

UI Financing 101

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Session Objectives

Gain a general understanding of the history, rationale, and functioning of the major funding components imbedded in the UI program.

Agenda

- Program Data Overview
- UI Financing; a Brief History
- Theory of UI Financing
- State Trust Fund Financing
- UI Administrative Financing

Data Overview

Structural Indicators

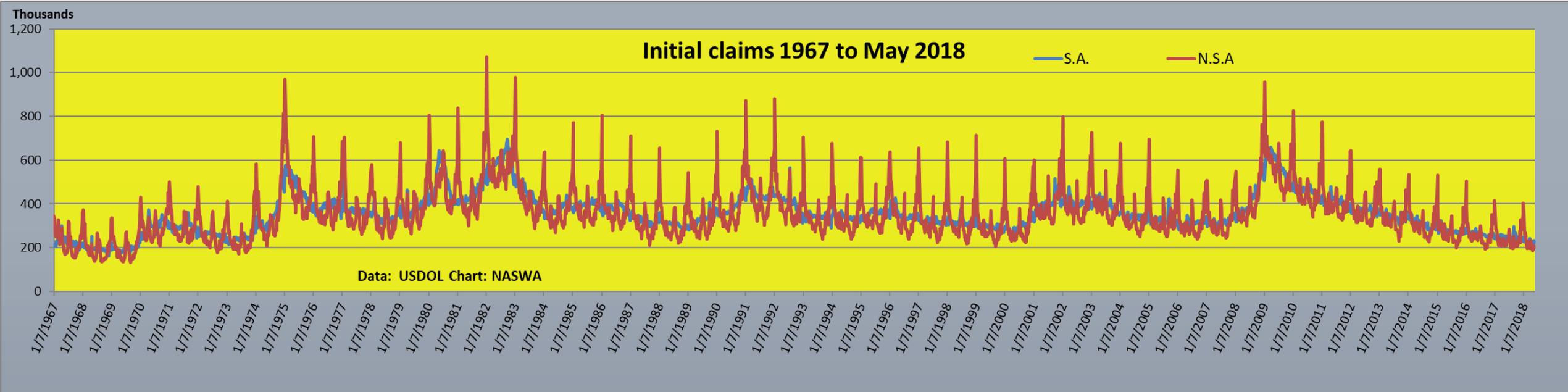
Program Impact: Benefits

Program Impact: Revenue

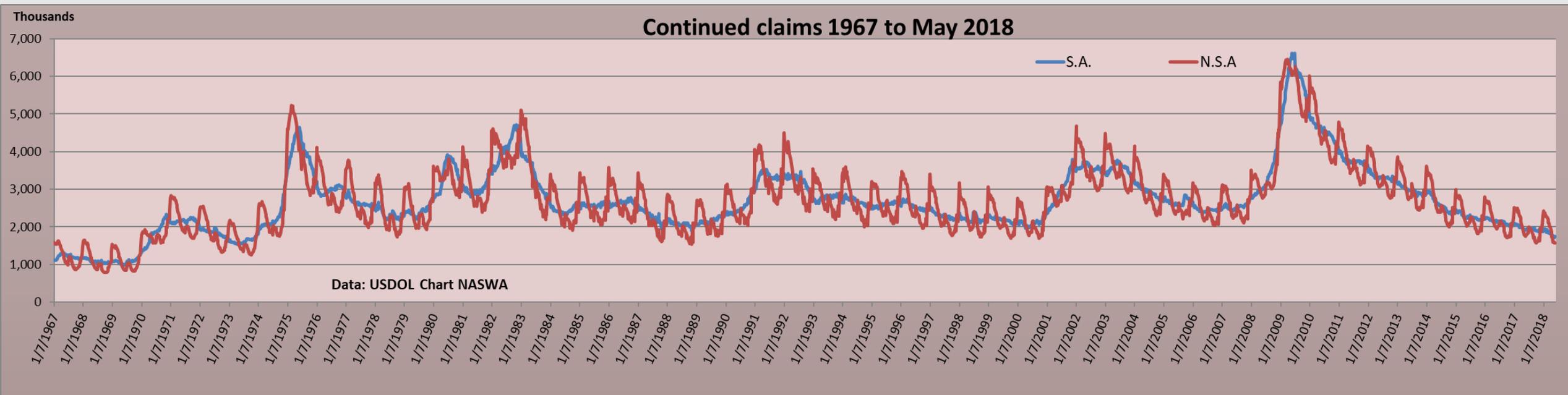
Coverage

Reciprocity

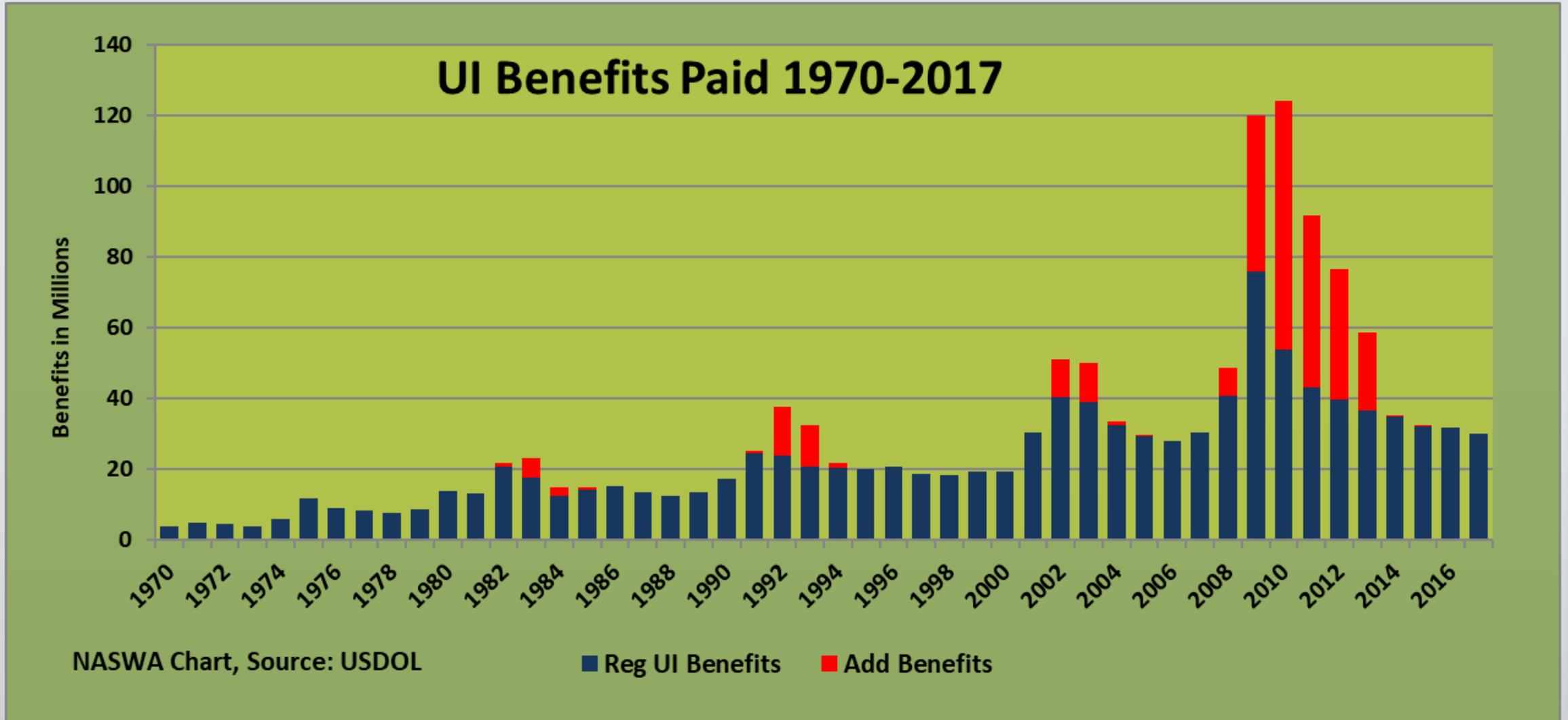
UI Data History—Initial Claims



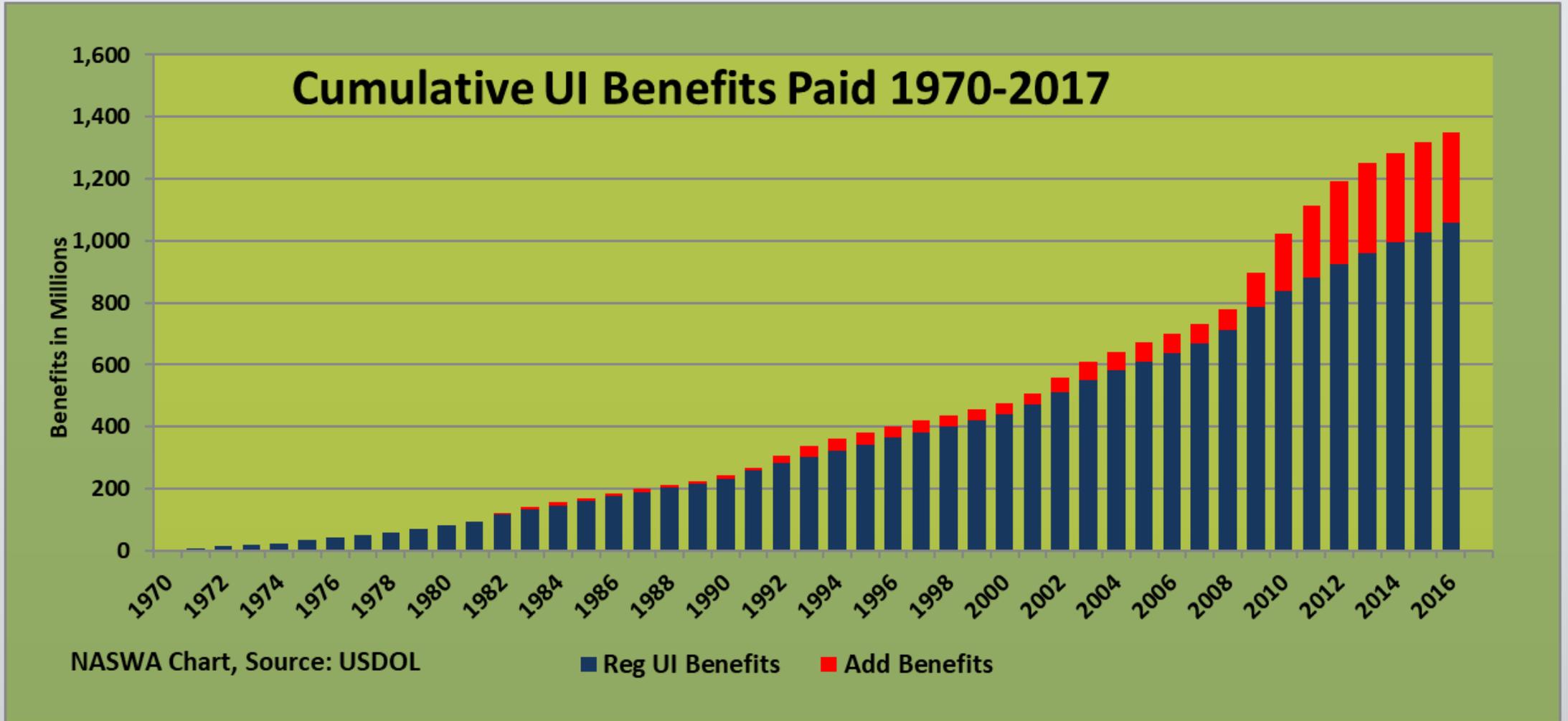
UI Data History—Continued Claims



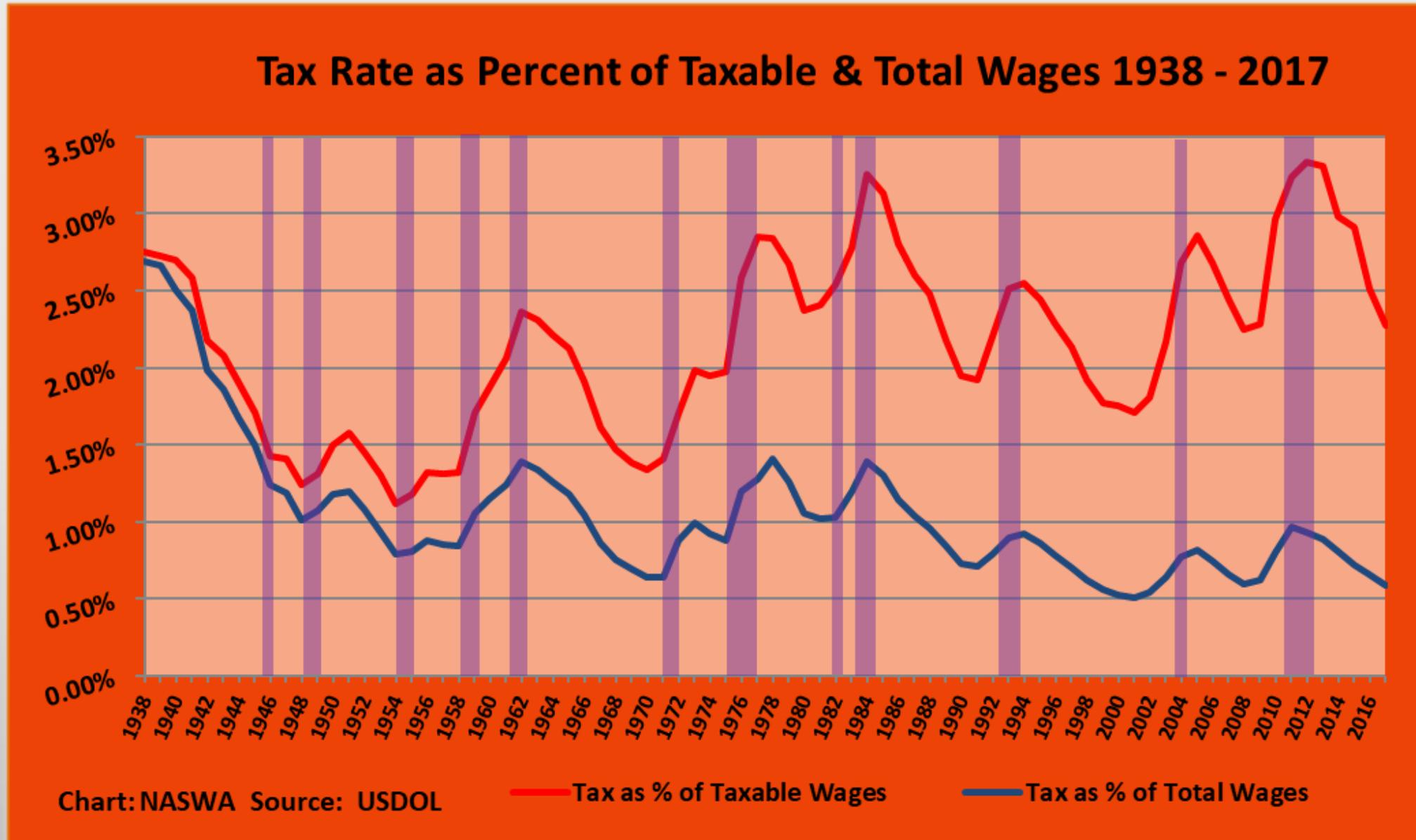
UI Benefits Paid



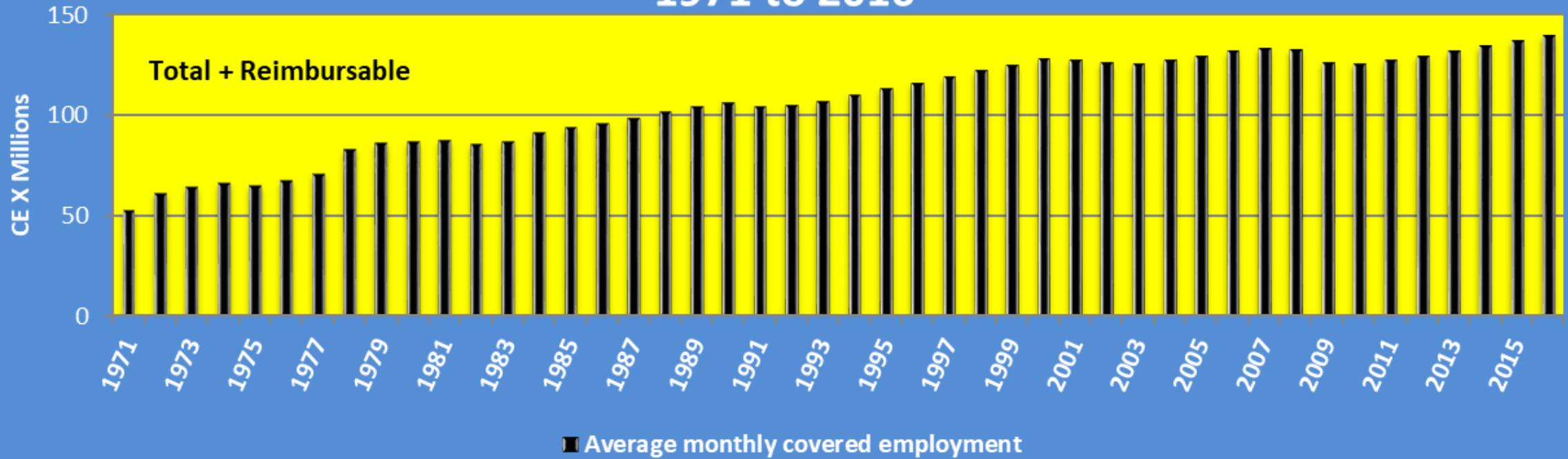
Cumulative UI Benefits Paid 1970-2017



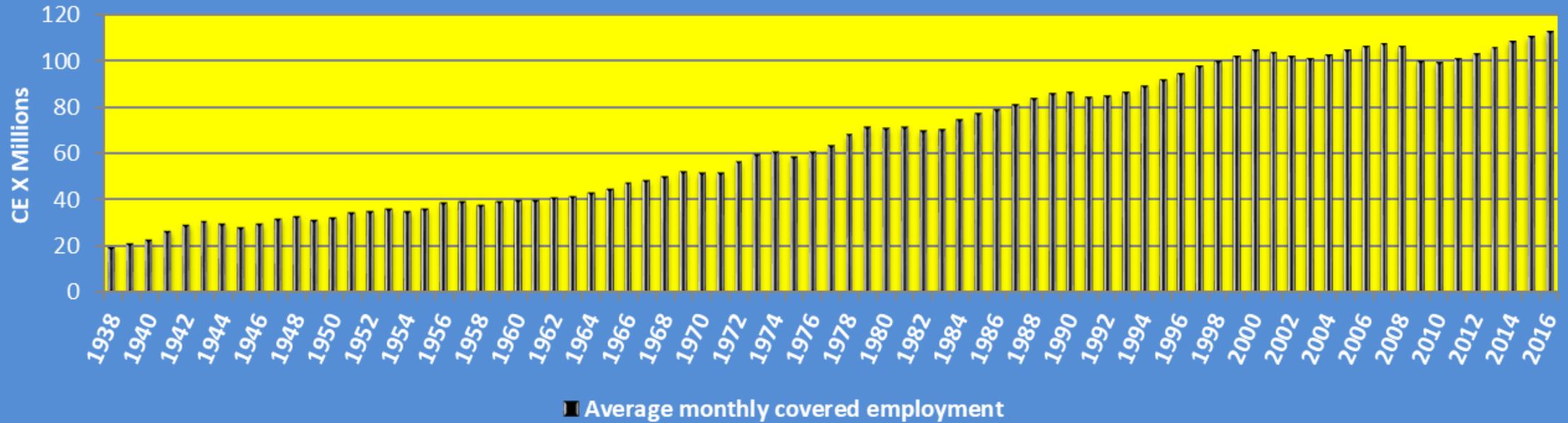
Tax Rate: Total and Taxable with Recessions



