken directly by the state during the report week. These numbers, when aggregated to U.S. totals will produce an unduplicated count that should be very close to the more refined number that will be the U.S. figure compiled from the ETA 539 report.

C. Due Date and Transmittal

Weekly reports will be submitted electronically in time to reach the ETA National Office by the opening of business on the Tuesday following the close of the reference week. (See also section D.2. on freezing data.)

D. General Reporting Instructions

1. Counts. All data reported on the ETA 538 is to consist of data for the regular state UI program only. Counts of weeks compensated or counts of checks issued or counts of weeks claimed which are processed should not be substituted for any part of the count unless rigid processing scheduled are adhered to so that the count is not affected by administrative factors.

Initial claims should include all initial claims taken directly by the state during the week for which data is reported. This includes all intrastate, interstate agent initial claims taken in the week and all interstate liable initial claims taken directly from the claimant during the reference week. Claims taken by an agent state and received in the liable state during the reference weeks are not included in this report by the liable state. In order to report only those liable initial claims taken, states must clearly distinguish them from other initial claims received that were filed through an agent state. The figures should reflect, as closely as possible, the normal seasonal level of claims activity influenced only by economic factors. They should be adjusted as much as possible for administrative factors as indicated in item 3. below.

Continued weeks claimed should include a total of all weeks for which benefits were claimed, even though such benefits were not paid or payment status is uncertain or unknown, e.g., waiting weeks, partial weeks, weeks for which penalties are being served and weeks for which a monetary or nonmonetary issue is pending. The count of continued weeks claimed should not be a count of weeks compensated or a count of checks issued or of claims processed. They should be adjusted as much as possible for administrative factors as indicated in item 3. below.

2. Freezing of Data. Because these data are used to published advance figures and any revisions in data will be picked up using the ETA 539 report, the data on the ETA 538 will be frozen at 1:15 p.m. Eastern time on the due date. Any corrections to data that cannot be received by that time should not be electronically transmitted and need only be reflected in the final numbers submitted on the ETA 539.
3. Adjustment of Data. The Data on this report is to represent the economic situation for the reference week. Because of the importance of accurate economic representation of the claims counts, only figures adjusted for non-economic distortions should be submitted.

For example, when claimants' filing dates for continued claims are rescheduled to a week other than their "normal" reporting week, or the state agency rescheduled claimants from weekly to biweekly reporting, the counts of continued weeks claimed will be affected and an adjustment should be made. When a natural disaster strikes or an administrative problem such as a computer failure affects the ability of the agency to receive or take a count of claims, and adjustment should be made. Estimates of initial claims and/or continued weeks should be made and reported on this report for each week the counts are thus affected. Particular care should be taken to adjust biweekly data to eliminate the application of judgmental factors. This is easily accomplished by relying upon the application of predetermined allocation or proration rules. Works sheet supporting these adjustments should be retained for future statistical audits.

For those weeks when initial claims or continued weeks claimed were adjusted, the unadjusted figures should not be reported. That is, for each report week, only the adjusted continued weeks claimed should be reported. Adjustments made to data on the ETA 538 should be the same as adjustments made to the same data on the ETA 539.

E. Definitions

Except as noted for interstate initial claims above, definitions will be the same as those found in the instructions for the ETA 5159, section I-6 and the ETA 539, section I-4 of this handbook.

F. Item by Item Instructions

1. Initial Claims, Intrastate and Interstate Taken Directly. Report all initial claims taken directly, including intrastate and interstate initial claims which the state took directly either as agent or liable state during the reference week. Claims taken directly refers to the number of claims filed in person, by mail, or by other direct means with the state under remote claims taking procedures. Claims directly taken does not include any claims filed through another state and sent to the liable state. This data differs from item “IC” on the ETA 539 report, which uses all interstate agent claims, including those reported to the state via the interstate data exchange, plus intrastate counts.
2. Intrastate Continued Weeks Claimed. Report all intrastate continued weeks claimed filed by claimants within the state and by commuters filing under the intrastate program.
3. Interstate Liable Continued Weeks Claimed. Report all continued weeks claimed filed by claimants from another state under the interstate program. Exclude weeks claimed filed by claimants filing as commuters under the intrastate program.