**Federal Grant Report**

**Oklahoma Employment Security Commission**

Fiscal Year 2019

**I**. Pursuant to the mandate of SB 271, effective November 1, 2019, the Oklahoma Employment Security Commission (OESC) reports that it received the following federal grants:

1. Unemployment Insurance $20,501,710.00

2. Trade Adjustment Assistance $9,312,836.00

3. Dislocated Worker Trade Transition $8,000,000.00

4. Employment Service $6,983,784.00

5. Veterans Employment Service $2,268,416.00

6. Re-employment Services & Eligibility Assessment $1,159,258.00

7. Bureau of Labor Statistics $836,441.00

8. Workforce & Labor Market Information Grants to States $461,245.00

9. Work Opportunity Tax Credit $237,136.00

10. Foreign Labor Certification $91,500.00

11. Health Coverage Tax Credit $48,880.00

12. Unemployment Insurance Disaster Relief $45,079.00

 Total $49,946,285.00

**II**. Actions and prohibitions of the OESC as a condition to receive the grants:

For each grant, the state must properly and efficiently administer the program. The state must abide by the Uniform Administrative Requirements, Cost Principles and Audit Requirements for Federal Awards, 2 CFR §§200.0 to 200.521. The OESC is prohibited from discriminating against any individual on the basis of race, color, religion, sex, national origin, age, disability, political affiliation or belief, and against beneficiaries on the basis of citizenship or status as a lawfully admitted immigrant authorized to work in the United States.

1. Unemployment Insurance

The OESC must insure that its laws concerning the Unemployment Insurance Program are in conformity with the requirements of the Federal Unemployment Tax Act, 26 USCA §§3301 to 3311, and the Social Security Act, 42 USCA §§501 to 5201. The OESC is required to develop methods of administration for the program that are reasonably calculated to insure full payment of unemployment compensation when due. 20 CFR Parts 601 through 689.

2. Trade Adjustment Assistance

The OESC, as agent of the United States shall receive applications and process payments for Trade Adjustment Assistance, make available to adversely affected workers the employment and case management services provided by the Trade Act, shall make certifications as required by the US Dept. of Labor (USDOL) and cooperate with the USDOL to provide the payments and services authorized by the Trade Act. 19 USCA §§2271 to 2323.

3. Dislocated Worker Trade Transition

The OESC is required to administer a federal program which provides assistance to workers who have lost their jobs or who have experienced a loss of hours of work and wages as a result of a loss, significant decline, or major structural change or reorganization in the industry in which these workers are employed.  The industries of focus are oil and gas, healthcare, construction, manufacturing, transportation and warehousing.  Applicants are provided skills upgrade training and retraining.  Career Consultants will work one-on-one with an applicant to assist with career decision-making and planning to find suitable employment. 29 USCA §3225 and 20 CFR Part 687.

4. Employment Service

The OESC must operate a system of free employment service offices in Oklahoma that coordinates its efforts with the national system of public employment offices. The state must accept the provisions of 29 USCA §§49 to 49l-2.

5. Veterans Employment Service

The OESC must provide an effective employment placement service program and job training placement specifically adapted to the needs of veterans and disabled veterans to ease the transition of service members to civilian careers that are consistent with, or an outgrowth of, the military experience of the service member. The state will be guided by 38 USCA §§4100 to 4327.

6. Re-employment Services & Eligibility Assessment

The OESC must submit a plan to the USDOL regarding how it will intervene in unemployment claims with strategies demonstrated to reduce the number of weeks a claimant receives unemployment benefits by improving employment outcomes for the claimant. 42 USCA §506

7. Bureau of Labor Statistics

The OESC must assist the Bureau of Labor Statistics, a unit of the USDOL, to acquire and diffuse among the people of the United States useful information on subjects connected with labor, and especially upon its relation to capital, the hours of labor, the earnings of laboring men and women, and the means of promoting their material, social, intellectual, and moral prosperity. 29 USCA §§1 to 9b

8. Workforce & Labor Market Information Grants to States

The OESC is required to develop and disseminate essential workforce and labor market information for use by job seekers; businesses and employers; employment, school and career counselors; case managers at American Job Centers who help individuals find jobs or make career decisions; program and service planners at educational institutions; policy makers; economic development entities; human resource professionals; and other researchers. The OESC must populate and maintain a database; produce two types of public documents, and ensure its staff is properly trained. 29 USCA §49l-2; Training & Employment Guidance Letter No. 5-19.

9. Work Opportunity Tax Credit

The OESC must administer this federal tax credit program that is available to employers who hire new employees from “targeted”groups which have historically had difficulty in finding employment. The credit is used to reduce the federal tax liability of private-for-profit employers.

The OESC must review applications and supporting documentation from employers applying for the tax credit and determine eligibility. 26 USCA §§51 & 52

10. Foreign Labor Certifications

The OESC must review work visa applications from U.S. employers and prospective foreign workers to determine if U.S. employers will be permitted to hire foreign workers on a temporary or permanent basis to fill jobs essential to the U.S. economy. Certification may be obtained in cases where it can be demonstrated that there are insufficient qualified U.S. workers available and willing to perform the work at wages that meet or exceed the prevailing wage paid for that occupation in the area of intended employment. Foreign labor certification programs are designed to assure that the admission of foreign workers into the United States on a permanent or temporary basis will not adversely affect the job opportunities, wages, and working conditions of U.S. workers. 8 USCA §§1101 et seq.