UI Average Monthly Covered Employment 1971 to 2016

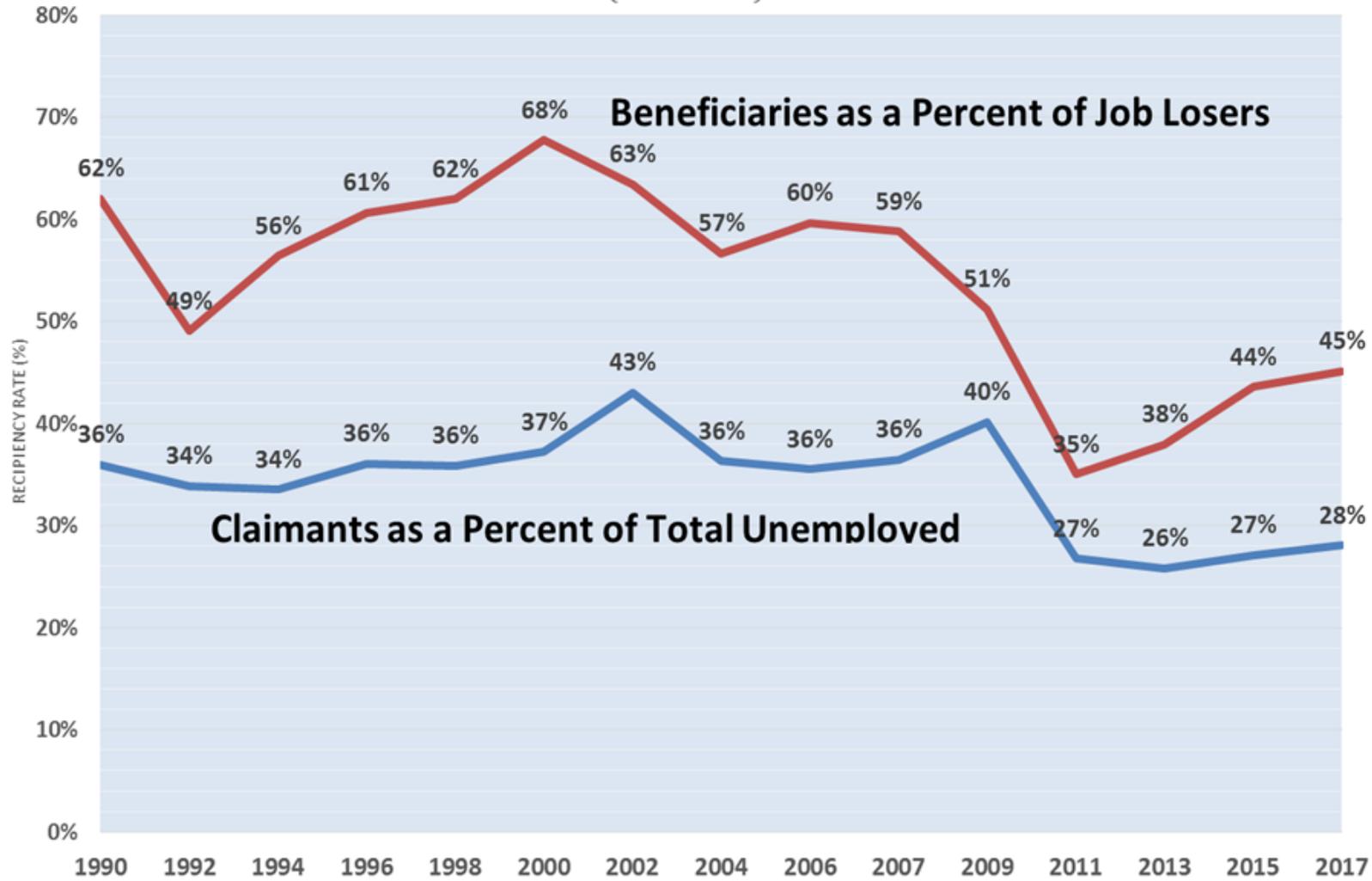


UI Average Monthly Covered Employment Taxable

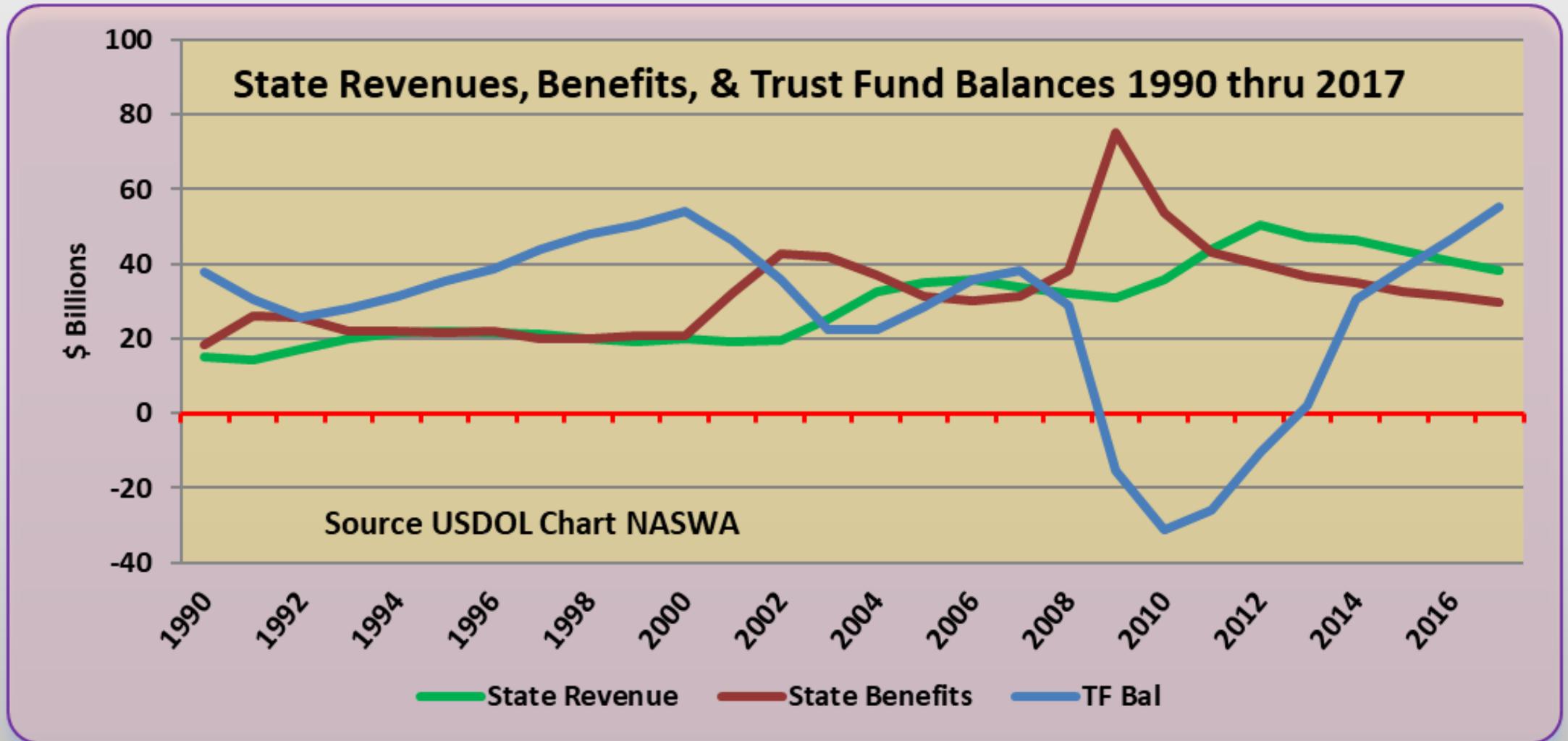


Reciency Rate of Unemployment Insurance

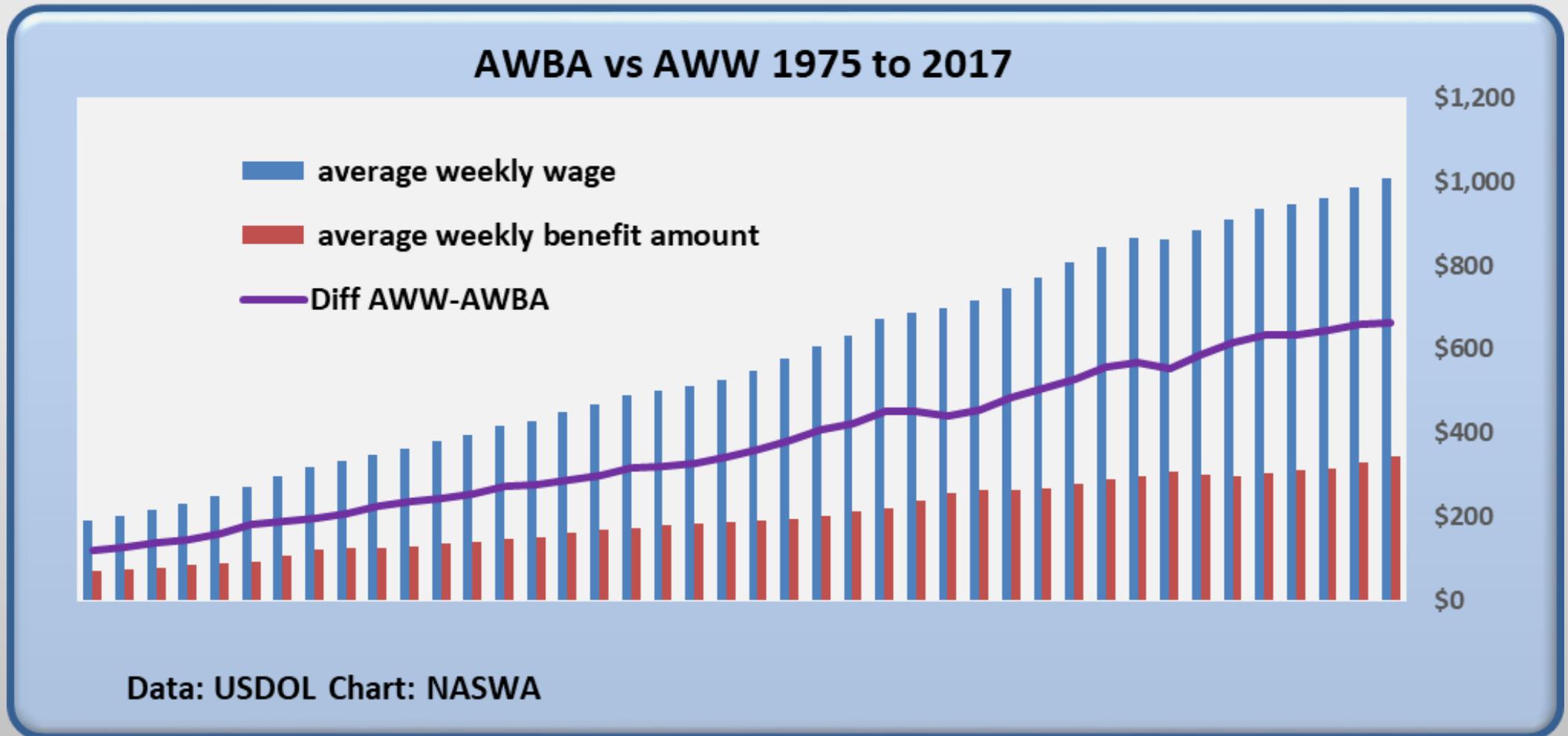
(1990-2017)



UI Revenue, Benefits, TF Balances



Average Weekly Wage vs Average Weekly Benefit



UI History & Purpose

UI History in Perspective

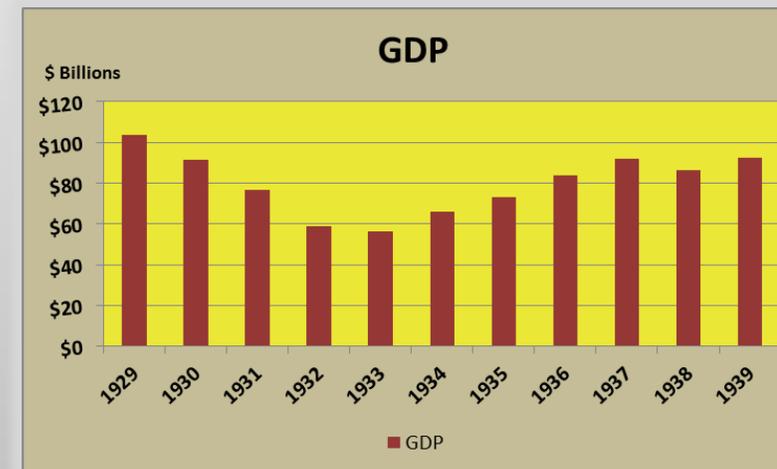
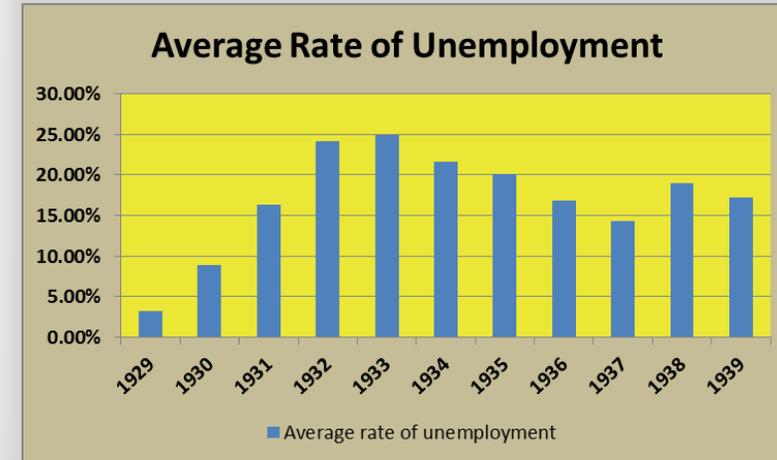
- European Experience:
 - First known plan—Basle Town Switzerland, 1789—short lived.
 - Middle of 19th Century—a few trade unions, mutual benefit societies, fraternal societies provided benefits for members.
 - Swiss community of St. Gall, 1894, established 1st compulsory plan.
 - Great Britain established first national compulsory program in 1911.
 - Italy followed in 1919, and in the 1920, seven other European countries followed suit.

US Activity Early 20th Century

- 1911-1920: Workmen's compensation laws enacted in most states.
- John Commons developed a plan with pooled fund and employer rates varying according to industry risk & own employment record.
- Some companies started company or joint union-company plans.
- American Federation of Labor opposed, felt workers should cope with their own problems including unemployment.

US Activity Early 20th Century II

- Depression marked turning point in general public attitude toward unemployment insurance.
- Consequences of Depression led to focus on provision of benefits for the unemployed worker



UI and Workforce System History

- 1930's Three areas of Focus:
 - Creation of social welfare programs
 - Wagner-Peyser Act 1933
 - Social Security Act 1935



Wagner-Peyser Act 1933

- Three months after taking office as president, Franklin D. Roosevelt on June 6, 1933
- The Wagner-Peyser Act establishing a nationwide network of public employment service (ES) offices.
- The ES played a key role in economic recovery from the Great Depression by referring jobless workers to available private sector jobs as well as to newly created public sector jobs
- Created first public labor exchange service
- Provides labor related services to employers and job seekers
- The ES continues to serve as the foundation for the national One-Stop delivery system established by the Workforce Investment Act of 1998.

US Activity Early 20th Century III

- Wisconsin acted as pioneer state, passing a UI law in January 1932.
 - Covered employers with 10 or more employees
 - Payroll tax on employers two percent on payroll
 - Revenue went to state controlled individual employer fund until \$55 per employee was accumulated.
 - After \$55, rate dropped to one percent until \$75/employee.
- Employees entitled to 10 weeks of benefits, not to exceed 50 percent of average weekly wage or \$10/week.

National Interest

- If only some states had UI programs, employers paying UI taxes would be at a competitive disadvantage.
- Led to call for national legislation.
- 1933 – Wagner-Peyser Act (ES)
- 1934:
 - Wagner-Lewis bill
 - FDR formed Committee on Economic Security.
 - Chaired by Frances Perkins

Report: Committee On Economic Security

- Issued in January 1935
- Basic objectives of UI
 - Paying benefits for periods of involuntary unemployment.
 - Stabilizing employment.
- Expand a system of public employment offices created by Wagner-Peyser Act of 1933.
- Recommended Federal-State system.
- Federal standards necessary to insure states set up UI programs (not relief).

Report: Committee On Economic Security II

- States free to set up any type of UI program they want.
- Most benefit and tax requirements left to states:
 - Monetary entitlement
 - Disqualification provisions
 - Work search
 - Reporting

Why a Federal-State System?

- State-only system wasn't working.
- Exclusively Federal system would be cumbersome and difficult.
- Federal-State system removes disadvantages in interstate competition while allowing wide latitude for experimentation.

The Social Security Act

The Social Security Act of 1935 spelled out the provisions for UI:

- Title IX provided for:
 - The employer tax,
 - Specified exclusions from coverage,
 - Established standards that state systems must meet, and
 - Set up rules for developing an experience rating.
- Title III was concerned with administration.

Federal “Requirements”

- Concerns about the constitutionality of Federal requirements led to an incentives system,
 - States are given incentives to comply with Federal law.
 - States technically have a choice whether or not to establish their unemployment compensation programs in compliance with the provisions of Federal law.
 - Federal Unemployment Tax Act (FUTA) lets employers take credit against the Federal UI tax if their states' UI programs comply with Federal law

Federal Unemployment Tax Act (FUTA)

- Substantial parts of Title IX (taxing provisions) were repealed and reenacted (1939) as FUTA.
- Moved the taxing provision in Title IX of the Social Security Act to the Internal Revenue Code, Chapter 23:
 - Section 3301 – Imposes tax
 - Section 3302 – Credits against tax
 - Section 3303 – Additional credit conditions (experience rating)
 - Section 3304 – Normal credit conditions

Significant UI Amendments

Significant Amendments:

- Allowing employers to make voluntary contributions;
- The Reed Act which allows excess federal funds to be returned to states and the establishment of a loan fund to help states pay benefits when their trust funds are depleted;
- Creation of a permanent extended benefit program;
- Extension of coverage to non-profits, agriculture, state and local government workers;
- Establishment of the Trade Adjustment Assistance Program; and
- Establishment of various additional extended benefit programs.

Significant UI Amendments II

- 2008 Supplemental Appropriations Act:
 - Emergency Unemployment Compensation (EUC 08)
- 2009 American Recovery & Reinvestment Act:
 - \$500M transfer from the Employment Security Administration account



Theory of UI Financing

UI Financing

Central Components:

- Federal Law Authority
- FUTA
- Unemployment Trust Fund
- Public Debt
- State Financing System
- Title XII Advance
- Administrative Financing

Federal Law Authority

- The Federal Unemployment Tax Act (FUTA) envisions a cooperative federal-state program of benefits to unemployed workers.
- FUTA imposes an excise tax on every employer equal to a specified percentage of total taxable wages paid during the calendar year.
- The tax mechanism grants a wide range of discretion to the states as long as certain minimum Federal standards are met.

Federal Law Authority

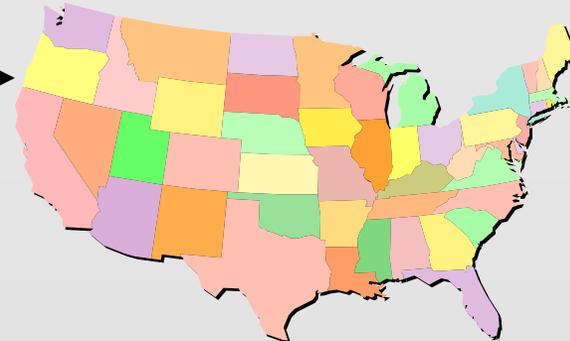
- FUTA requires employers to pay a Federal tax, currently 6.0 percent on the first \$7000 paid with respect to each employee's wages.
- Employers in the state may take two credits against the tax:
 - For the amount of contributions actually paid into the state unemployment fund, and
 - An additional credit for
 - (contributions paid)-(the amount to be paid at the highest rate, up to a cap of 5.4 percent)
- To receive the additional credit, the state's experience rating system must conform to Federal law.

FUTA Tax

6.0% FUTA Tax

On \$7,000 wages

Acceptable UI Program



5.4% Credit



.6%

On \$7,000

Covered Employers



FUTA Tax

- The maximum FUTA tax payable for each employee receiving full credit is:

Full FUTA $6.0\% \times \$7,000 = \420

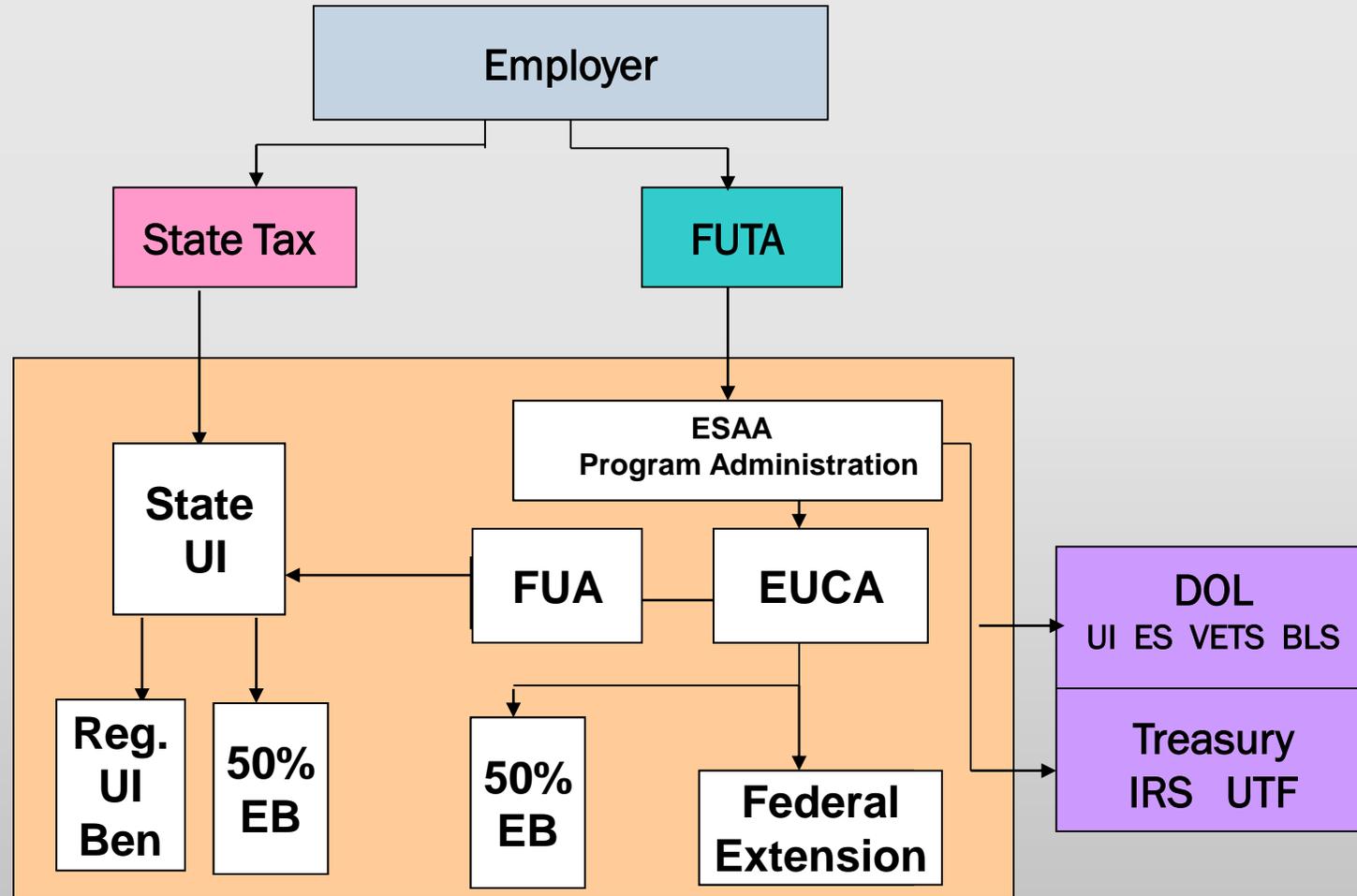
With Credit $0.6\% \times \$7,000 = \42

- If State Taxable Wage Base is \$5,000:
Total FUTA tax = $(.06 \times 5,000) + (6.0\% \times 2,000)$
- FUTA Tax Collected once a year from taxable employers
- FUTA Tax will increase (credit reduction) if States Borrow without repaying

