

## Attachment B

### Demographic Data Collection: Definitions and Reasoning for Expanding Current Categories

Disclosing personal demographic information is entirely voluntary by the claimant and cannot be used for the purposes of establishing eligibility for benefits. The following data elements are self-selected by the claimant on the initial claim application and must be masked from non-essential state workforce agency staff. Any other UI required reports that also collect demographic information will use the same definitions established by the ETA 203 report as stipulated below.

Some demographic categories will include a “Prefer not to Disclose” option that allows claimants to indicate they do not wish to share the information. The Information Not Available (INA) option will remain “as is” to capture incidences where claimants leave a question(s) blank.

**Yellow Highlight: Proposed New Data Element or newly added terms to demographic category.**

**1. Sex and/or Gender.** The number of weeks claimed for claimants in each category will be reported.

Sex is a biological category based on reproductive, anatomical, and genetic characteristics. Gender is a person’s sense of being. This identity is not necessarily visible to others.<sup>1</sup> This information is self-selected by the claimant on the initial claim application as Male (M), Female (F), Another Gender Identity/Non-binary (X).

States may wish to consider phrasing this question as: “Which one of the following best represents how you think of yourself?”

A person’s self-selected sex or gender would not create a flag or issue in the Integrity Data Hub (IDH), a name and date of birth crossmatch, or in the state system itself for the purposes of identity verification. Identity verification vendors (i.e., ID.me, LexisNexis) use multiple algorithms to prioritize potential identity issues (i.e., deceased or incarcerated individuals) but does not include sex and gender.

**Reasoning:** As of April 11, 2022, the U.S. Department of State announced U.S. passport applicants and passport holders can self-select their gender marker as Male (M), Female (F), Another Gender Identity/Non-binary (X). To maintain consistency across federal government agencies and forms, ETA proposes including these updates to Sex and/or Gender reporting instrument of the Characteristics of the Insured Unemployed (ETA 203).

**2. Race or Ethnicity.** The number of weeks claimed for claimants in each category will be reported. If state law prohibits identifying race or ethnic group on employment records, or if the claimant does not self-code or is not seen, this information will have to be recorded as INA in the appropriate category. Please use the comments section to indicate if this unknown data is the result of a state law.

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<sup>1</sup> <https://www.nih.gov/nih-style-guide/sex-gender-sexuality#sex>

Ethnicity refers to membership in a group that shares cultural, traditional, linguistic, and familial bonds.<sup>2</sup> Race refers to a group sharing some outward physical characteristics and some commonalities of culture and history.

OMB Statistical Policy Directive (SPD) No. 15<sup>3</sup> instructs government agencies to combine questions on race and ethnicity into one question to produce higher quality and useful data and be more concise.

**Recommendation:** For the purposes of this report, the identities in the race or ethnicity categories are defined as the following according to OMB’s SPD 15 published on March 29, 2024. States must allow claimants to select more than one race or ethnicity. When reported by State Workforce Agencies, these counts will be aggregated for reporting purposes only in the “multiracial/multiethnic” category for the ETA 203 report and highlighted below in green. The tabulations will represent people who identify with multiple minimum reporting categories. A “prefer not to disclose” option was specifically omitted as a reporting category by OMB; “information not available” will represent people who leave this question blank and choose not to answer.

New minimum reporting categories or those previously categorized as ethnicities are highlighted in yellow.

**What is your race or ethnicity? Select all that apply or Mark all that apply:**

**American Indian or Alaska Native:** a person having origins in any of the original peoples of North, Central, or South America. Including, for example, Navajo Nation, Blackfeet Tribe, Native Village of the Barrow Inupiat Traditional Government, Nome Eskimo Community, Aztec, Mayan, etc.

**Asian:** a person having origins in any of the original peoples of Central or East Asia, and South Asia. Including, for example, Chinese, Asian Indian, Japanese, Korean, Filipino, Vietnamese, etc.

**Black or African American:** a person having origins in any of the Black racial groups of Africa. Including, for example, African American, Jamaican, Haitian, Nigerian, Ethiopian, Somali, etc.

**Hispanic/Latino(a):** a person of Cuban, Mexican, Puerto Rican, South or Central American, or other Spanish culture or origin. Including, for example, Dominican, Guatemalan, Colombian, Honduran, Spaniard, Salvadoran, etc.

**Middle Eastern or North African:** a person having origins in any of the original peoples of the Middle East or North Africa. Including, for example, Egypt, Lebanon, Jordan, Syria, Morocco, Algeria, etc.

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<sup>2</sup> <https://www.census.gov/topics/population/hispanic-origin.html>

<sup>3</sup> <https://www.govinfo.gov/content/pkg/FR-2024-03-29/pdf/2024-06469.pdf>

Native Hawaiian or Pacific Islander: a person having origins in any of the original peoples of Hawaii, Guam, Samoa, or other Pacific islands. Including, for example, Native Hawaiian, Tongan, Fijian, Samoan, Chamorro, Marshallese, etc.

White: a person having origins in any of the original peoples of Europe. Including, for example, Ireland, Poland, Germany, France, Italy, Sweden, etc.

**Multiracial/Multiethnic:** a person having origins in any of the different racial or ethnic groups as defined in the preceding categories that are aggregated into this report category when respondents select or mark all that apply.