11. Health Coverage Tax Credit

The OESC applied to the USDOL for this grant to update its computer system to send certifications to the IRS of individuals receiving Trade Readjustment Allowances (TRA) and Alternative Trade Adjustment Allowances (ATAA). Only recipients of benefits in these programs are eligible for the tax credit. This grant expired on September 30, 2019.

26 USCA §35.

12. Unemployment Insurance Disaster Relief

When the President of the United States makes a disaster declaration in the State of Oklahoma and disaster unemployment benefits are allowed, the OESC must apply to the USDOL for the funding necessary to administer and pay the disaster unemployment benefit claims. The OESC must send a weekly report to the Federal Emergency Management Agency regarding the number of claims for benefits made, approved and paid. 42 USCA §5177; 20 CFR §§625.1 to 625.30.

**III.** Actions and prohibitions of individuals or businesses as a condition precedent to receiving benefits of the program:

1. Unemployment Insurance

Individuals applying for benefits must make an initial claim and weekly continued claim to receive unemployment benefits. Several questions relevant to the claim are asked of the claimant and the claimant is required to be truthful in his or her answers. Any time the claimant is required to appear at an OESC local office to present documents or attend a meeting, the claimant is required to go. The claimant is encouraged to attend all scheduled appeal hearings. Any testimony given in a hearing or interview must be truthful.

Employers protesting claims, answering questions and appearing at hearings or interviews must give truthful information and testimony.

Employers must file quarterly state unemployment tax reports and pay the taxes owed each quarter. The employer is required to give complete and accurate information on the reports and cooperate fully with OESC Compliance Enforcement Officers during audits and when documents or other information are requested.

2. Trade Adjustment Assistance

An employer, union, group of 3 workers, or a workforce official must petition the US Department of Labor for certification under the Trade Act. If certification is granted, notification is sent to all employees of the affected company to let them know benefits including re-training are available under Trade Act Assistance. Each individual must then apply to receive benefits under the Act.

3. Dislocated Worker Trade Transition

Individuals are selected for the program depending on the type of employment they were separated from. They must be unemployed due to major changes in the industry within which the individual worked. Individuals are required to fully participate in the program. Employers can apply for on-the-job training benefits. The OESC can pay up to 50% of the wages for employees in on-the-job training. Employers must report on the performance of workers enrolled in the program.

4. Employment Service

Unemployment benefit claimants are required to register with the Employment Service before benefits will be allowed. Any person can utilize the Employment Service website, OkJobMatch, free of charge, at any time. The Employment Service is not limited to unemployment benefit claimants.

Employers may place job openings on the Employment Service website, OkJobMatch, free of charge. The employer is prohibited from posting false information and jobs that do not exist. The employer is prohibited from using discriminatory practices in its hiring process.

5. Veterans’ Employment Service

An individual served by this grant must be a veteran of a branch of the armed services of the United States. There are no other required actions or prohibitions for individuals or businesses in this grant.

6. Re-employment Services & Eligibility Assessment

This program serves unemployment benefit claimants who have been selected because they may have difficulty in becoming re-employed. If selected, the claimant is required to report to an OESC office for a re-employment service review and a 30 day follow-up. The re-employment review will focus on determining if the claimant needs help with a work plan, job seeking skills, and if there are barriers to overcome. The claimant will be referred to workshops or other agencies for services, if needed, and must follow these directions.

7. Bureau of Labor Statistics

Employers are selected at random to submit Industrial Classification Statements, to answer Occupational Employment Statistics survey, to respond to the Quarterly Census of Employment and Wages, and to answer the Current Employment Statistics survey.

8. Workforce & Labor Market Information Grants to States

There are no required actions or prohibitions for individuals or businesses in this grant.

9. Work Opportunity Tax Credit

This tax credit for employers requires an employer who has hired a person in certain targeted groups to file an application for the credit with the OESC. Once the OESC reviews and approves of the application, the employer will be notified and can use the tax credit.

10. Foreign Labor Certifications

This program is designed to promote the hiring of U.S. citizens. An employer must make every effort to hire from the U.S. domestic workforce before permission will be granted to hire foreign workers. The employer must apply with the U.S. Department of Labor for permission to hire foreign workers. The OESC will review the application forms, do field inspections, assess pay standards and ensure that the employer is not putting up barriers to hiring domestic workers.

11. Health Coverage Tax Credit

Individuals receiving Trade Readjustment Allowances or Alternative Trade Adjustment Allowances must claim the credit on their federal income tax return or apply for the credit on the IRS website.

12. Unemployment Insurance Disaster Relief

Individuals in a disaster area declared by the President of the United States may apply for unemployment benefits under this program. If the person qualifies for regular unemployment, that benefit will be granted. If the person does not qualify for regular unemployment, disaster unemployment may be granted. Injured people who cannot work and owners of businesses that were affected by the disaster are among the people who could qualify for disaster unemployment. Business owners who have not previously reported their wages to the OESC will be required to show proof of earnings.