History of FUTA

FUTA Tax History					
Year	FUTA Wage Base	FUTA Rate	FUTA Credit	Final FUTA Rate	Per Employee
1940	\$3,000	3.0%	2.7%	0.3%	\$9
1961	\$3,000	3.1%	2.7%	0.4%	\$12
1972	\$4,200	3.2%	2.7%	0.5%	\$21
1978	\$6,000	3.4%	2.7%	0.7%	\$42
1983	\$7,000	6.2%	5.4%	0.8%	\$56
2011	\$7,000	6.0%	5.4%	0.6%	\$42

FUTA Accounts

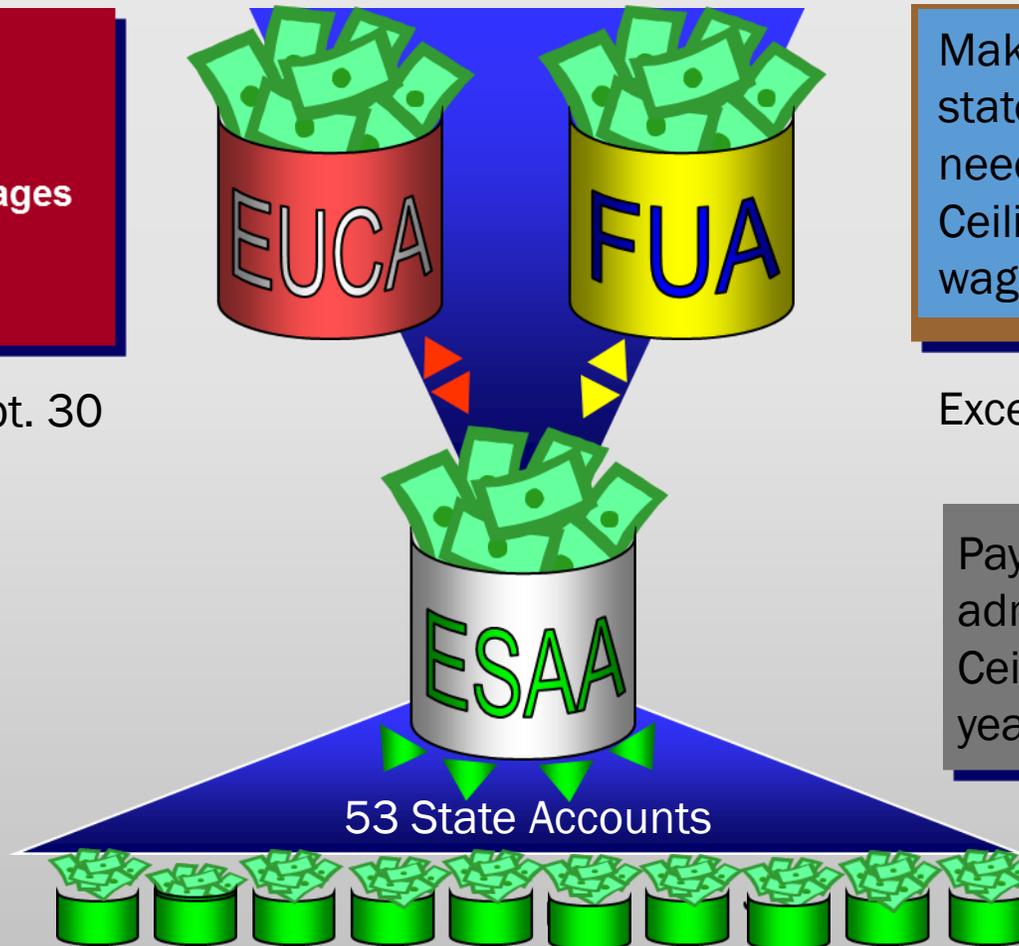


Unemployment Trust Fund

Pays 1/2 cost of EB
Ceiling = .50% of total wages

Excess flows to ESAA Sept. 30

When all 3 Federal accounts reach/exceed their ceilings on Sept. 30, the amount in excess of the ceiling is distributed to state accounts on Oct. 1. (Reed Act)



Makes loans to insolvent state accounts when needed
Ceiling = .50% of total wages

Excess flows to ESAA Sept. 30

Pays for state administrative costs
Ceiling = 40% of prior year's appropriation

Outstanding Debt

The Extended Unemployment Compensation Account (EUCA) has an outstanding balance as of 9/30/17 of \$13.69B, made up of:

- \$2.61B owed to the General Fund and
- \$11.08B owed to FUA/ESAA.

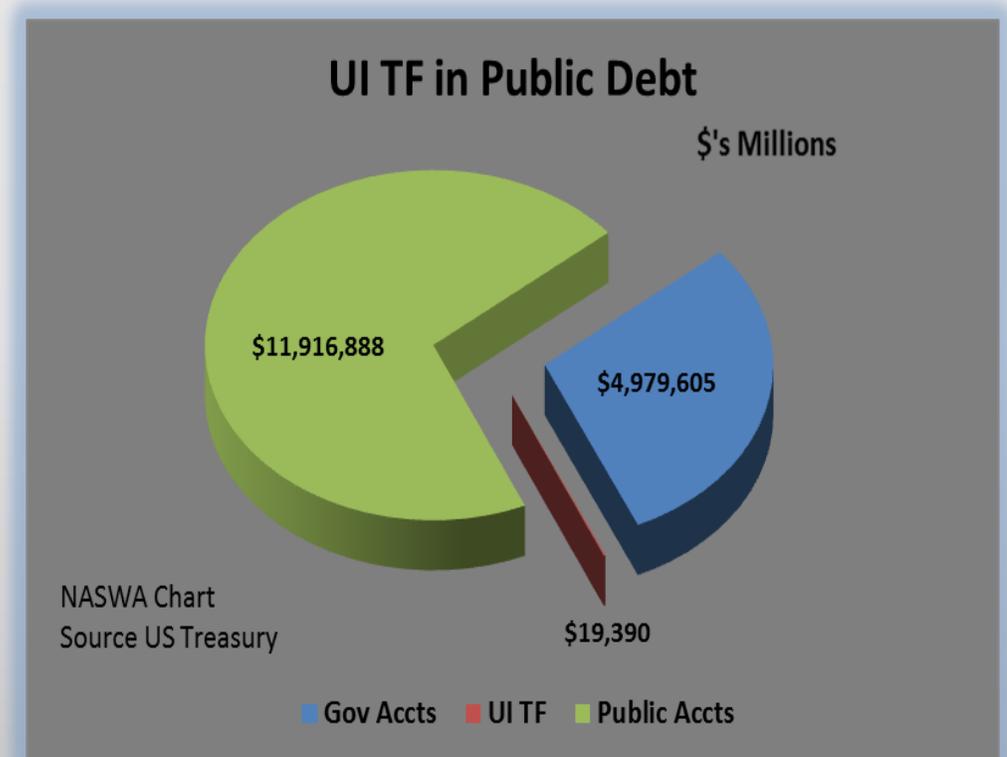
EUCA earns about \$1.25 B/year.

- Without a new recession under current law will be paid off ?

Source: FY 2019 President's Budget: UI Outlook

UI Trust Fund in Public Debt

- Total federal debt consists of debt held by the public & intragovernmental debt.
- The Treasury Sec. is authorized to receive and invest all funds collected by a state for the payment of UI benefits and invest such portion not required to meet current withdrawals.
- Such investment may be made only in interest-bearing obligations of the US or in obligations guaranteed as to both principal and interest by the US.



State Trust Fund Financing Systems

State Benefit Financing Systems are Complex, Dynamic Systems

- The basic components of a state's UI taxing system consists of a set of tax schedules, or a single schedule that may be revised based on specific criteria set in State law.
- The tax schedule in effect in a given year is generally a function of the state's trust fund balance at a specific point in time.
- An employers tax rate is based on State's formula for determining the employers experience with unemployment.
- The more unemployment experienced by an employer, the higher their tax rate.

State Tax Systems

- That's the simple explanation but each state has defined its system with many different adaptations and limitations on this schema, including:
 - Varying the number of years included in each separate computation,
 - Adapting special provision for new employers, or
 - Varying how benefits get charged to each employer.
- Basic experience rating standard: All employers must be rated over the same time period using the same factor(s) which bear a direct relation to the employers' experience with unemployment.

Employers with the same experience should pay the same tax rates.

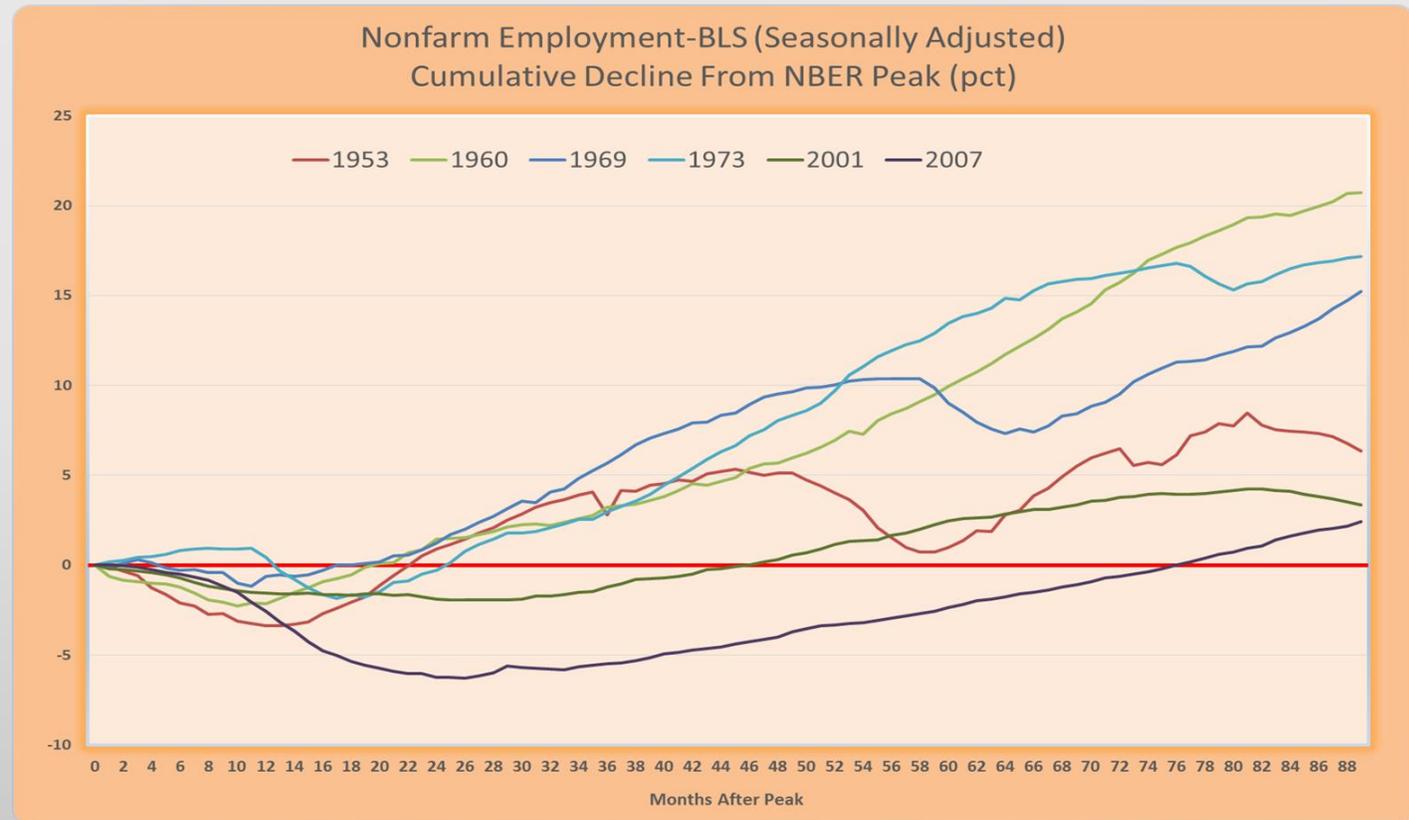
State UI Tax Systems

State Benefit & Tax Systems are designed to be “Countercyclical”

- The demand for UI benefit payments increase as the economy slows, and even more dramatically during more severe recessions.
- Employer taxes are usually lower shortly before recessions and generally do not increase substantially during the downturn or shortly thereafter.
- Tax revenues are designed to begin to increase as the economy improves.
- Individual employers who lay off more workers face higher tax rates based on their “experience” with increased unemployment.

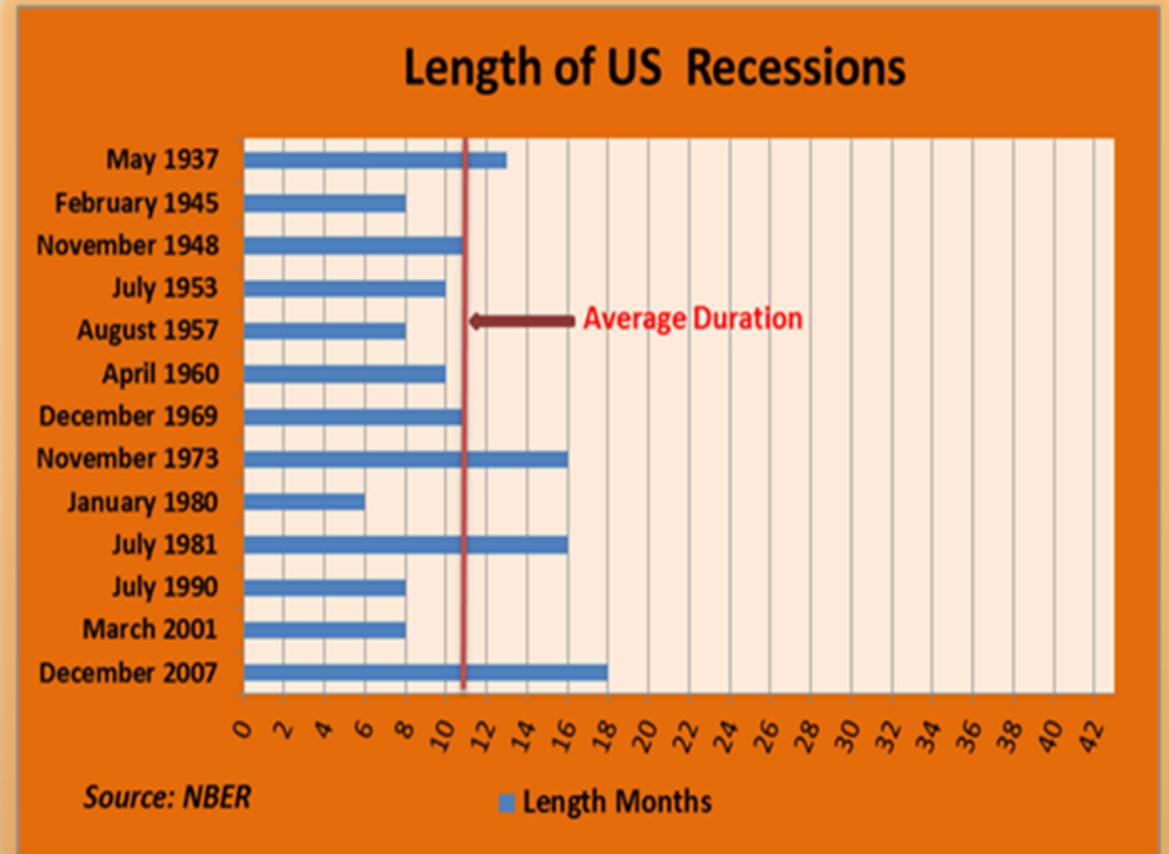
Business Cycles

- Differences in economic recoveries can impact the timing mechanisms in a state's UI financing system.
- Many systems assume a gradual recovery over 18 to 36 months and they are designed to slowly increase employer tax rates to build trust fund balances as benefit payments decline.
- In the current expansion period neither of these are true. The length and depth of the Great Recession (Blue Line) is evident in the chart, planning for a UI tax system to cover this downturn is difficult.

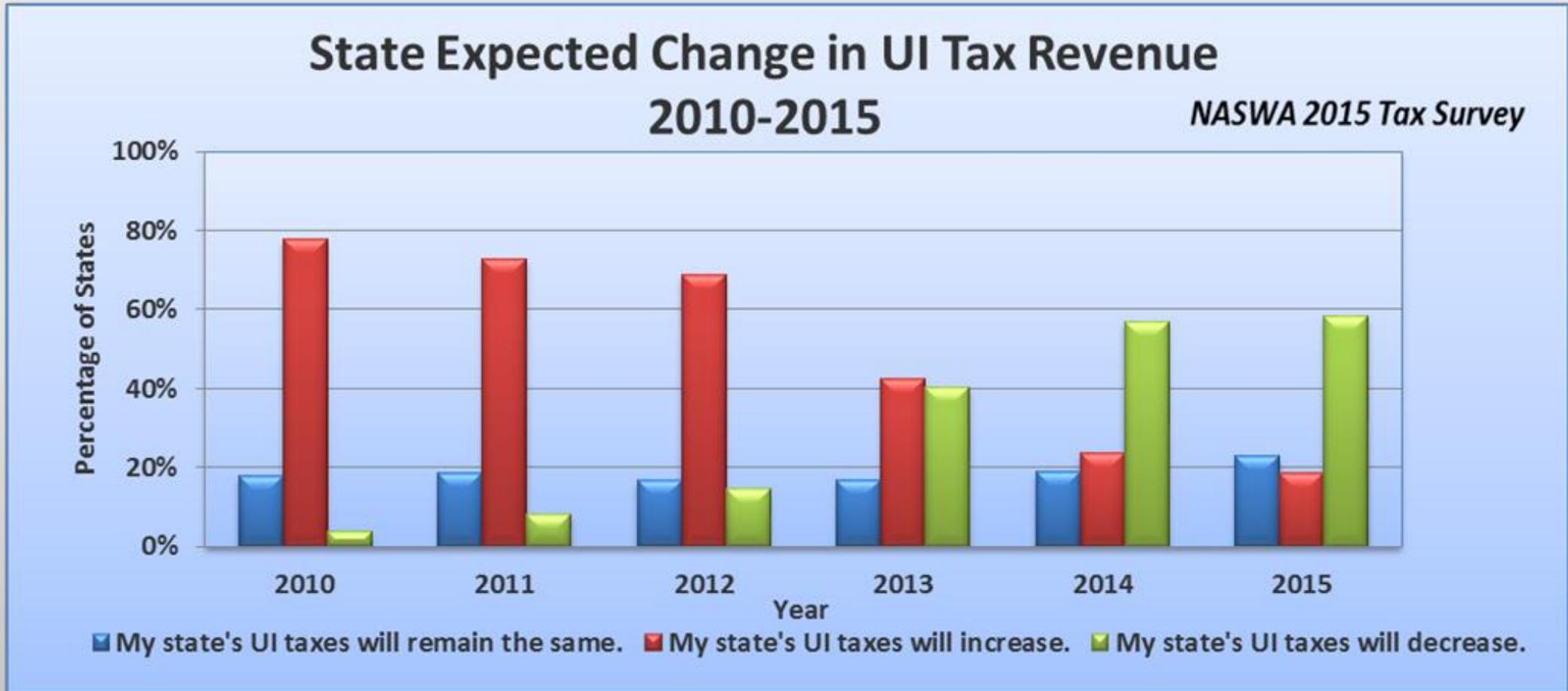


Length of Recessions

- Understanding how economic cycles may change is important when developing a structure for a State's UI benefit and financing systems.
- The duration and amplitude of U.S. economic cycles and in turn an individual state's cycles have varied significantly.
- Planning UI Tax systems to be countercyclical can prove to be a challenge as shown by the varying lengths of recent recessions.



Changes in UI Tax Revenue



Experience Rating: History

- Employers state UI tax rates are influenced by their “experience with unemployment.”
- The U.S. is the only country that uses experience rating to determine employer UI tax rates.
- Experience rating has been part of the U.S. system since it was established in 1935.
- Basically, experience rating works somewhat like other types of insurance, such as auto insurance, that charge customers variable rates based on certain risk factors.

Experience Rating

- UI benefits are primarily financed through the quarterly assessment of taxes on employer payrolls.
- Employer begins at an initial tax rate (new employer rate)
- Subsequent tax rates will vary based upon the amount of benefits charged to the employer's account.
- Employers usually need two-three years of “experience” to get an experience rating but some states give it after one year.
- States have many provisions as to what “employment” is charged to an employer and the formula used to compute their experience rating.
- Once an employer's tax rate is determined, the rate applies to the wages paid to each employee for a specific year up to the state's maximum taxable wage base.

Federal Unemployment Tax Act (FUTA, 1935)

Acceptable State UI Program

- The Standard Rate must be at least the value of the credit amount 5.4% (0.6% from 6.0%).
- Any reduction in awarded rates must be based on an employers experience with unemployment.