Information Not Available (INA): Left blank, no answer provided.

**Reasoning:** These updates reflect the final guidance of OMB's SPD No. 15. by combining race and ethnicity into one question to decrease confusion of respondents and improve accuracy of the data collected and reported. Also, the U.S. Census Bureau is studying/researching proposals to update how the decennial census and American Community Survey asks about race and ethnicity to follow the most recent guidance from OMB.

**3. Age.** The number of weeks claimed for claimants in each age category will be reported and is based on date of birth. Age should only be recorded as INA when the agency is unable to obtain this information from the claimant.

**4. Industry.** The number of weeks claimed for claimants in each industry category will be reported. Classification by industry should be by major industry category as found in the most recent edition of the NAICS. This should be available from the employer master files and rarely assigned an INA code.

**5. Occupation.** Classification by occupation should be made according to the most recent edition of the SOC. This should only be recorded as INA when unable to obtain this information from the claimant or other workforce development sources.

**Proposed New Sections of Demographic Categories to add to ETA 203 Report:** The following information is consistent with U.S. Census Bureau's data on most common primary languages and the delineation of categories for Level of Educational Attainment and Base Period Wages, which is provided to states by employers through wage records and used to determine monetary eligibility. Language, disability, and education information is self-selected by the claimant on the initial claim application and *will not* impact the ability of a claimant to collect UI benefits to which they are entitled by law. Note that base period wages are a data element that states already receive and will not be reported using self-attestation from claimants.

**6. Primary Language.** The number of weeks claimed for claimants who indicate a primary language preference for the purposes of communications on the UI benefits eligibility process in one of the following languages: English, Spanish, Chinese, Vietnamese, Korean, Japanese,

Tagalog, Arabic, Russian, Polish, French, German, Portuguese, Haitian/Creole, American Sign Language, or Another Language Not Listed. <sup>4</sup>

**Recommendation:** This change will allow states to effectively use data to ensure individuals with limited English proficiency or translation needs are provided meaningful assistance to government programs and information about unemployment benefits.

**7. Disability Status.** The number of weeks claimed for claimants that self-selected a physical, mental, or emotional condition that can impact a person’s ability to concentrate, communicate, and care for themselves.

“Are you an individual with a disability?”

Yes;

No;

Prefer Not to Disclose;

INA

**Recommendation:** This change will allow states to effectively use data to ensure individuals with disabilities are provided meaningful and equitable access to government programs without undue burdens or barriers, as required by the Section 188 of the Workforce Investment Opportunity Act (WIOA) and its implementing regulations set forth at 29 CFR part 38. See generally Unemployment Insurance Program Letter (UIPL) No. 02-16 and UIPL No. 02- 16, Change 1.

**8. Level of Educational Attainment.** The number of weeks claimed for claimants who indicated their highest level of educational attainment:<sup>5</sup>

Some high school, no diploma or the equivalent

High School Diploma/GED

Trade/Technical/Vocational School or Certification: Occupational or vocational program

Some college but no degree

Associate’s degree – Academic program in college

Bachelor’s degree – Four-year degree (For example: BA, BS)

Master's degree (For example: MA, MS, MSW, MBA)

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<sup>4</sup> <https://www.census.gov/topics/population/language-use.html>

<sup>5</sup> <https://www.census.gov/topics/education/educational-attainment.html>

Doctorate/Advanced degree (For example: PhD, MD, DDS, JD)

**Recommendation:** This change will allow states to effectively determine if it is sufficiently using plain language in all its written communication material and correspondence. States should ensure that all communications are written to accommodate different literacy levels. According to the Department of Education, the average American adult reads at the 7th to 8th grade level. See Plain Writing Act of 2010; UIPL No. 02-16 and No. 1-24.

**9. Base Period Wages.** The number of weeks claimed for claimants who indicated wage amount earned over a period of time, usually one year (also known as a base period). The claimant does not need provide this information as state is likely able to report data in this category using employer records or a monetary determination.

Less than \$15,000  
\$15,000-24,999  
\$25,000-34,999  
\$35,000-49,999  
\$50,000-74,999  
\$75,000-149,999  
\$150,000-199,999  
\$200,000 or more

**Recommendation:** This change will allow states to ensure its current program does not limit prevent or limit access to information, resources, and activities based on a claimant's socio-economic status or background.

**Overall Reasoning:** State should revise initial claim application to add a drop-down menu of the primary languages listed in the ETA 203 report or text box for claimant to enter language on their own. This information is useful for the provision of translation services. Through recent engagements with 36 state UI agencies (as described in UIPL No. 22-21), it was discovered that most states already ask a form of the question on a claimant's disability status. Adding this category to the ETA 203 allows states a mechanism to report this information. Educational attainment and wage information provides insight into a claimant's socio-economic background to identify those experiencing poverty. Overall, the addition of these demographic categories will assist ETA in mitigating potential barriers to accessing UI and allow for data analysis to further demonstrate the stabilizing effects of UI benefits on the economy, including the replacement rate of benefits to wages.

**10. Comments.** Enter in comments any information which explains the data such as legal or procedural changes. If any category contains more than 5 percent information not available, please explain the reason for this.