Major Differences in State UI Tax Structures

- Four types of experience rating mechanisms.
- Thirteen states charge the most recent or principal employer, 34 charge in proportion to base period wages, 5 charge in inverse chronological order.
- Wage Base varies from \$7,000 to \$47,300.
- Three states have employee taxes (AK,NJ,PA).
- Twenty-eight states allow voluntary contributions.
- Three States have no benefit charging.
- Thirty States have taxes for UI Admin or Non-UI Purposes

Primary Features of State UI Tax Systems

Taxable Wage Base

(\$7,000 - \$45,000)

Experience Rating Method

(Reserve Ratio/ Benefit Ratio /Benefit Wage / Payroll Decline)

Tax Table Triggers

(Reserve Ratio/ Benefit Cost Multiple / Dollar Value of the Trust Fund)

Taxable Wage Base

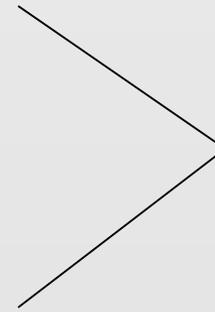
- Federal minimum of \$7000
- Varies from State to State
- Two most common methods
 - Flat Rate-Set by Legislature
 - Indexed-Tied to other figure such as average weekly wage
- Employee Contributions
 - AK, NJ, PA



State Taxable Wage Base

	State Tax Rate		Taxable Wage Base	=	Contrib. per Employee
State 1	1.0%	*	\$7,000	=	\$70

State 2	.35%	*	\$20,000	=	\$70



Higher Base –
lower Rate -
Same
Revenue

Low Base – Higher Proportion of Wages

	Wage Base	Employ.	Avg. Wage	Total Wages	Taxable Wages	% of Wages Taxed
Low Wage	\$7,000	10	\$15,000	\$150,000	\$70,000	47%

High Wage	\$7,000	10	\$80,000	\$800,000	\$70,000	9%

Indexing the Taxable Wage Base

- Twenty Four (2018) States Multiply the current year, prior year (or second prior year) average annual wage by a specified proportion – 50% - 100%.
- Five States set the Wage Base based on the size of the UI Trust Fund:

State Reserve Ratio	Wage Base
> 1%	\$7,000
>.5% < 1%	\$8,000
< .5%	\$9,000
- Some States may assign different wage base to a different group of employers

Estimated State & US Tax & Total Rates

STATE	TAXABLE WAGE BASE (\$)	2017	
		PERCENT OF: TAXABLE WAGES	TOTAL WAGES
United States	7,000	2.27	0.59
Alabama	8,000	1.54	0.34
Alaska	39,800	1.01	0.62
Arizona	7,000	2.20	0.43
Arkansas	12,000	1.75	0.57
California	7,000	4.49	0.68
Colorado	12,500	2.00	0.53
Connecticut	15,000	3.57	0.84
Delaware	18,500	1.65	0.57
District of Columbia	9,000	2.55	0.36
Florida	7,000	1.03	0.20
Georgia	9,500	1.65	0.37
Hawaii	44,000	1.04	0.71
Idaho	37,800	1.42	0.95
Illinois	12,960	3.07	0.76
Indiana	9,500	1.94	0.50
Iowa	29,300	1.58	0.85
Kansas	14,000	1.53	0.49
Kentucky	10,200	3.00	0.72
Louisiana	7,700	1.55	0.32
Maine	12,000	1.81	0.60
Maryland	8,500	2.41	0.40
Massachusetts	15,000	3.18	0.76
Michigan	9,000	3.36	0.71
Minnesota	32,000	1.33	0.64
Mississippi	14,000	0.62	0.24

STATE	TAXABLE WAGE BASE (\$)	2017	
		PERCENT OF: TAXABLE WAGES	TOTAL WAGES
Missouri	13,000	1.25	0.38
Montana	31,400	1.14	0.71
Nebraska	9,000	0.89	0.21
Nevada	29,500	1.99	1.12
New Hampshire	14,000	0.88	0.24
New Jersey	33,500	1.89	0.82
New Mexico	24,300	1.13	0.57
New York	10,900	2.93	0.52
North Carolina	23,100	0.95	0.42
North Dakota	35,100	2.19	1.34
Ohio	9,000	2.97	0.67
Oklahoma	17,700	0.98	0.40
Oregon	38,400	2.20	1.42
Pennsylvania	9,750	5.88	1.24
Puerto Rico	7,000	2.78	0.84
Rhode Island	22,400	2.76	1.16
South Carolina	14,000	1.77	0.61
South Dakota	15,000	0.69	0.27
Tennessee	8,000	1.17	0.20
Texas	9,000	2.60	0.51
Utah	33,100	0.59	0.34
Vermont	17,300	3.90	1.50
Virgin Islands	23,500	1.82	1.07
Virginia	8,000	1.57	0.28
Washington	45,000	1.07	0.61
West Virginia	12,000	2.84	0.93
Wisconsin	14,000	2.04	0.66
Wyoming	25,400	1.50	0.74

Employer Tax Rates

- Standard or New Employer Rate
 - May vary based on industry
 - Retain until requirements for a calculated rate are met
 - Generally three years for experience rate
- Successor Rate
 - Transferred with ownership of business
 - May be optional or mandatory
 - Partial or total

Individual Factors Impacting Tax Rates

- Contributions paid in
- Benefits charged to reserve
- Acquisition or liquidation
- Significant change in average payroll amount
- Penalty assessments

Communalized Factors Impacting Rates

- Trust Fund balance
 - Applied to applicable rate table
 - Generally Set Annually
- Industry sector experience
 - Construction
 - Manufacturing
 - Mining

UI Experience Rating Formulae

$$\text{Reserve Ratio:} \quad = \quad \frac{\text{Beg. Balance} + (\text{Contributions} - \text{Benefits})}{\text{Taxable Wages}}$$

-31

$$\text{Benefit Ratio:} \quad = \quad \frac{\text{Benefits Charged (previous 3 years)}}{\text{Taxable Wages}}$$

-19

$$\text{Benefit Wage Ratio:} \quad = \quad \frac{\text{Benefit Wages}}{\text{Taxable Wages}}$$

-2

$$\text{Payroll Decline:} \quad = \quad \frac{\text{Average Difference in Qtr. Payroll)}}{\text{Taxable Wages}}$$

-1

Assigning State Tax Rates

In addition to the type of experience rating method, states differ in the type of employer ranking employed in the assignment of tax rates:

- Twelve states assign UI tax rates by using a relative ranking of all employers, called the Array Method.
- Forty One states use fixed intervals of their experience rating measure (e.g. reserve ratio) to place employers in tax rate groups.

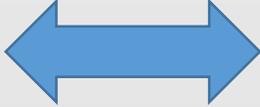
Experience Rated Tax System

1) Taxable Wage Base = \$10,000

		% of Taxable Wages
2) Employer Experience Factor	Good	.5
	Experience-	1.0
	Low Rates	1.5
		2.0
		2.5
		3.0
		4.0
	Bad	4.5
	Experience-	5.4
	High Rates	

Experience Rated Tax System

Schedule of Rates Based on Measure of Trust Fund Balance

High Fund/Low Rates  Low Fund/High Rates

Employer Experience Factor



Good Experience-Low Rates	.5	.6	.7	.8	.9
	1.0	1.1	1.2	1.3	1.4
	1.5	1.6	1.7	1.8	1.9
	2.0	2.1	2.2	2.3	2.4
	2.5	2.6	2.7	2.8	2.9
	3.0	3.1	3.2	3.3	3.4
	4.0	4.1	4.2	4.3	4.4
	4.5	4.5	4.6	4.7	4.8
Bad Experience-High Rates	5.4	5.5	5.6	5.7	5.8

Sample State Unemployment Insurance Tax Table

UI Financing 101 UWC 2016

State Reserve Ratio Tax Schedule Triggers

Employer Reserve Ratio Intervals
(% of Taxable Wages)

➤ 3.7%	3.7% <	3.4% <	2.7% <	2.0% <	1.5% <	< 1.0%
➤	to > 3.4%	to > 2.7%	to > 2.0%	to > 1.5%	to > 1.0%	

	0	1	2	3	4	5	6
10.0 and Over	.03	.05	.10	.60	.90	1.20	2.70
9.0 9.9	.06	.10	.20	.90	1.20	1.50	2.70
8.0 8.9	.09	.20	.40	1.20	1.50	1.80	2.70
7.0 7.9	.10	.40	.60	1.50	1.80	2.10	2.70
6.0 6.9	.30	.60	.80	1.80	2.10	2.40	2.70
5.0 5.9	.50	.80	1.10	2.10	2.40	2.70	3.00
4.0 4.9	.80	1.10	1.40	2.40	2.70	3.00	3.30
3.0 3.9	1.20	1.40	1.70	2.70	3.00	3.30	3.60
2.0 2.9	1.50	1.70	2.00	3.00	3.30	3.60	3.90
1.0 1.9	1.80	2.00	2.40	3.30	3.60	3.90	4.20
0.0 0.9	2.40	2.40	3.30	3.60	3.90	4.20	4.50
-.1 -.5	3.30	3.30	3.60	3.90	4.20	4.50	4.80
-.6 -1.0	4.20	4.20	4.20	4.20	4.50	4.80	5.10
-1.1 -2.0	5.00	5.00	5.00	5.00	5.00	5.10	5.30
Under -2.0	5.40	5.40	5.40	5.40	5.40	5.40	5.40

Reserve Ratio Experience Rating

Table 2-3: RESERVE-RATIO FORMULA STATES					
State	Years of Benefits and Contributions Used	Years of Payrolls Used ¹	State	Years of Benefits and Contributions Used	Years of Payrolls Used ¹
AZ	All past years	Average of 3 years, ending 6 months before computation date	AR	All past years	Average last 3 or 5 years, whichever is lower ²
CA	All past years	Average of 3 years, ending 6 months before computation date	CO	All past years	Average 3 years
DC	All since July 1, 1939	Average of 3 years, ending 3 months before computation date	GA	All past years	Average 3 years
HI	All past years	Average 3 years	ID	All since Jan. 1, 1940	Average 4 years
IN	All past years	Aggregate 3 years	KS	All past years	Average 3 years
KY	All past years	Aggregate 3 years	LA	All since Oct. 1, 1941	Average 3 years
ME	All past years	Average 3 years	MA	All past years	Last year
MO	All past years	Average 3 years	MT	All years since Oct. 1, 1981	Average 3 years
NE	All past years	Average 4 years	NV	All past years	Average 3 years
NH	All past years; last 5 years under specified conditions	Average 3 years	NJ	All past years	Average last 3 or 5 years, whichever is higher
NY	All past years	Average of 5 years, ending 3 months before computation date	NC	All past years	Aggregate 3 years

Benefit-Ratio Calculations, Benefit-Wage Ratio

Table 2-4: BENEFIT-RATIO FORMULA STATES					
State	Years of Benefits Used	Years of Payrolls Used (Years Immediately Preceding or Ending on Computation Date, Unless Noted)	State	Years of Benefits Used	Years of Payrolls Used (Years Immediately Preceding or Ending on Computation Date, Unless Noted)
AL	Last 3 fiscal years	Last 3 fiscal years	CT	Last 3 years	Last 3 years, ending 6 months before computation date
FL	Last 3 years	Last 3 years, ending June 30th	IL	Last 3 years	Last 3 years
IA	Last 5 years	Last 5 years	MD	Last 3 years	Last 3 years
MI ¹	Last 5 years	Last 5 years	MN	Last 4 years	Last 4 years
MS	Last 3 years	Last 3 years	NM	Last 3 years	Last 3 years
OR	Last 3 years	Last 3 years	PA ¹	All past years	Average 3 years
SC	Last 3 years	Last 3 years	TX	Last 3 years	Last 3 years

Table 2-5: BENEFIT-WAGE-RATIO FORMULA STATES		
State	Years of Benefits Used	Years of Payrolls Used (Years Immediately Preceding or Ending on Computation Date)
DE	Last 3 years	Last 3 years
OK	Last 3 years	Last 3 years

Range of Tax Rate Schedules

Table 2-10: FUND REQUIREMENTS AND RANGE OF RATES

State	Most Favorable Schedule			Least Favorable Schedule		
	When Fund Balance	Range of Rates		When Fund Balance	Range of Rates	
		Minimum	Maximum		Minimum	Maximum
AL	≥125% of desired level	0.14%	5.4%	<70% of desired level	0.59%	6.74%
AK	Law authorizes agency to set rates	≥1.0%	≥5.4%	Law authorizes agency to set rates	≥1.0%	≥5.4%
AZ	≥12% of taxable payrolls	0.02%	5.4%	<3.0% of taxable payrolls	0.02%	≥5.4%
AR ¹	Based on reserve ratio	0.0%	6.0%	Based on reserve ratio	0.9%	6.0%
CA	>1.8% of taxable payrolls	0.1%	5.4%	<0.6% of taxable payrolls	1.5%	6.2%
CO	Fund reserve ≥1.4	0.51%	6.28%	Fund reserve <0.0	0.75%	10.39%
CT	Based on benefit ratio	0.5%	5.4%	Based on benefit ratio	0.5%	5.4%
DE	Dependent upon the state experience factor	0.1%	8.0%	Dependent upon the state experience factor	0.1%	8.0%
DC	>3.0% of payrolls	0.1%	5.4%	<0.8% of payrolls	1.9%	7.4%
FL	Current adjusted benefit ratio	0.1%	5.4%	Current adjusted benefit ratio	0.1%	5.4%

Additional Surcharges, Surtaxes, Adjustments

Table 2-11: SURCHARGES, SURTAXES, AND ADJUSTMENTS

State	Name	Amount	Purpose
AL	Shared Cost Assessment ¹	Varies	Social Cost
AK	Solvency Adjustment Surcharge ¹	-0.4% - 1.1%	Solvency
AR	Extended Benefit Tax	When in effect, 0.1%	Extended Benefits
	Stabilization Tax	-0.1% - 0.8%	Solvency
CO	Solvency Surcharge	Varies	Solvency
CT	Fund Balance Tax Rate	Up to 1.4%	Solvency
DE	Supplemental Assessment Rate	0.2%	Solvency
IL	Fund Building Factor	0.4% - 0.55%	Solvency
	Additional Surcharge	0.3%	Solvency

Misc. Dates & New Employer Rates

Table 2-12: COMPUTATION, FUND TRIGGER, EFFECTIVE DATES, AND NEW EMPLOYERS

State	Computation Date	Fund Trigger Date	Effective Date for New Rates	Years Needed to Qualify for Experience Rating ¹	Reduced Rate for New Employers ²
IL	June 30	June 30	Jan. 1	3 ¹	Average industry rate up to 5.4%
IN	June 30	Sept. 30	Jan. 1	3 ¹	2.5%; 1.6% for government employers
IA	July 1	July 1	Jan. 1	3	1.0% - 3.0% based upon the rate schedule in effect; 7.0% - 9.0% for construction
KS	June 30	June 30	Jan. 1	2	2.7%; construction employers receive 6.0%
KY	July 31	Sept. 30	Jan. 1	3	2.7%; foreign and domestic construction firms receive maximum rate
LA	June 30	Sept. 1	Jan. 1	3	Up to 6.2% based on average industry rate
ME	June 30	Sept. 30	Jan. 1	2	Greater of predetermined yield or 1%
MD	July 1	Sept. 30	Jan. 1	2	2.6%; foreign contractors assigned average industry rate
MA	Sept. 30	Sept. 30	Jan. 1	1	2.83%; construction employers receive 8.62%

State	2018 WAGE BASE	2017 WAGE BASE	2016 WAGE BASE	2015 WAGE BASE
Alabama	\$8,000	\$8,000	\$8,000	\$8,000
Alaska	39,500	39,800	39,700	38,700
Arizona	7,000	7,000	7,000	7,000
Arkansas	10,000	12,000	12,000	12,000
California	7,000	7,000	7,000	7,000
Colorado	12,600	12,500	12,200	11,800
Connecticut	15,000	15,000	15,000	15,000
Delaware	16,500	18,500	18,500	18,500
DC	9,000	9,000	9,000	9,000
Florida	7,000	7,000	7,000	7,000
Georgia	9,500	9,500	9,500	9,500
Hawaii	45,900	44,000	42,200	40,900
Idaho	38,200	37,800	37,200	36,000
Illinois	12,960	12,960	12,960	12,960
Indiana	9,500	9,500	9,500	9,500
Iowa	29,900	29,300	28,300	27,300
Kansas	14,000	14,000	14,000	12,000
Kentucky	10,200	10,200	10,200	9,900
Louisiana	7,700	7,700	7,700	7,700
Maine	12,000	12,000	12,000	12,000
Maryland	8,500	8,500	8,500	8,500
Massachusetts	15,000	15,000	15,000	15,000
Michigan	*9,500	*9,500	*9,500	*9,500
Minnesota	32,000	32,000	31,000	30,000
Mississippi	14,000	14,000	14,000	14,000
Missouri	12,500	13,000	13,000	13,000
Montana	32,000	31,400	30,500	29,500

Source:
American
Payroll
Association

State	2018 WAGE BASE	2017 WAGE BASE	2016 WAGE BASE	2015 WAGE BASE
Nebraska	9,000	9,000	9,000	9,000
Nevada	30,500	29,500	28,200	27,800
New Hampshire	14,000	14,000	14,000	14,000
New Jersey	33,700	33,500	32,600	32,000
New Mexico	24,200	24,300	24,100	23,400
New York	11,100	10,900	10,700	10,500
North Carolina	23,500	23,100	22,300	21,700
North Dakota	35,500	35,100	37,200	35,600
Ohio	9,500	9,000	9,000	9,000
Oklahoma	17,600	17,700	17,500	17,000
Oregon	39,300	38,400	36,900	35,700
Pennsylvania	10,000	9,750	9,500	9,000
Puerto Rico	7,000	7,000	7,000	7,000
Rhode Island	**23,000	22,400	22,000	21,200
South Carolina	14,000	14,000	14,000	14,000
South Dakota	15,000	15,000	15,000	15,000
Tennessee	7,000	8,000	8,000	9,000
Texas	9,000	9,000	9,000	9,000
Utah	34,300	33,100	32,200	31,300
Vermont	17,600	17,300	16,800	16,400
Virgin Islands	24,200	23,500	23,000	22,900
Virginia	8,000	8,000	8,000	8,000
Washington	47,300	45,000	44,000	42,100
West Virginia	12,000	12,000	12,000	12,000
Wisconsin	14,000	14,000	14,000	14,000
Wyoming	24,700	25,400	25,500	24,700

Other Factors Affecting Employers Tax Rate

Covered Wages

Wages Include:

- Any remuneration in the form of salaries, wages, tips, commissions, fees, bonuses, vacation allowances, whether paid to full-time, part-time, or temporary employees, unless explicitly excluded.

And may include:

- Other forms of remuneration such as value of goods, lodging, food, clothing, and non-cash fringe benefits unless incidental or for the convenience of the employer.
- Section 125 (cafeteria) plan benefits

Excluded Wages

- Services performed by a sole proprietor or a member of a partnership
- Services performed for a sole proprietor by his or her parent, spouse, or child under the age of 18
- Services performed for a church, convention or association of churches, or any other religious organization that is supervised, controlled or principally supported by a church, if the employer is operated primarily for religious purposes.
- Railroad Workers

Benefit Charges

The Benefit Charge Function Includes:

- Distributing Benefit Charges
- Determining Non-Chargeable Benefits
- Charging Reimbursing Employers
- Applying Voluntary Contributions

Distributing Benefit Charges

Methods approved by USDOL include charging:

- Base-period employers proportionately.
- The principal base period employer.
- The most recent base period employer.
- Base period employers in inverse chronological order.
- The most recent employer for some benefits; then charging base period employers proportionately.

Non-Chargeable Benefits

In order to be consistent with Federal law, the benefits must be considered an unreasonable charge against the employer:

- Claimant voluntarily quit their job
- Claimant was discharged for work related misconduct
- Refusal of suitable work
- Benefit award overturned
- Combined Wage Claim charges
- Part-time work

Reimbursing Employers

- FUTA amendments in 1970 and 1976 extended coverage and required the option of reimbursing the State trust fund for benefits paid to workers of:
 - Non-profit Organizations
 - State and Local Governments
 - Indian Tribes
- Billed quarterly or at a flat rate

SUTA Dumping

- SUTA Dumping is a practice used by some employers to circumvent the experience rating process in order to avoid paying higher unemployment insurance taxes.
- Federal Requirements
 - SUTA Dumping Act of 2004
 - Program in place
 - Meaningful penalty
 - 581 Reporting requirement

SUTA Dumping

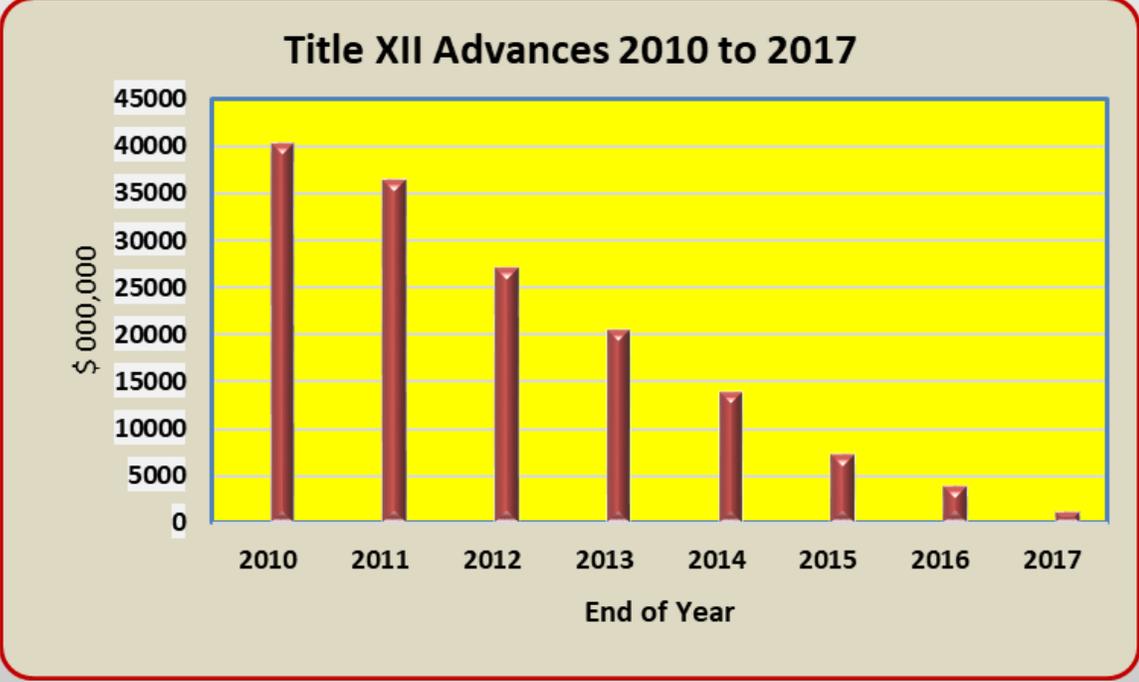
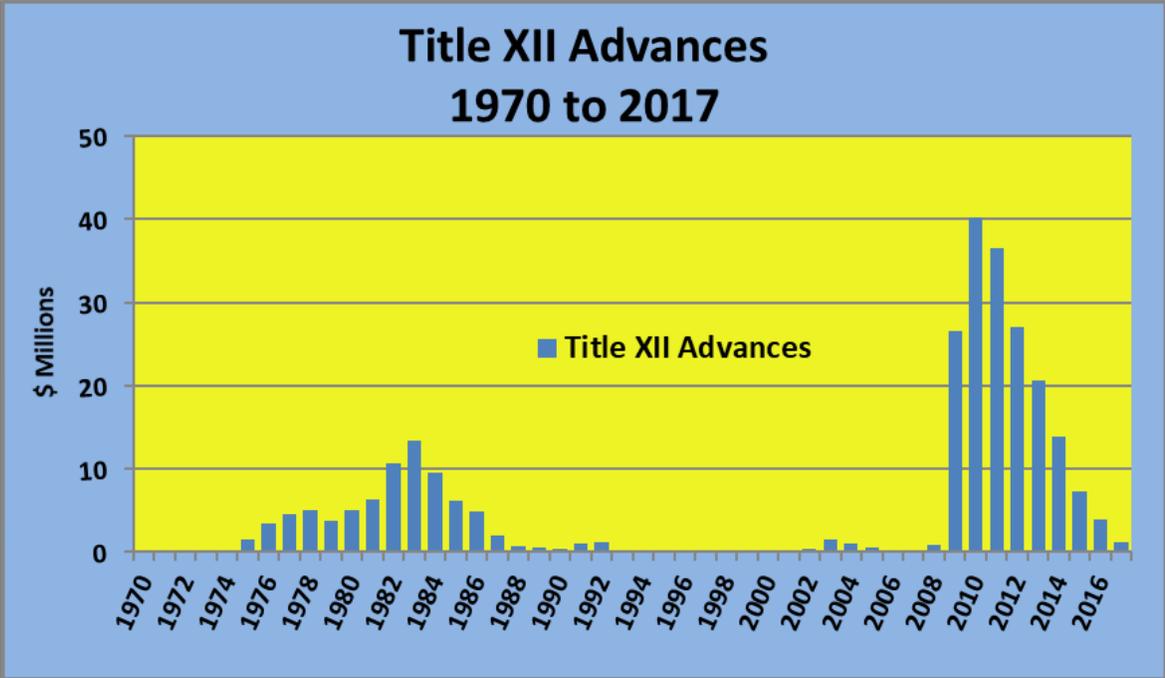
- Common SUTA Dumping Schemes:
 - Establishing multiple accounts and shuffle employees around to the account number with the lowest rate each year.
 - Acquire a business with a lower unemployment insurance rate and shuffle employees to that other business to pay the lower tax rate
- Outcome
 - Reactivation of employer accounts
 - Recalculation of employer rate
 - Transfer of contribution and wages among accounts
 - Application of penalty rate

Title XII Advances

Title XII Advances

- The SSA allows states to borrow from the FUA (UTF) to pay: “cash benefits payable to individuals with respect to their unemployment, exclusive of expenses of administration.”
- Advances must be requested in writing, or electronically using the Loan & Repayment Application System (LARAS).
- Advances requests must satisfy the following requirements:
 - The request must cover a 3 month period and may not be submitted earlier than the first of the month preceding the first month of the three-month period covered by the request.
 - The request must include an estimate of the amount of advance that will be required by the state for the payment of compensation in each month of the three-month period covered by the request.

Title XII Advances



Current Title XII Advances

Title XII Advance Activities Schedule As of: June 14, 2016 Interest Rate: 2.22559842%				
State	Outstanding Available Balance	Advance Authorization Current Month	Gross Advance Draws Current Month	Interest For FY2016
Arizona	0	0	0	0
Arkansas	0	0	0	0
California	\$2,952,429,366	\$550,000,000	\$205,000,000	\$90,848,364
Connecticut	0	0	0	1,072,201
Delaware	0	0	0	0
Indiana	0	0	0	503,357
Kentucky	0	20,000,000	0	108,317
New York	0	0	0	0
North Carolina	0	0	0	0
Ohio	280,803,035	0	0	10,377,208
Rhode Island	0	0	0	0
South Carolina	0	0	0	0
Virgin Islands	69,410,424	0	0	1,141,762
Totals	3,302,642,825	570,000,000	205,000,000	104,051,210

Title XII Advance Activities As of June 22, 2017 Interest Rate: 2.21240005%				
State	Outstanding Available Balance	Advance Authorization Current Month	Gross Advance Draws Current Month	Interest Billed for FY 2017
Arizona	0	0	0	0
Arkansas	0	0	0	0
California	\$290,118,005	\$550,000,000	\$336,000,000	\$47,200,800
Connecticut	0	0	0	0
Delaware	0	0	0	0
Indiana	0	0	0	0
Kentucky	0	0	0	0
New York	0	0	0	0
North Carolina	0	0	0	0
Ohio	0	0	0	0
Rhode Island	0	0	0	0
South Carolina	0	0	0	0
Virgin Islands	65,705,427	0	0	1,094,912
Totals	\$355,823,433	\$550,000,000	\$336,000,000	\$48,295,712

Balance as of June 15, 2018 is: Virgin Islands \$70,011,270.25

FUTA Credit Reduction

- If a state has outstanding loan balances on Jan 1st for two consecutive years, and does not repay the full amount of its loans by Nov 10th of the second year, the FUTA credit rate for employers will be reduced until the loan is repaid.
- The reduction schedule is 0.3% for the first year, plus 0.3% for the second year, and an additional 0.3% for each year thereafter that the state has not repaid its loan in full.
- Additional offset credit reductions may apply to a state beginning with the third and fifth taxable years if a loan balance is still outstanding and certain criteria are not met

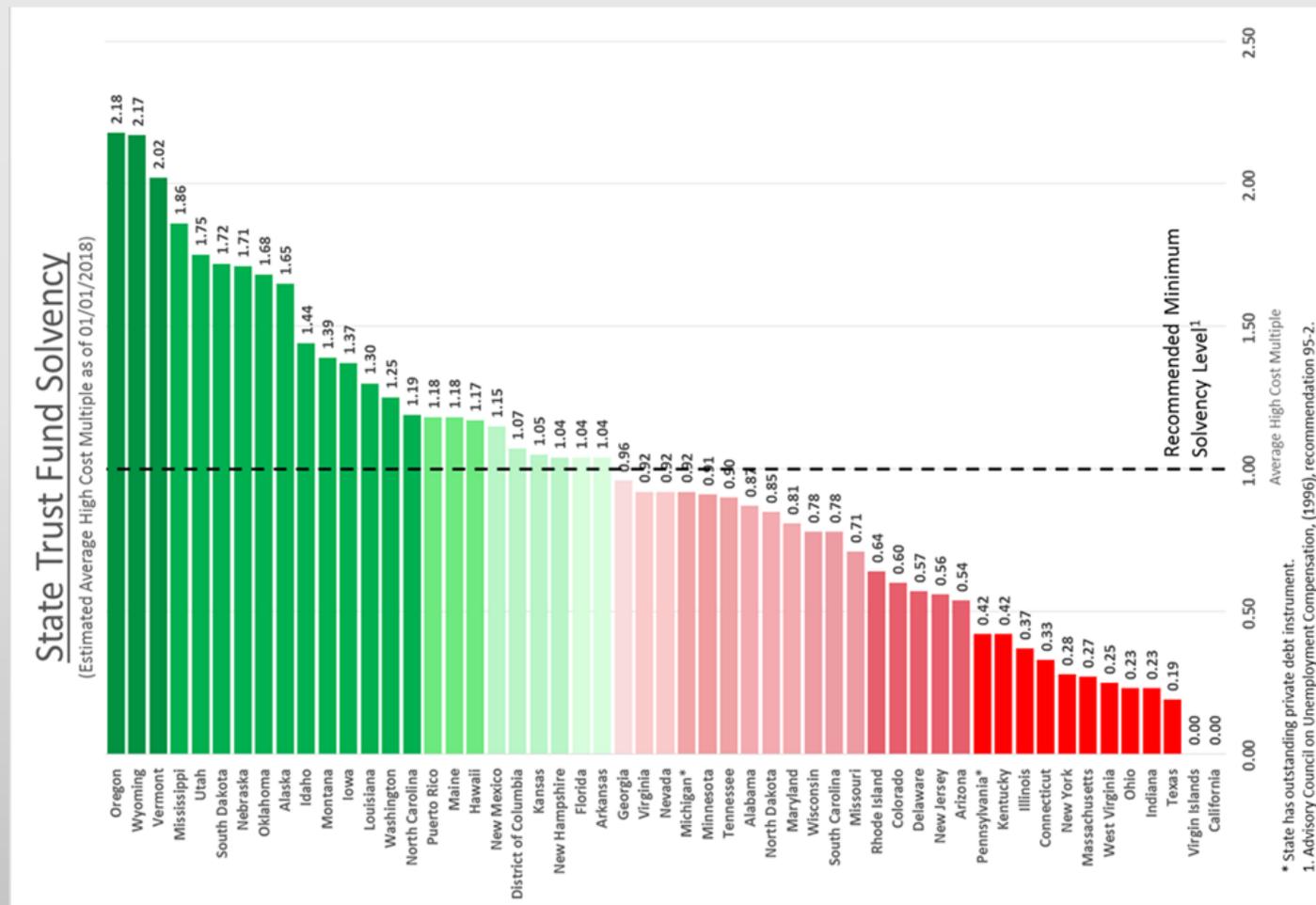
FUTA Credit Reduction Relief

- To avoid a FUTA credit reduction for a taxable year the state must:
 - Pay the amount of the credit reduction prior to Nov 10th of the year for which avoidance is sought;
 - Repay all FUA loans received during the one-year period ending November 9th prior to November 10th;
 - Increase solvency for the taxable year through legislative action by an amount equal to or greater than the amount of the FUTA credit reduction; and
 - Not borrow before the next January 31st.

State Trust Fund Issues

Measures of Solvency: ACHM

- In the early 1990s, the Federal Advisory Council on UI developed the Average High Cost Multiple (AHCM).
- The AHCM is defined as how long a state could sustain payments equal to the average of the three highest benefit cost rates in the 20-year period ending with the preceding year, without additional tax revenue coming into the UI trust fund.



UI Administrative Financing

UI Financing 101 UWC 2018

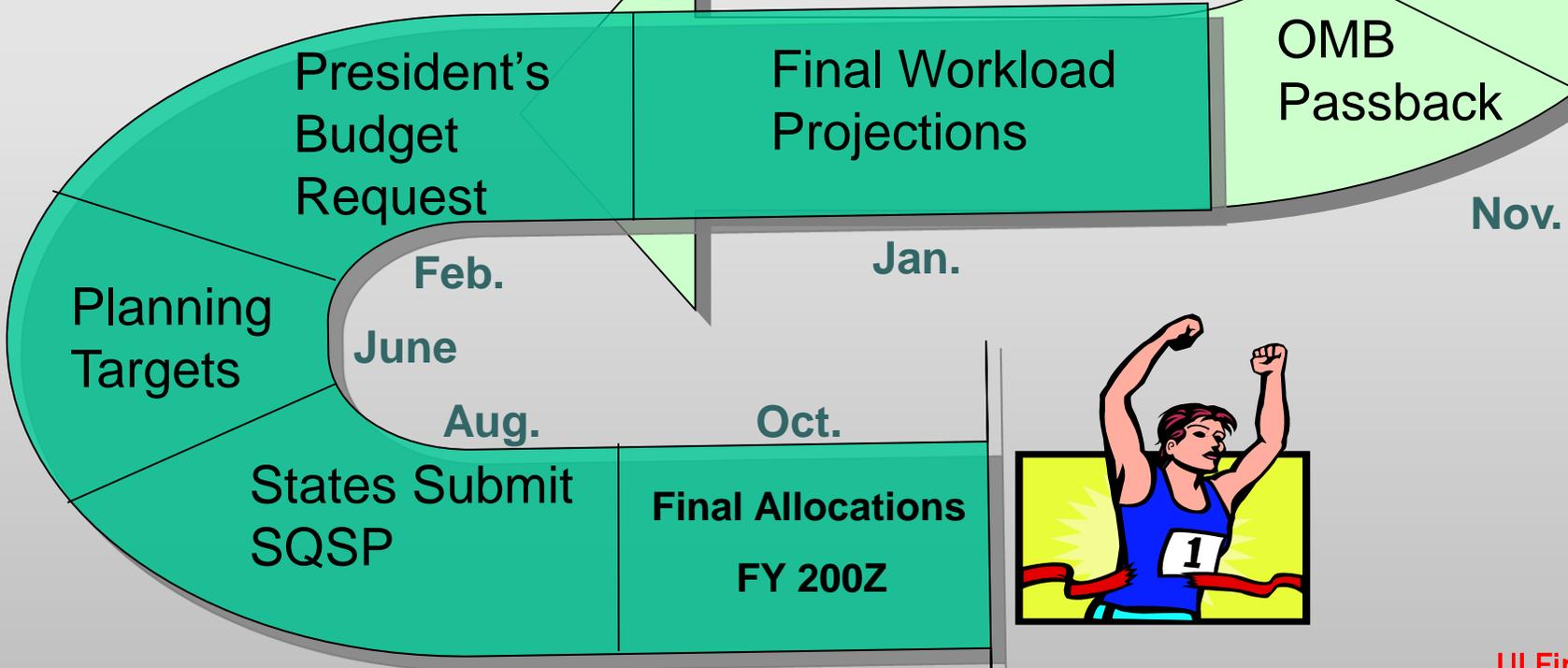
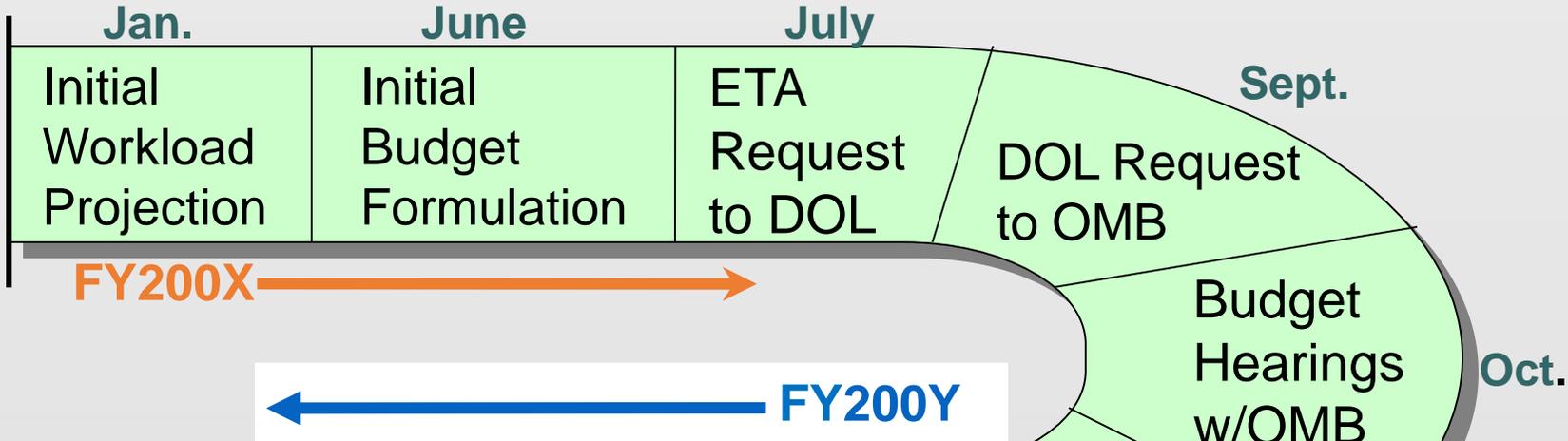
UI Administrative Funding

Title III Section 302(a) Social Security Act: Secretary of Labor shall certify to the Secretary of Treasury such amounts as necessary for “proper and efficient administration” of each State’s law.

State Administrative Funding Overview

- Federal UI Admin Budget is a lengthy process
- Estimate is submitted as part of the Presidents Budget to Congress
- Congress modifies as necessary, then passes it in a Federal Budget or most often a Continuing Resolution.
- Budget estimate is then allocated to the states in the UI Base Budget.
- States may earn additional funds by processing workload above that assigned to them in the Base Budget

Budget Timeline for FY 200Y



Federal Budget Formulation

- Workload Driven
- Workloads projected using statistical methods & Administration's economic assumptions
- Key workload item: Continued Claims
- Base and Above Base
- Projected Continued Claims/52 get the Average Weekly Insured Unemployment (AWIU) trigger
- Funding in President's Request considered adequate to process workloads up to the trigger
- Funds automatically available for AWIU above trigger at \$28.6M per 100,000 AWIU

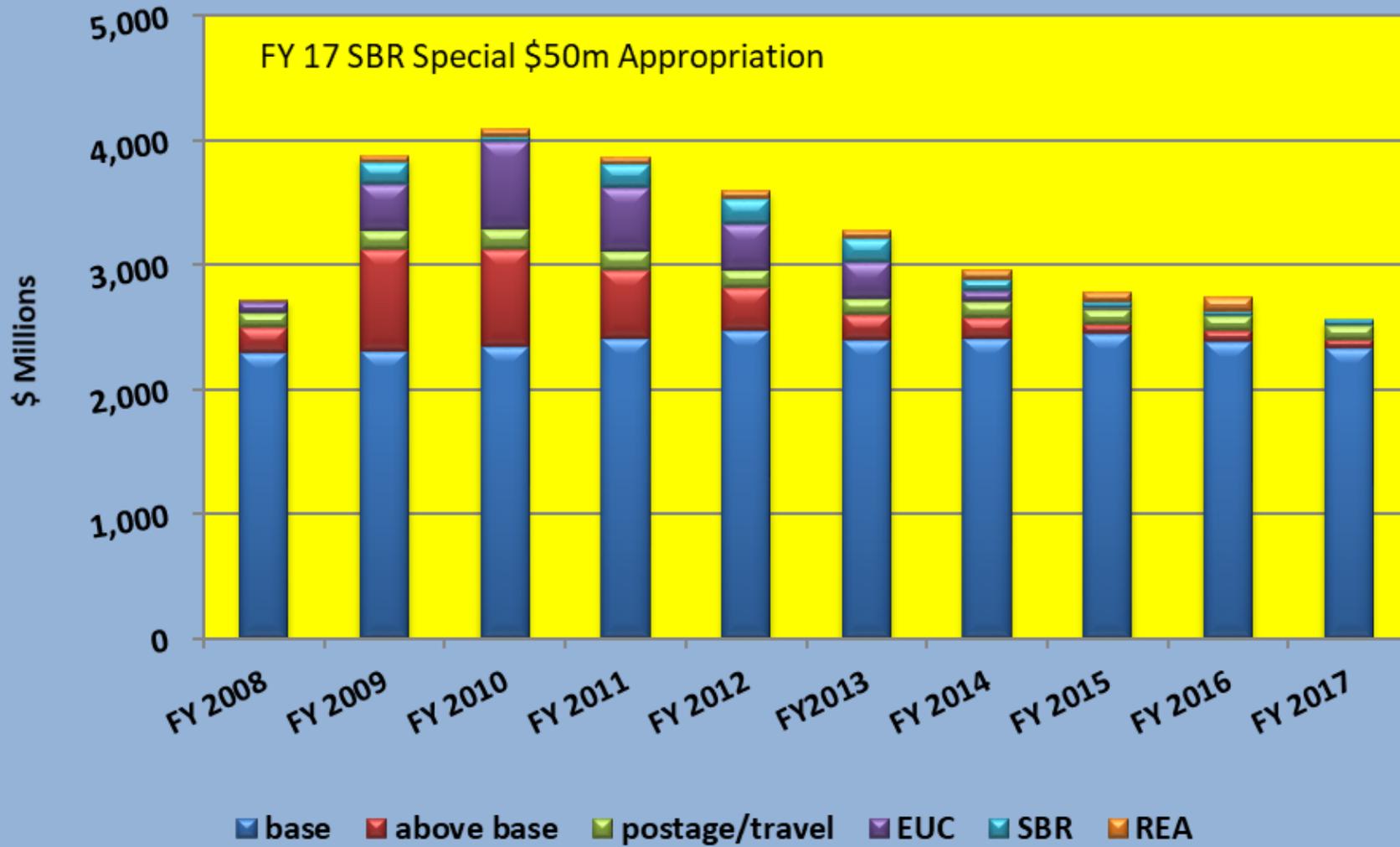
Components of Federal Administration Funding

- **Base**—Computed as part of the federal budget process and allocated to states each year
- **Above Base**—Estimated as part of the federal budget process and earned by states if they process workload above base estimates
- **Postage/Travel**—allocated as part of Base
- **Supplemental Budget Requests (SBR)** funding depends on the difference between federal budget levels and actual state usage
- Funding for extended benefits or special programs
- Funding for special activities—employee misclassification, REA/RES
- Contingency funding in times of higher unemployment

Budget Formulation

- Congress obligated to use CBO's economic assumptions for scoring.
- CBO AWIU projections typically different due primarily to different economic assumptions and projecting methodology.
- Funding gap created when CBO's AWIU projection higher than Administration's since Congress typically accepts the dollars requested or something lower.

UI Administrative Funding



RJM Data Source for Allocation

- Resource Justification Model (RJM)
 - ✓ RJM is a data collection instrument.
- States submit data from cost accounting records
 - ✓ Expenditures, hours by functional activity, personnel costs
- Data is subject to review & verification

Allocating Base Funds

Availability by activity:

Allocated base funds assigned to functional activities according to proportions reflected in RJM data and funding available for the 2.1 million AWIU base.

- Claims activities
- Tax/Wage Records

Allocating Base Funds

Overview

- Primary drivers of base allocation levels:
 - Each state's projected share of national UI workloads (claims, nonmons, appeals, wage records, tax accounts)
 - Each state's PS/PB rates- most recent FY
 - Time allowed for processing each budgeted workload item (MPUs, which are calculated from RJM data)- most recent FY
 - Non-personal services spending- most recent FY

Allocating Base Funds

Activities Funded

- Workloads
- Salaries/Benefits
- Non-personal Services
- Support
- Administrative Staff & Technical Services
- Postage

Allocating Base Funds

Funding provided in two parts:

Base – costs associated with processing an AWIU of 2.0M FY 2018

Above Base Funds

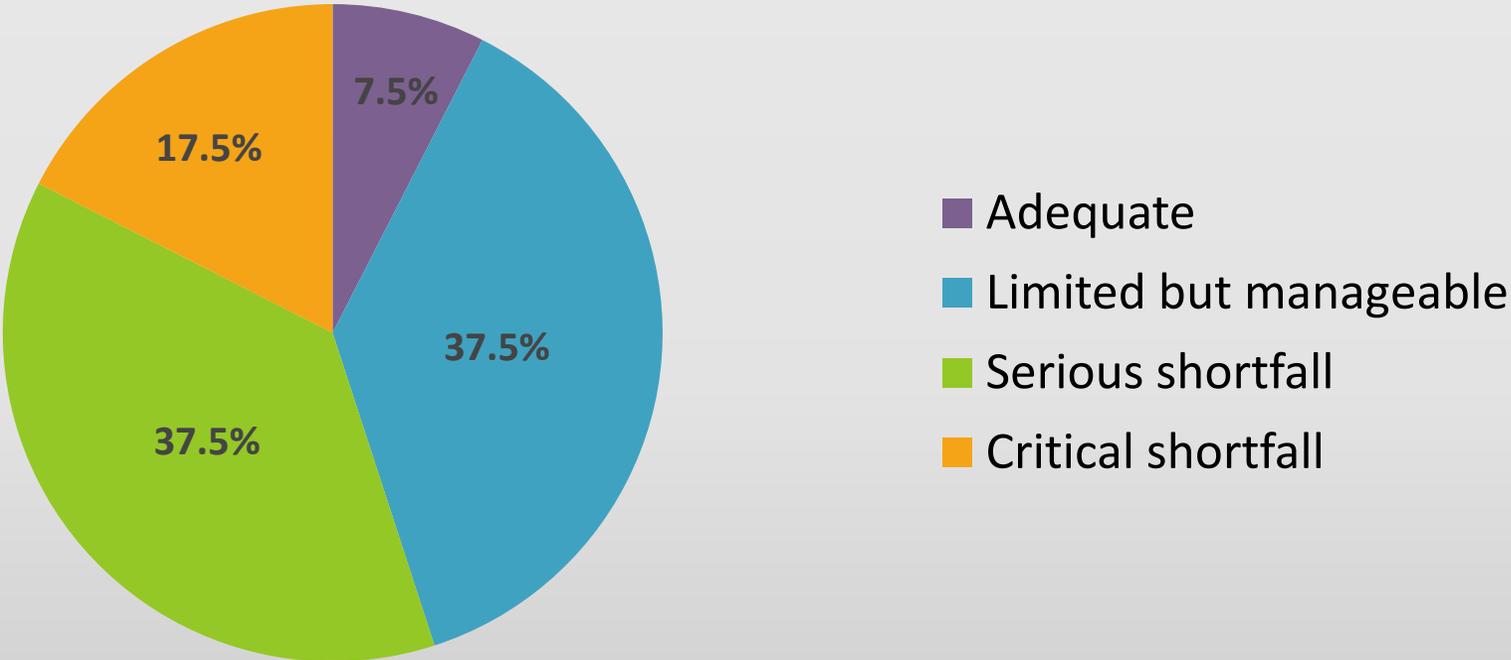
- Same PS/PB & MPUs used for above base funding
- Funds for special projects funded through SBRs taken from above base resources.

Bottom Line Authority

- States have authority to move allocated resources among activities.
- Cannot move resources in such a way as to increase above base payment.

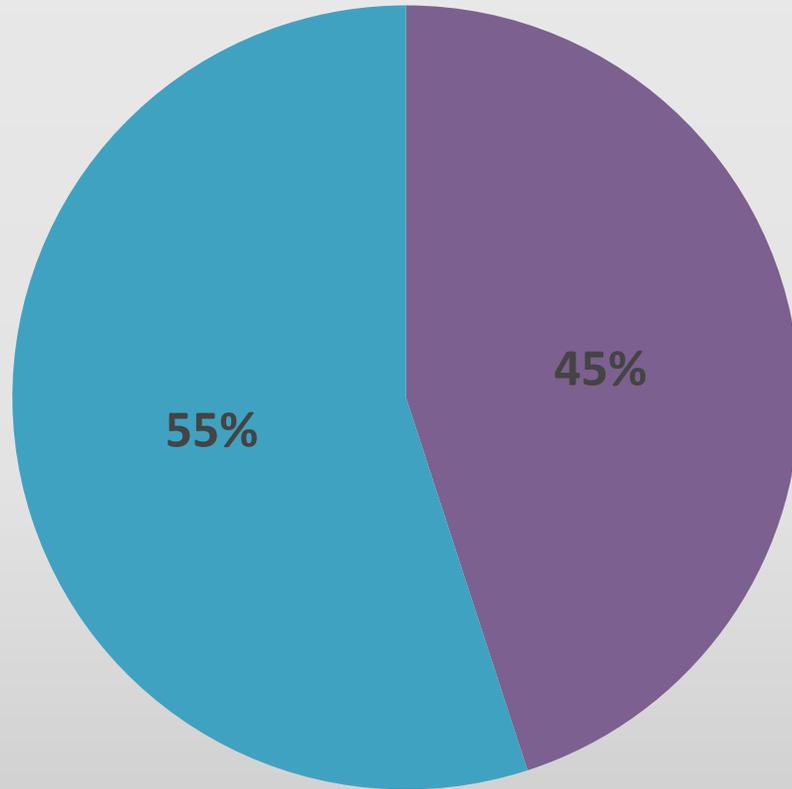
Administrative Financing Issues

How would you describe the current level of administrative funding in your state? (40 States)



Value	Percent	Count
Adequate	7.5%	3
Limited but manageable	37.5%	15
Serious shortfall	37.5%	15
Critical shortfall	17.5%	7
Total		40

Do you have adequate resources (other than staffing) to efficiently prevent, detect and recover fraud and overpayments?



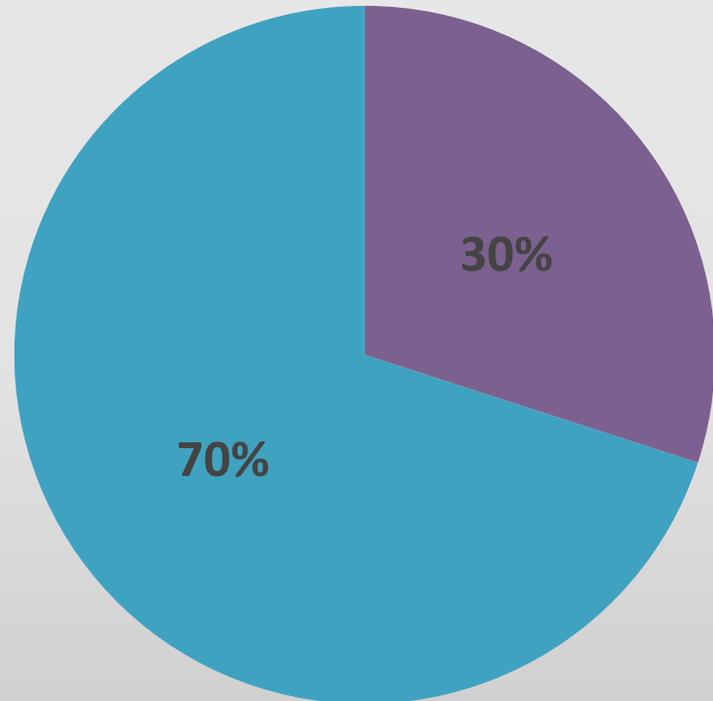
■ Yes
18 States

■ No
22 States

Resources Needed:

- Need better IT system
- Training opportunities
- Expand Prison Cross-match
- New Hire crossmatch
- Identity theft detection tools

Are you able to hire the staff you need, and to retain staff to meet your needs? (40 States)



■ Yes

12 States

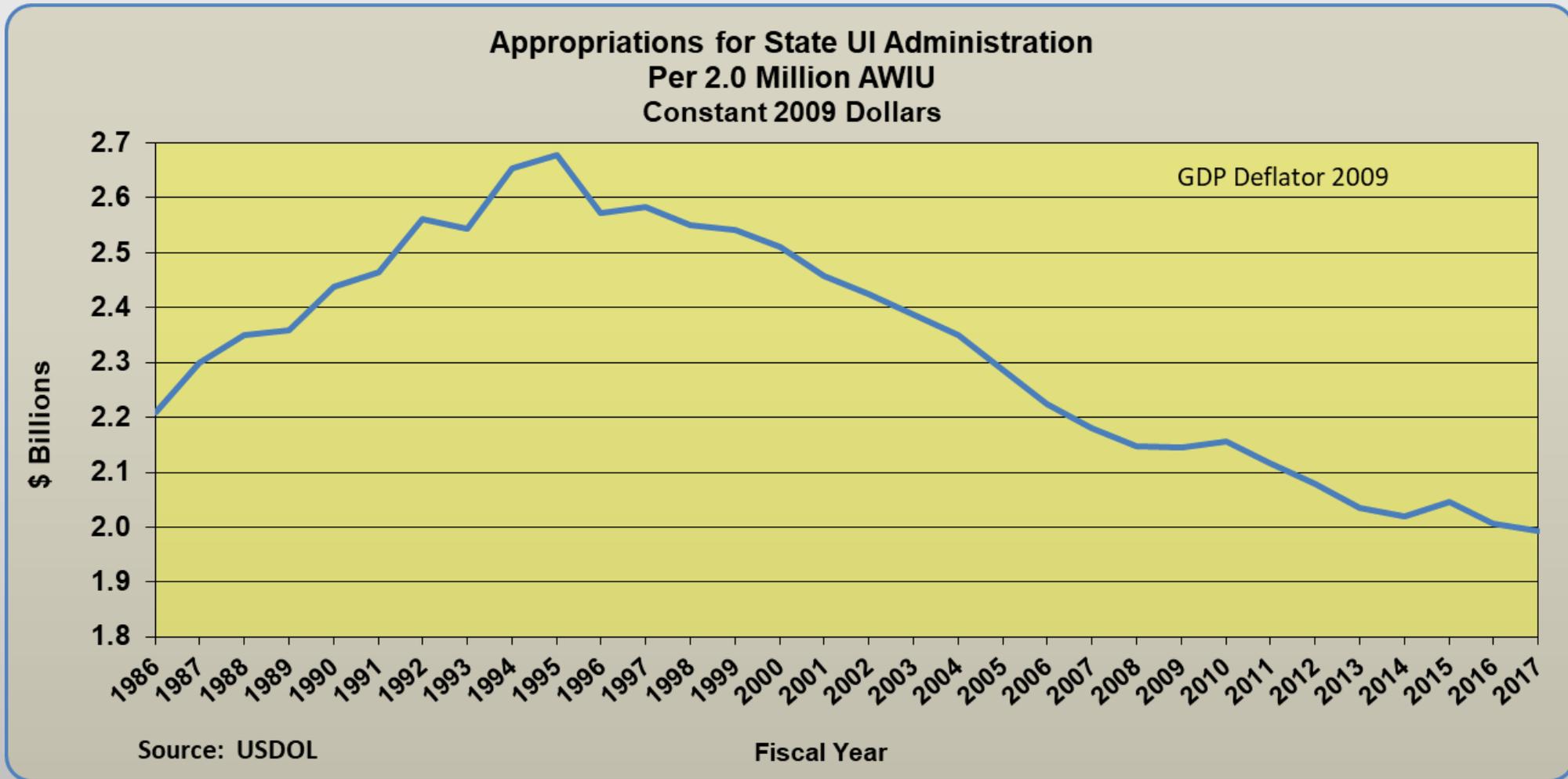
■ No

28 States

Impediments to obtain/retain appropriate staff:

- Inadequate funding
- Union Positions - Lack of State budget
- Hiring Freeze and Restrictions
- Non-competitive salary levels
- Lack of merit pay increases and benefit packages
- High fringe benefit cost rate
- Competing career advancement and higher salaries in other state departments and private sector
- Limited career paths and promotional opportunities
- Aging workforce
- Geographic location of positions
- Training needs

Funding UI Base Administration



Fully Funding the RJM

USDOL			
Comparison of State RJM Submissions and UI Base Admin Grants			
June 29, 2018			
Fiscal Year	Base Allocation (in millions) *	State RJM **	% Difference
Total FY09-17	\$21,508.71	\$26,092.56	-17.57%
FY 2017	\$2,327.26	\$2,988.10	-22.12%
FY2016	\$2,382.34	\$3,106.99	-23.32%
FY 2015	\$2,447.02	\$2,756.92	-11.20%
FY 2014	\$2,408.87	\$2,941.61	-18.10%
FY 2013	\$2,409.60	\$2,986.20	-19.30%
FY 2012	\$2,474.84	\$2,851.56	-13.20%
FY 2011	\$2,407.47	\$2,811.47	-14.40%
FY 2010	\$2,346.20	\$2,798.20	-16.20%
FY 2009 ****	\$2,305.11	\$2,851.51	-19.20%

* Does not include Above-Base, Travel, Postage or SBRs.
Does include Base restorations in all years.

** Includes state dollars.

**** Does not include ARRA funding.

State Supplemental Funding

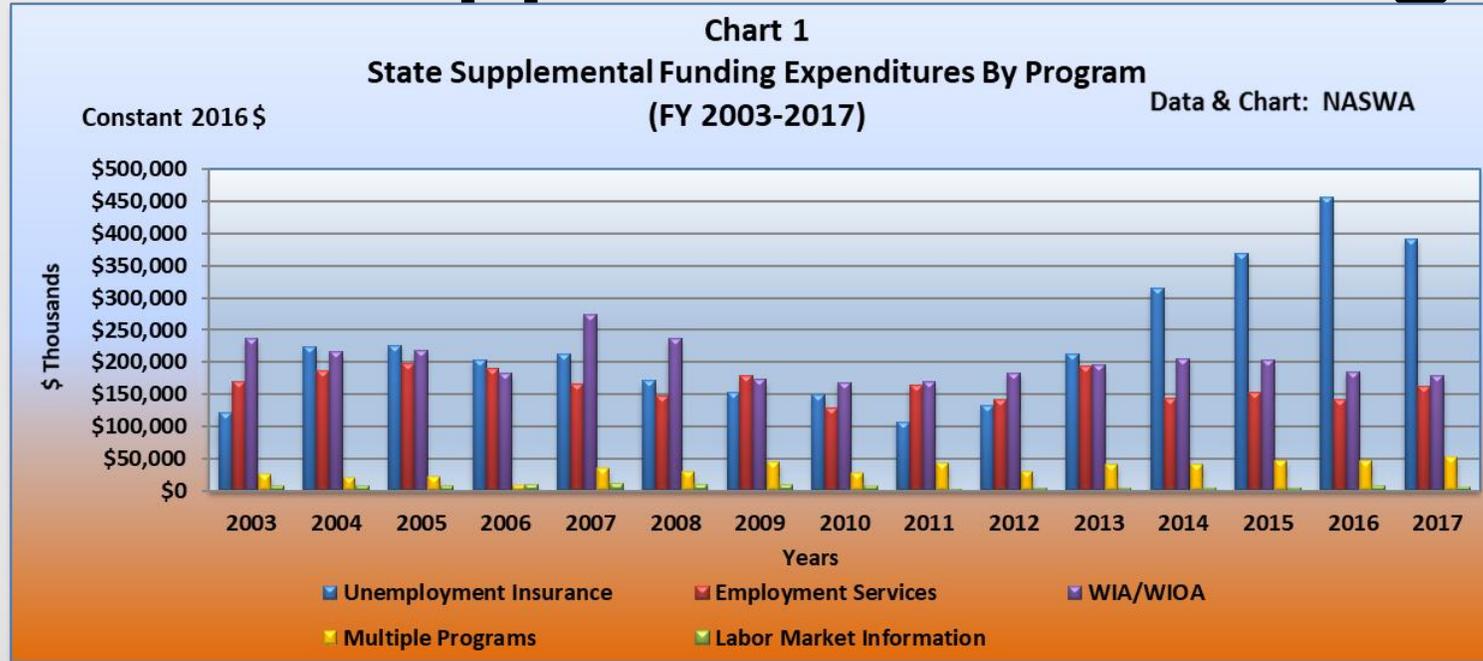


Table 5
State Supplementary Program Expenditures FY 2007-2017 (2017\$)

Year	Unemployment Insurance	Employment Services	Labor Market Information	WIA/WIOA	Multiple Programs	Grand Total
2007	\$212,330,142	\$166,541,132	\$10,919,993	\$274,035,710	\$34,272,601	\$698,099,578
2008	170,909,398	147,220,102	10,229,797	236,253,011	28,984,158	593,596,466
2009	153,732,288	178,455,141	9,248,046	173,107,447	43,509,290	558,052,212
2010	149,786,643	129,074,312	6,942,135	168,926,915	26,561,682	481,291,687
2011	107,194,152	164,609,492	2,495,849	169,551,889	40,478,741	484,330,122
2012	132,618,201	141,221,661	4,330,527	182,704,564	28,452,314	489,327,267
2013	213,402,531	194,040,792	4,358,921	195,528,885	38,751,607	646,082,736
2014	314,223,231	143,103,096	4,701,317	205,946,156	39,614,657	707,588,457
2015	370,074,075	153,577,591	4,693,845	203,612,364	45,933,324	777,891,199
2016	456,736,814	140,947,681	7,300,360	184,904,676	45,564,264	835,453,794
2017	392,403,768	162,975,216	5,282,144	178,888,287	51,994,762	791,544,177
Total	\$2,281,007,475	\$1,558,791,000	\$57,920,429	\$1,994,571,616	\$326,558,374	\$5,436,259,724



Comparative Budget Amounts

Omnibus FY 2017 / Omnibus FY 2018

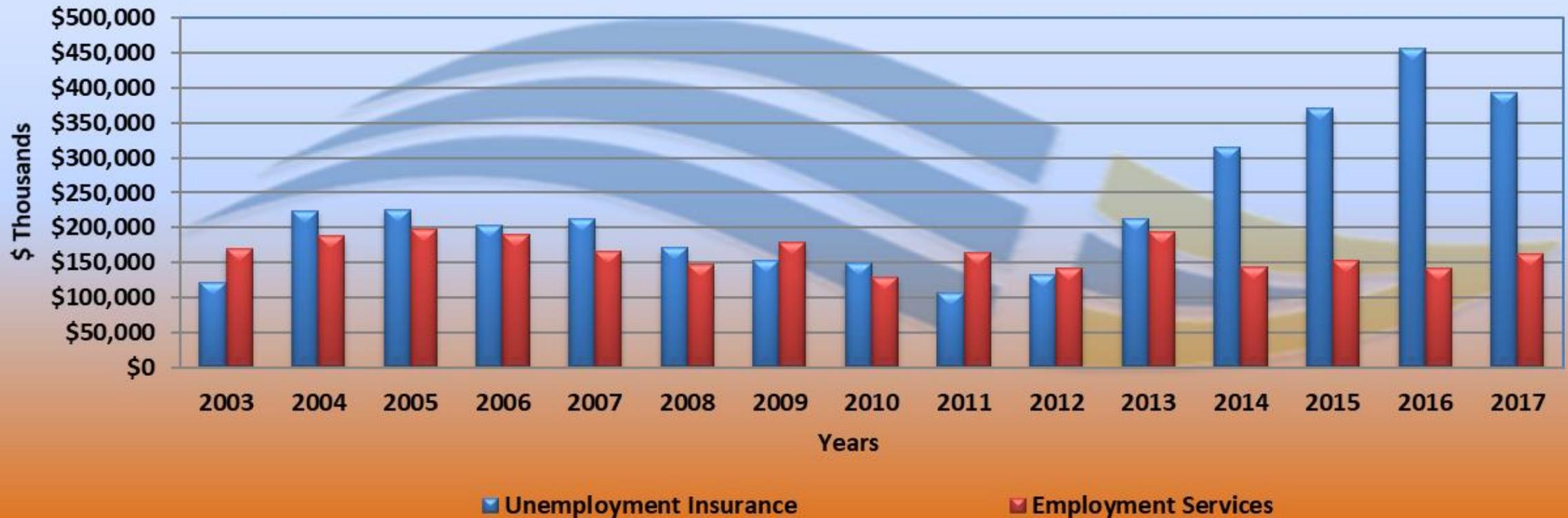
(\$000s)

Programs	Funding Levels	
	FY 2017 Omnibus Bill	FY 2018 Omnibus Bill
Wagner-Peyser State Grants		
Employment Services	671,413	666,413
National Activities (includes WOTC)	19,818	19,818
Foreign Labor Certification	62,310	62,310
Career Center Support /Labor Market Info (2)	67,653	62,653
Subtotal Wagner-Peyser	821,194	811,194
Training & Employment Services Total	3,531,026	3,601,026
Unemployment Insurance		
Program Operations (3)	2,687,600	2,639,600
<i>State Consortia to modernize systems (4)</i>	<i>50,000</i>	<i>Not noted</i>
<i>REA/RES (Reemployment)</i>	<i>115,000</i>	<i>120,000</i>
<i>UI Integrity Center of Excellence</i>	<i>5,500</i>	<i>9,000</i>
National Activities	14,897	13,897

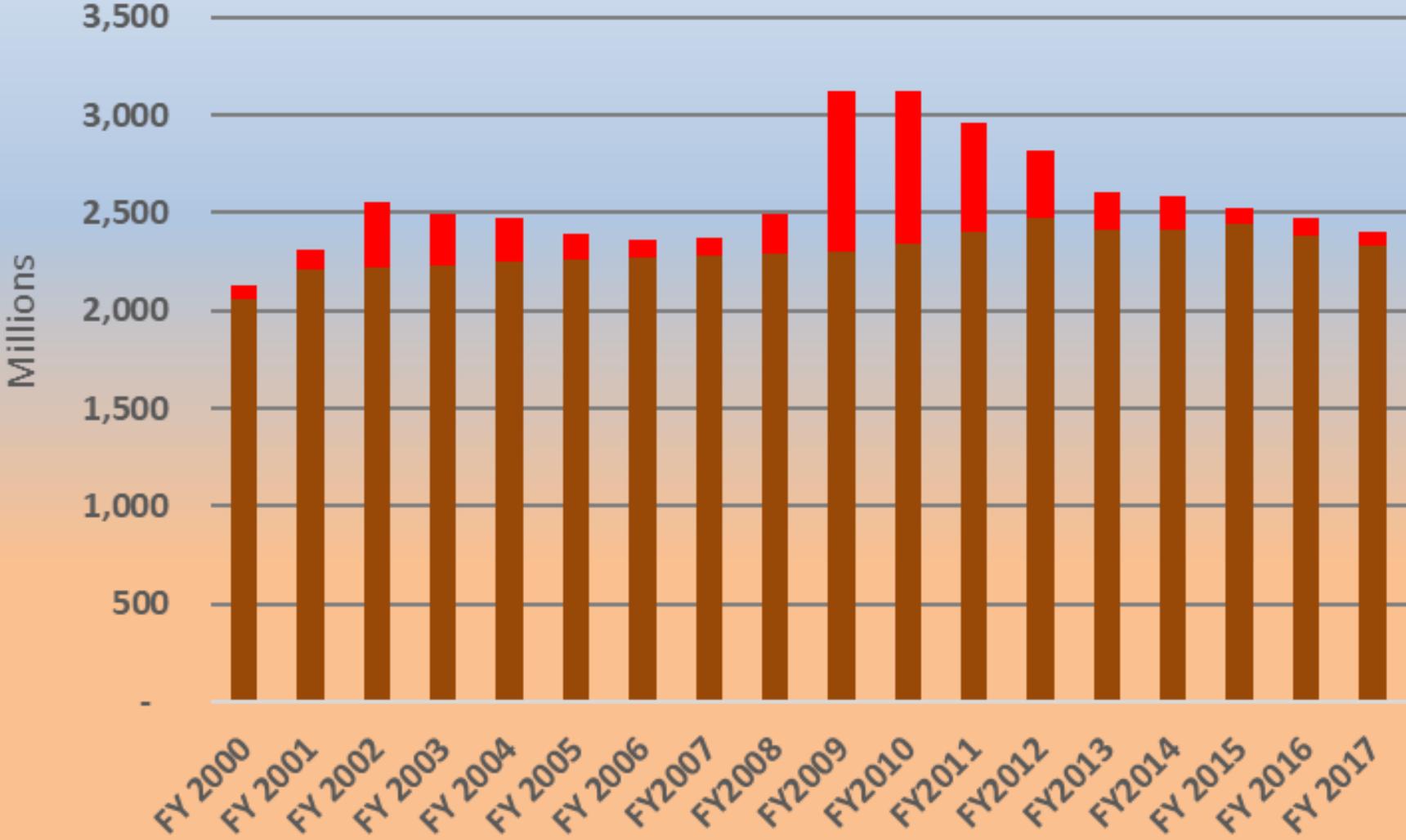
State Supplemental Funding Expenditures By Program (FY 2003-2017)

Data & Chart: NASWA

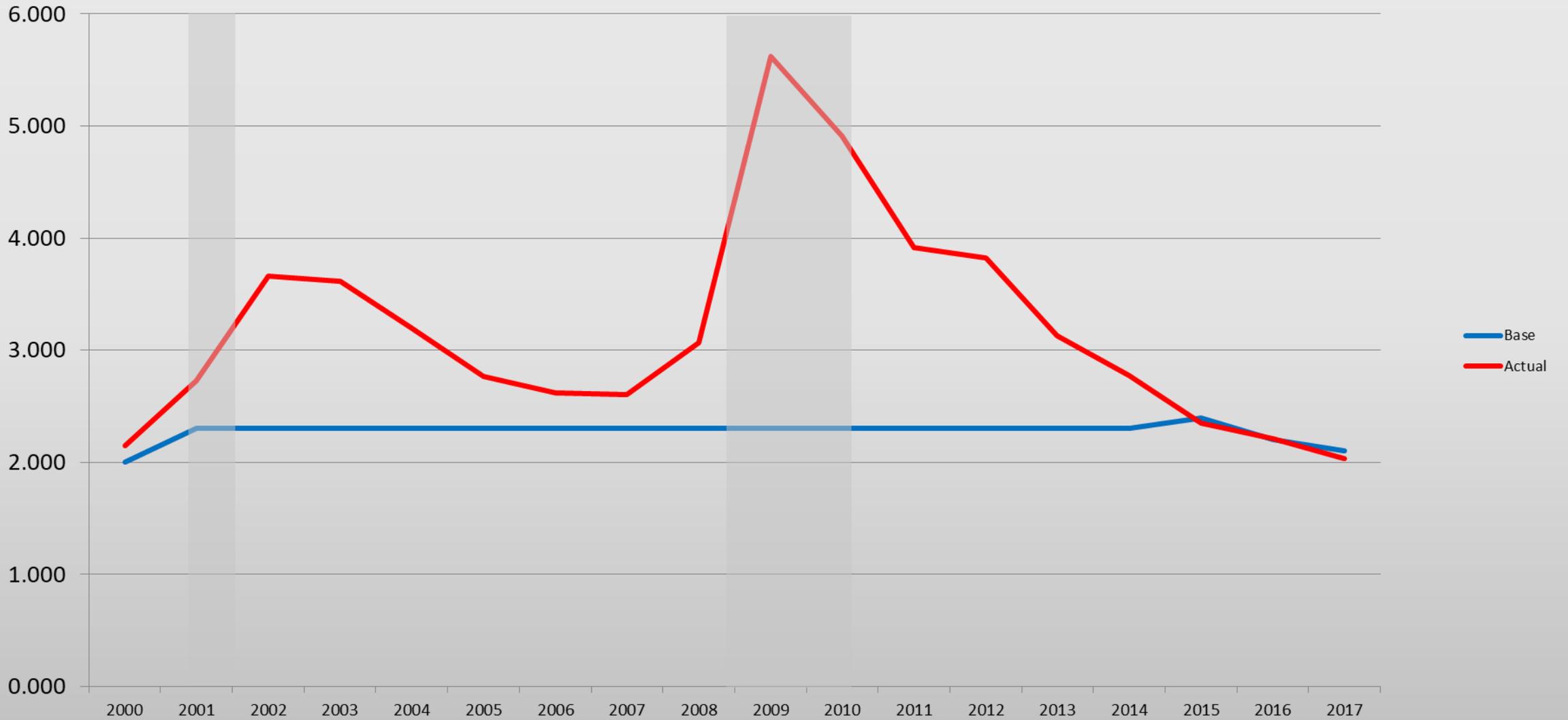
Constant 2017 \$



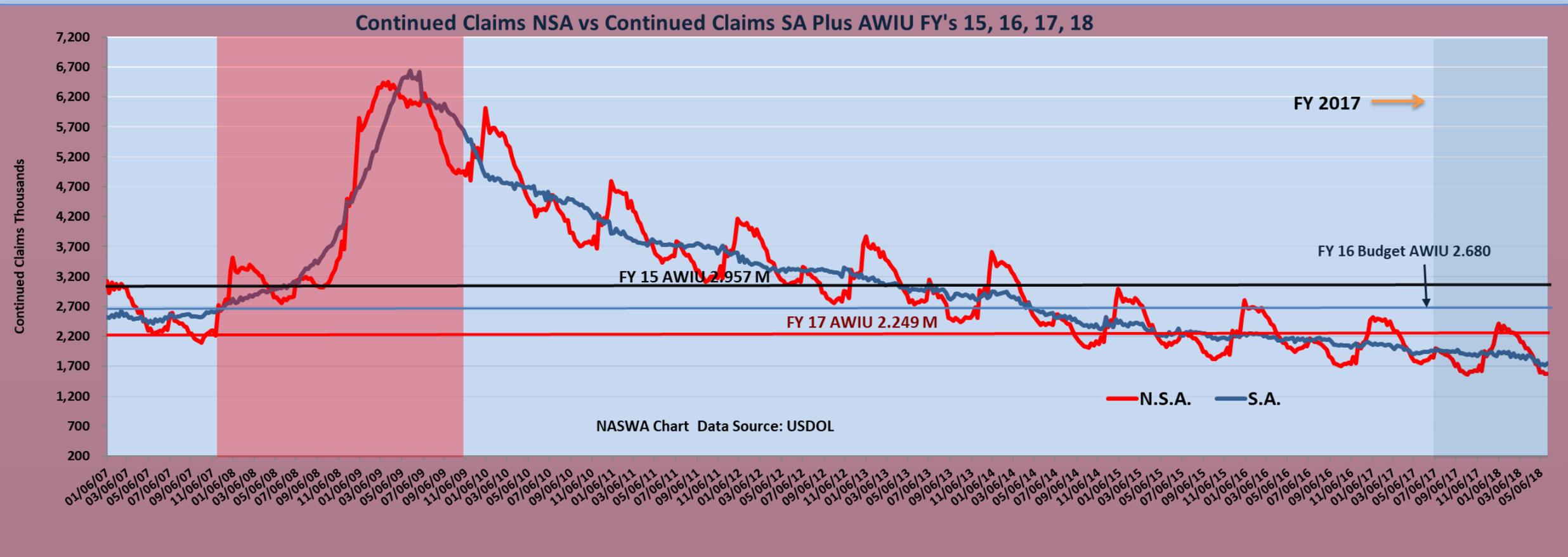
UI Base & Above Base 2000 to 2017



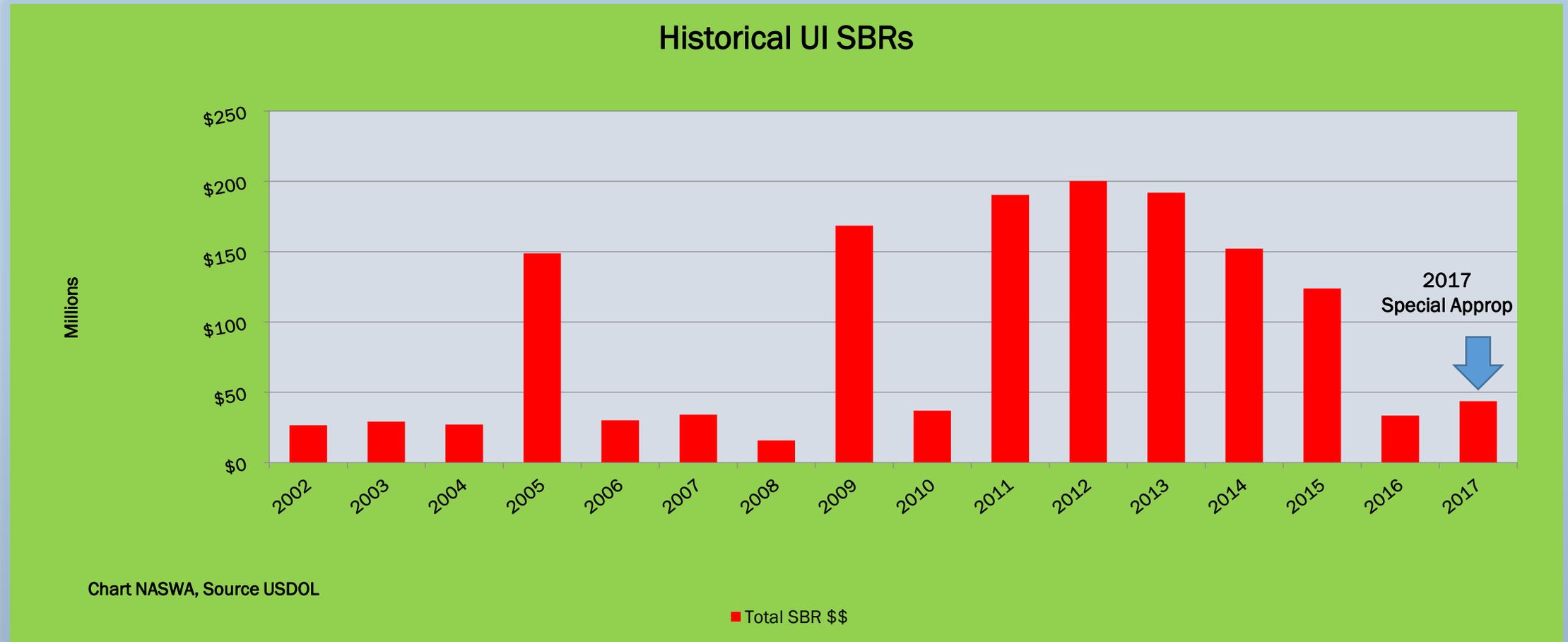
Average Weekly Insured Unemployment (AWIU)



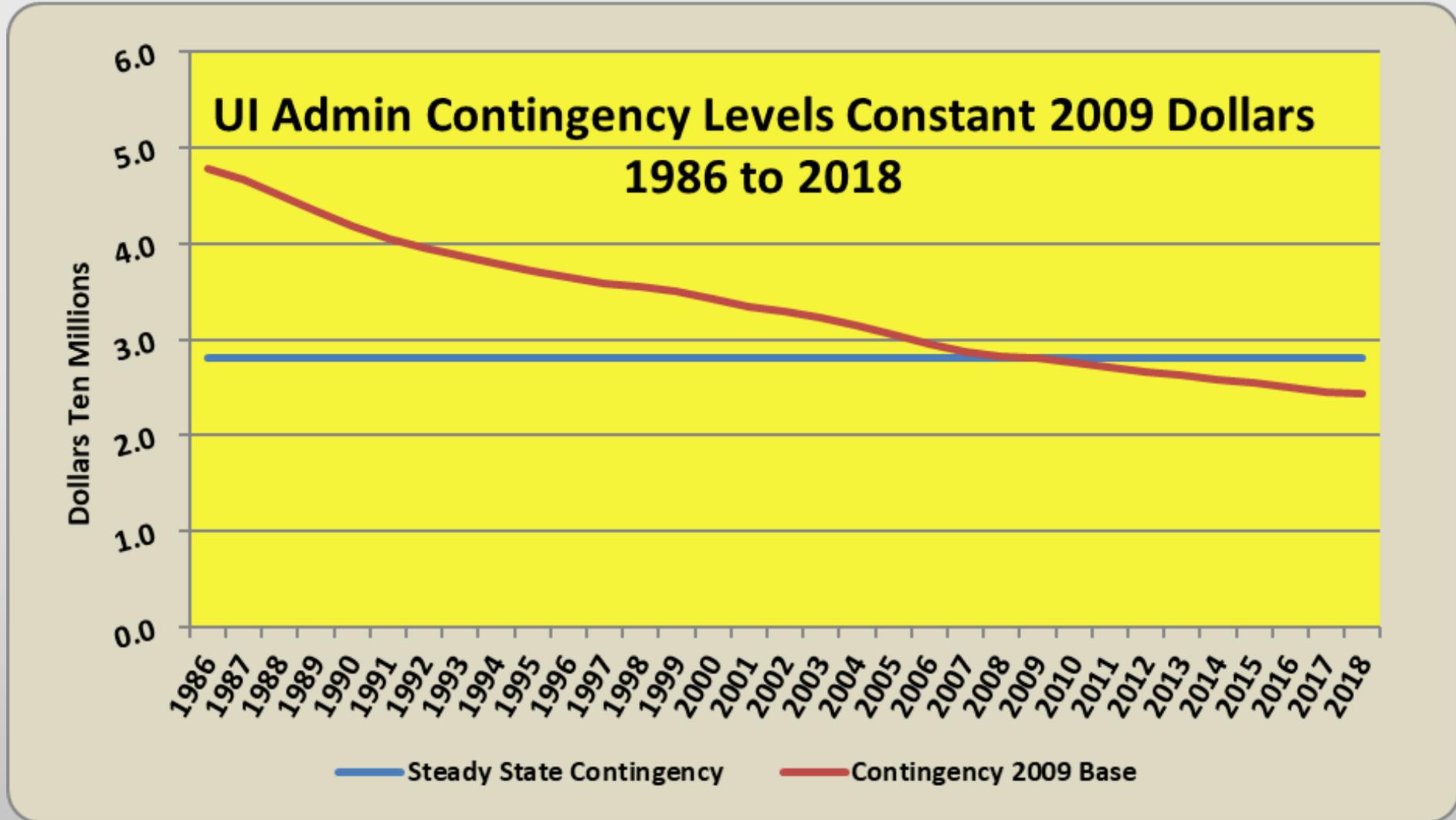
UI Continued Claims



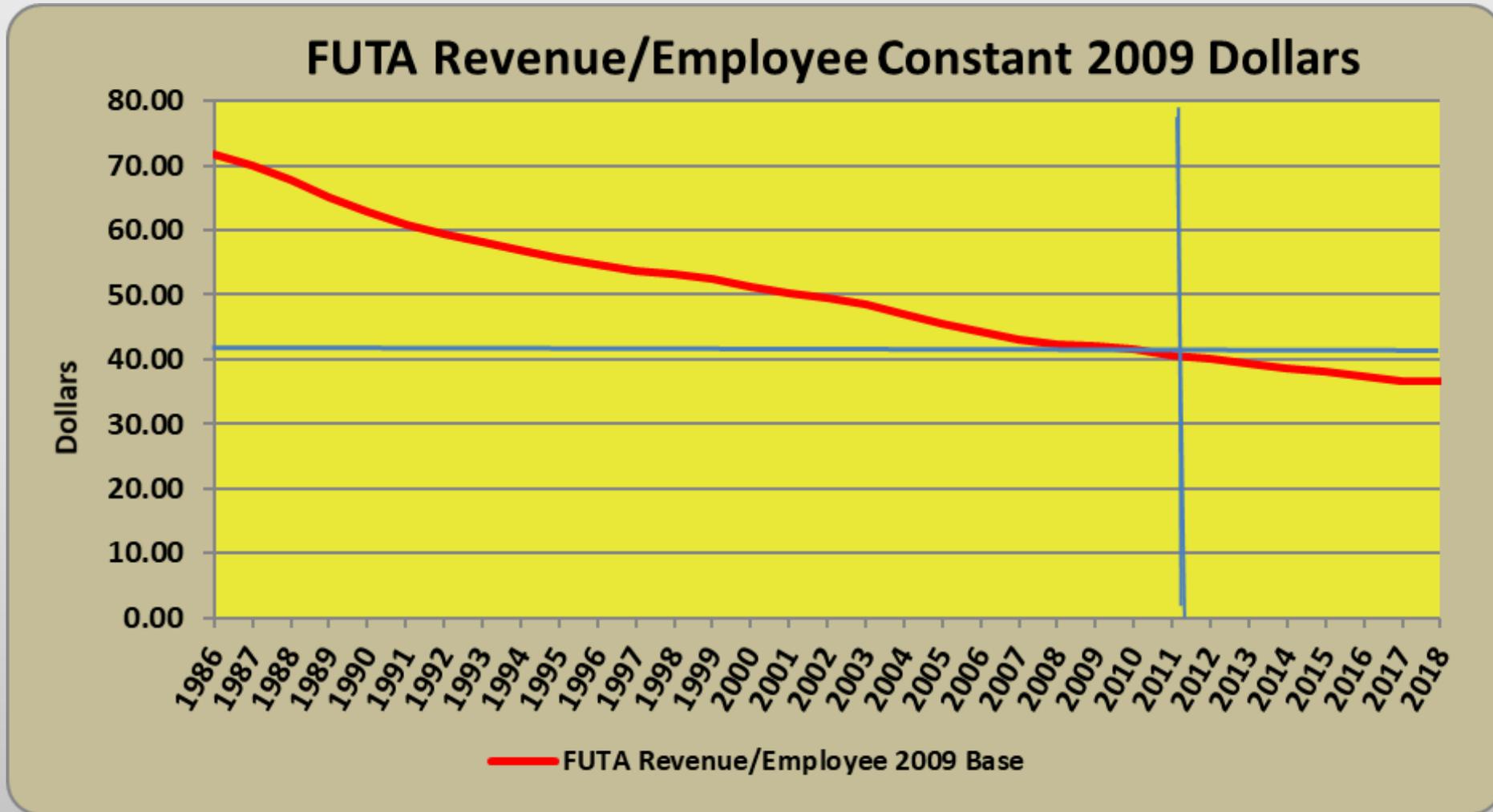
Utilizing SBR's



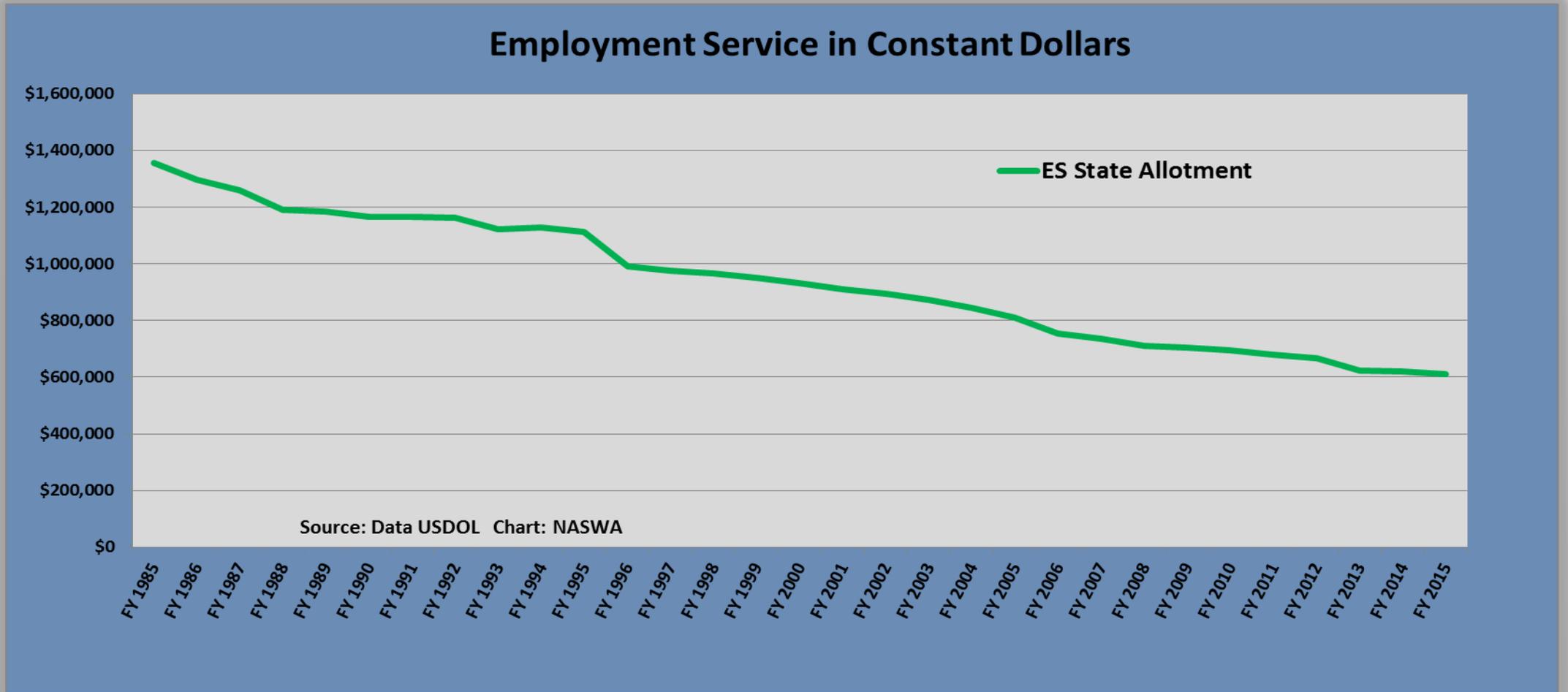
Contingency Funding



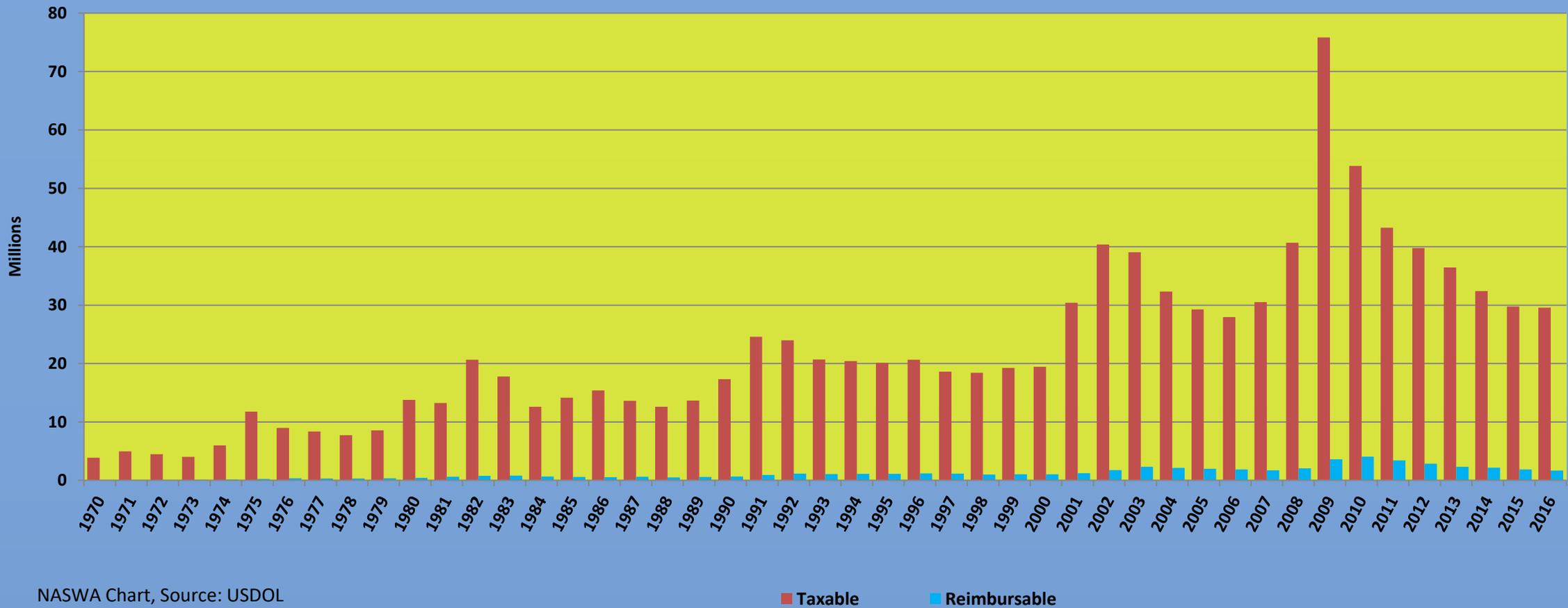
FUTA Revenue/Employee



Employment Service Funding



Benefits Paid: Taxable vs Reimbursable 1970-2016



NASWA Chart, Source: USDOL

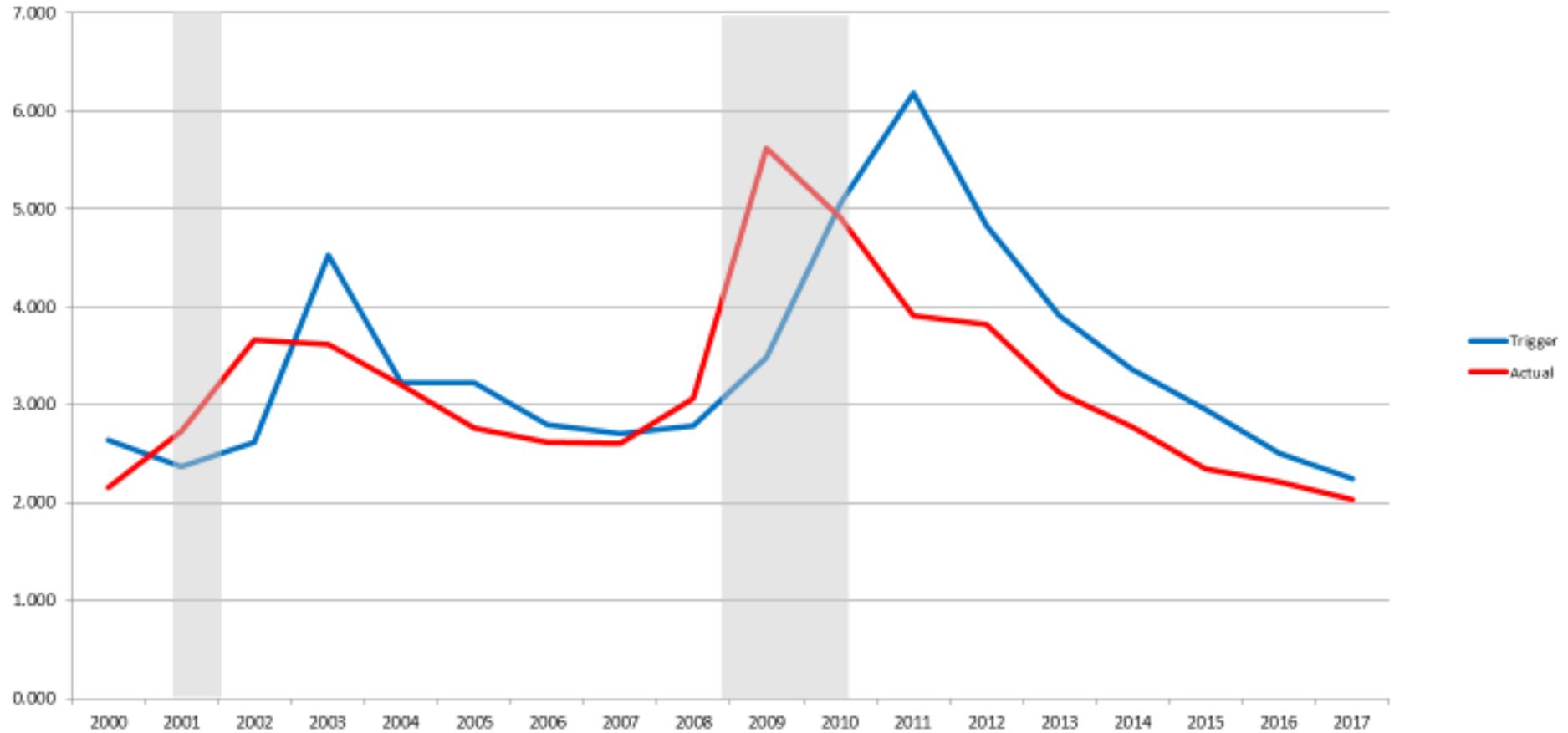
2016	Benefits
Reim	29,561,557
Tax	1,668,015
%	5.64%

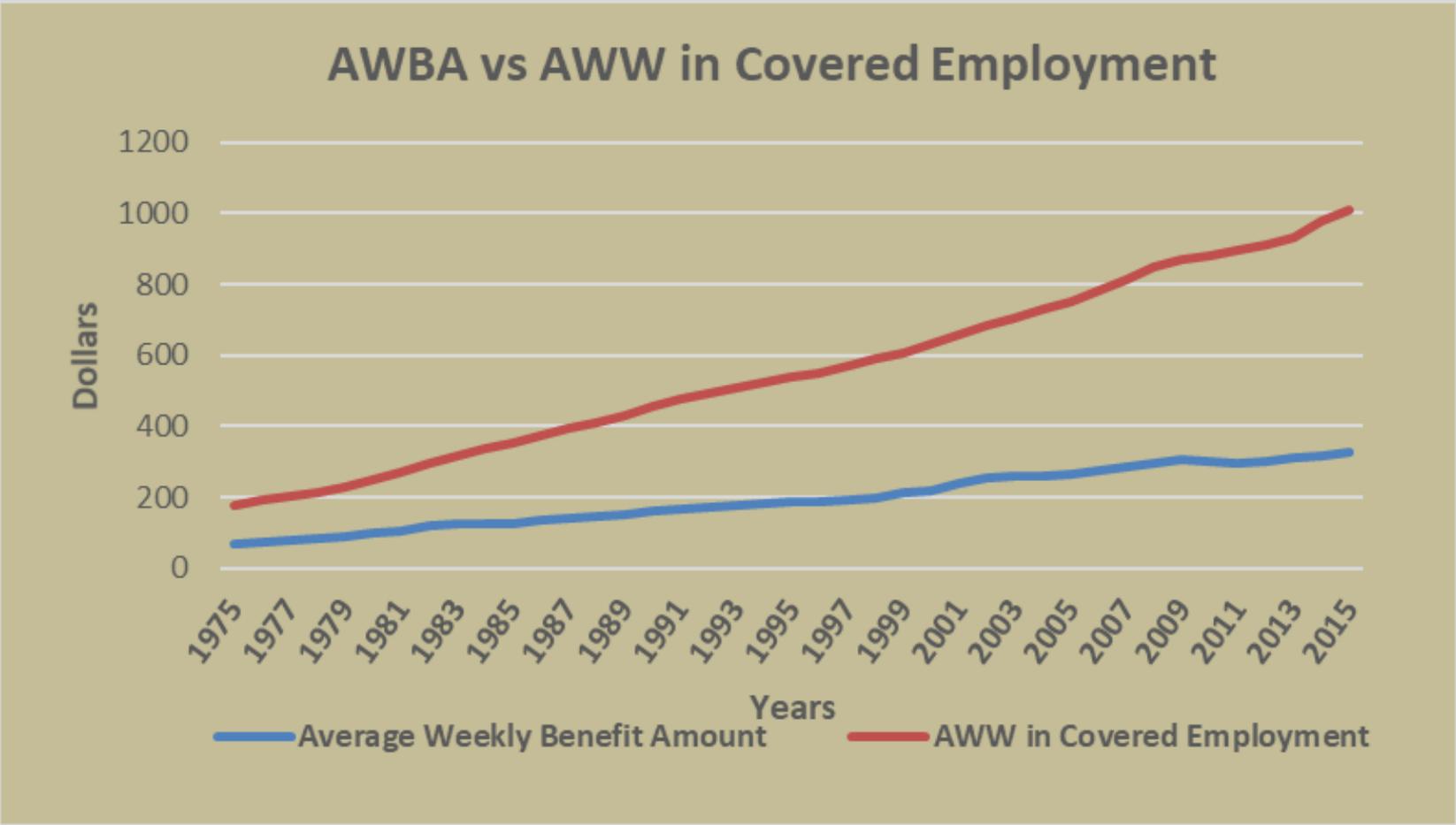


QUESTIONS

jvanerden@naswa.org

Average Weekly Insured Unemployment (AWIU)





Solvency Target

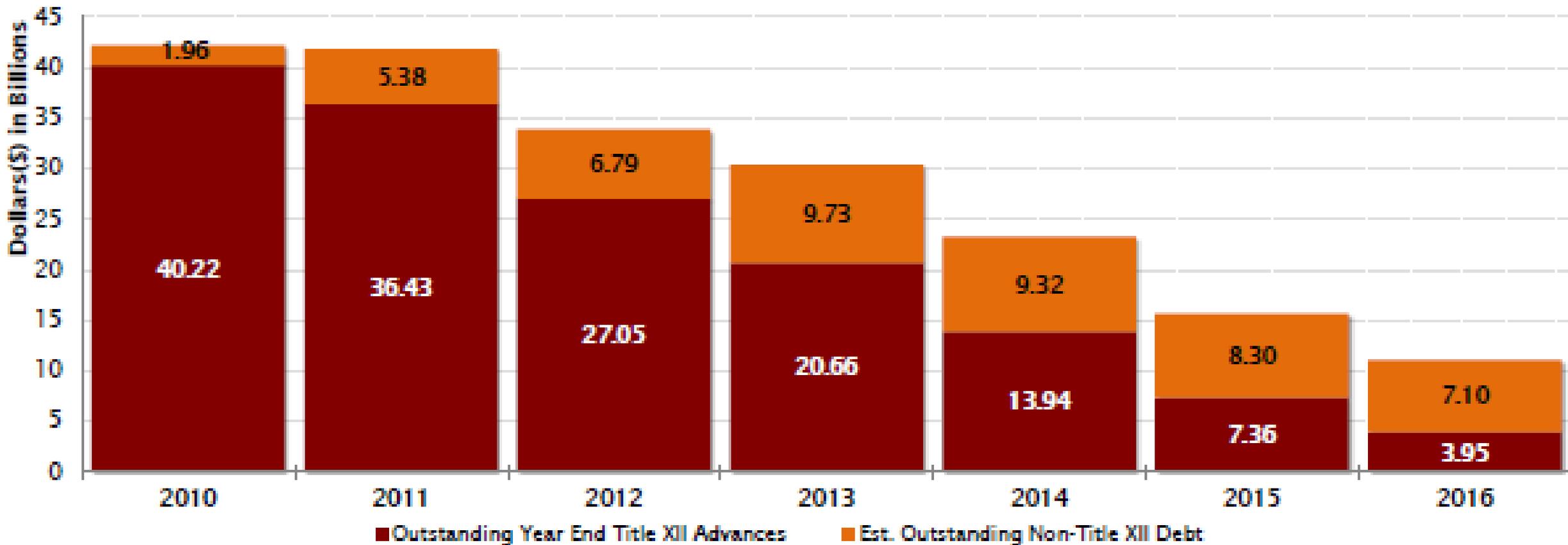
AVERAGE HIGH COST MULTIPLE

$$\text{AHCM} = \frac{\text{TF Balance (as of 12/31)}}{\text{Total Wages (calendar year)}} \div \frac{\text{Benefits Paid for a calendar year}}{\text{Total Wages for the same calendar year}}$$

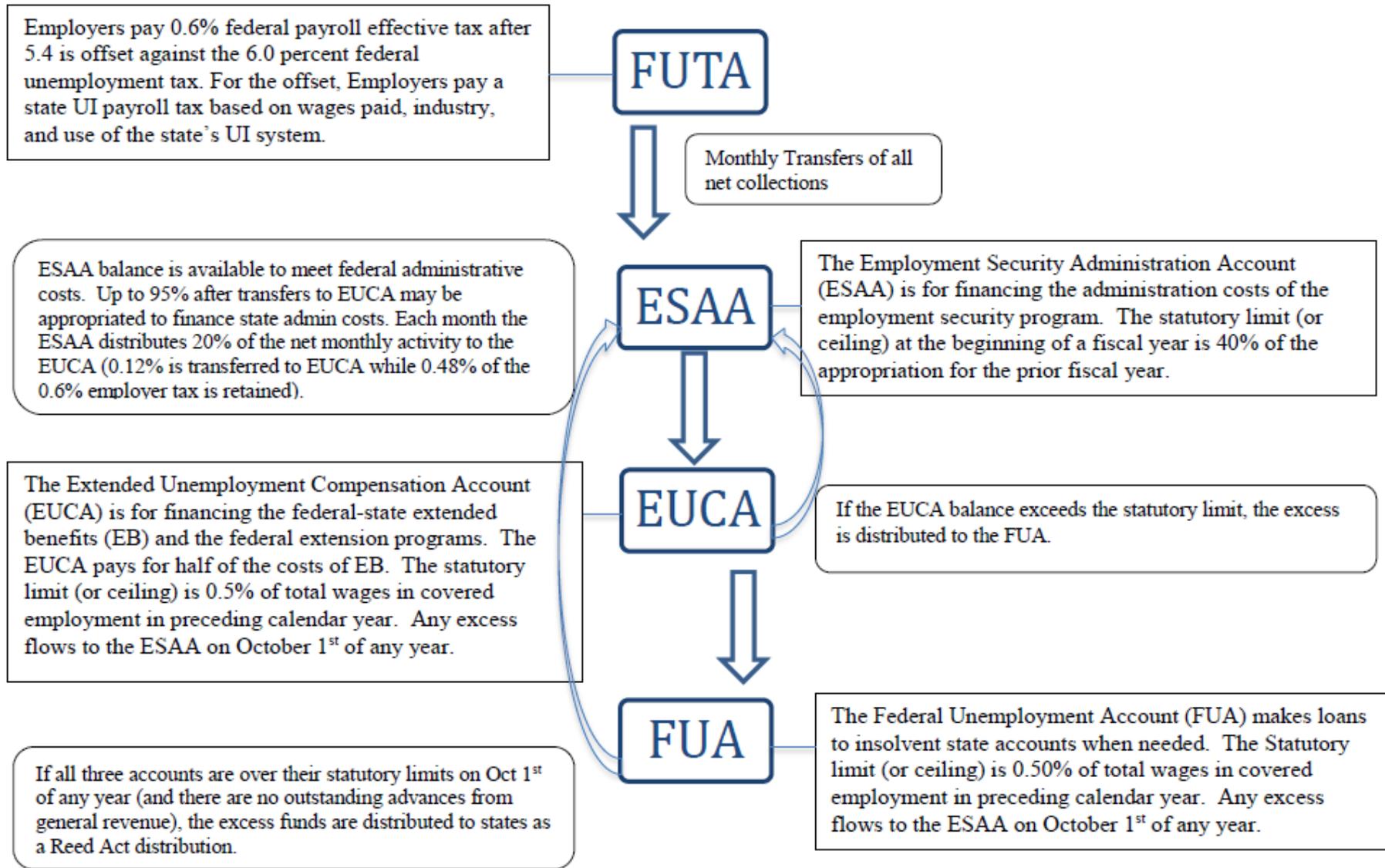
Average of 3 highest yrs over the last 20 yrs, or last 3 recessions, whichever is longer

The AHCM represents the number of years a State can pay out benefits if it paid at the rate it paid for the average of the three highest years over the previous 20 (or over the last 3 recessions, whichever is longer) without receiving any additional revenue.

Total Outstanding UI Debt (Title XII and Estimated Non-Title XII Debt²)



Calculations of Federal Borrowing Statutes and ELTA Credit Reductions



Note: The Unemployment Trust Fund in the U.S. Treasury is a single trust fund with 59 accounts: the ESAA, the EUCA, the FUA, 53 state accounts, the Federal Employees Compensation Account (FECA), and two accounts connected to the Railroad Retirement Board.

PLACE HOLDER for this type of Graph