

Written Testimony HB 614
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Southeastern Ohio Legal Services
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Chair Merrin, Vice Chair LaRe, Ranking Member Rogers, and members of the House Ways and Means Committee, my name is Patrina Queen. For more than 30 years, I have served as a legal advocate/paralegal at Southeastern Ohio Legal Services (SEOLS). SEOLS provides civil legal aid and advocacy services to thirty (30) rural southeastern Ohio counties. The mission of SEOLS is to combat unfairness and injustice and to help people rise out of poverty. Driven by this commitment, SEOLS represents low-income individuals in a variety of civil matters, including unemployment compensation cases. Thank you for the opportunity to provide interested party testimony on House Bill 614, to study and reform the application, processing, and administration infrastructure of Ohio's unemployment compensation system.

Due to the events resulting from COVID-19, the loss of employment across SEOLS's service area, as well as the entire State of Ohio, has been catastrophic to say the least. The need for unemployment compensation benefits has never been so important to so many at the same time. The need for an accessible, effective, efficient unemployment compensation system cannot be overstated. For so many, the receipt of unemployment compensation benefits keeps the lights on, hunger at bay, and a roof secured for a family. We recognize that the sudden and extensive loss of employment caused by the pandemic would have stressed even the best assembled unemployment compensation system. However, not all the issues were new. Some of the problems experienced by applicants/claimants were issues long before the pandemic but became exacerbated by the stress on the system. We must now learn from our experiences, make fixes wherever possible, and build a stronger system to protect the financial security for all Ohioans.

For many years, SEOLS has helped claimants access unemployment compensation benefits. We know from this experience that access to the online application system has long been a struggle for people in remote areas of southeast Ohio and this crisis has highlighted the need for application systems which meet the variety of needs representative of a diverse workforce. Significant areas of our state lack reliable internet or mobile phone service. The current online application process is challenging for those who live in areas without reliable internet service, for those with limited-minute phones, for those without computer skills, for those who are illiterate and for those speaking other languages.

For many applicants, this was the first time in their lives they had to apply for unemployment. For some, using technology was the challenge. Some were locked out of accounts created years ago from a previous claim. Some were unable to complete their applications because they needed a temporary Personal Identification Number (PIN) and some waited weeks for mailings with PINs. There were system crashes. Many Ohioans did not know if their applications were complete. Some people's weekly claims were pending for weeks. Ohioans choosing electronic notifications were getting emails about notices to review but could not open them. ODJFS phone lines were inaccessible. Our clients reported calling hundreds of times and/or trying the website all hours of the day and night. Many applicants said when their calls were finally answered, they were told due to high call volume their call could not be answered and to call back later. There were no

phone queues. Many people chose to get notices by mail, but mail was delayed. Many received mailed requests for information two to three weeks after the mailing date and well past the 5-day reply period. Most people did not experience just one of these issues, but multiple issues. The frustration in our clients' voices and concern about how they would survive has been gut-wrenching.

SEOLS began receiving calls related to COVID-19 employment loss mid-March and calls continue to increase to this day. I want to share a few stories illustrative of the continuing struggles that workers have accessing unemployment compensation benefits in Ohio:

One of our first clients was a plumber laid off from work in March due to lack of work. He is the sole supporter for his family. His wife quit her job to care for their chronically ill, immune-compromised 5-year-old granddaughter. He found the system confusing and he answered a question wrong. He tried to go back to fix his error, but the system would not allow the change. He couldn't get through on the phones to talk with anyone. After weeks passed, he contacted SEOLS for help. We were able to reach a contact at ODJFS who was able to access our client's account to fix the error. He was eventually approved for traditional unemployment benefits, but it took a call to a lawyer and from there ODJFS intervention. This case illustrates that the sequence of errors easily encountered by applicants is delaying crucial benefits to Ohio families who qualify and need benefits quickly. Now, our client fears for the safety of his granddaughter should he return to work or alternatively, the loss of his benefits should he refuse to return.

An older client working full-time at an auto auction lost his job the end of March. He reached out to us just last week. Without internet service at home or knowledge of computers, he tried calling to apply but lines were busy. His daughter tried to help, but he had PIN issues. He never received the PIN. Weeks later, he was stuck and ready to give up when he reached out to SEOLS. Again, SEOLS was able to fix the PIN issue with the direct help of ODJFS. We are certainly appreciative of the help that ODJFS has provided to our clients, but not everyone experiencing these problems gets that kind of hands-on attention. Passwords and PINs are an everyday occurrence in this digital age but almost every system has an easy and safe way to change a password or PIN. Why can't Ohio's unemployment compensation system provide that same level of service? Why does it take a lawyer and an agency employee to fix a password problem?

We talked with several people who received notices about mismatched names with their social security cards. They had notices they could not open; they were asked to send copies of birth certificates and social security cards. Many had no place to fax or scan documents and no money to pay for those services. One person was going to mail his originals to ODJFS! Many people said their names matched. Again, the fix for these clients required ODJFS staff intervention.

Many employers in our area hire part-time workers or pay full-time workers low wages which do not meet the average weekly wage requirement of \$269 to qualify for traditional unemployment benefits. We talked with many people who did not qualify for traditional unemployment due to not meeting the monetary requirements of \$269 per week (many states have much lower monetary requirements). We talked with people who are not covered by traditional unemployment but applied because they heard they should be eligible. Their applications surely contributed to system failures and clogged phone lines. Many hours were lost processing ineligible claims.

Better communication regarding eligibility or interfacing traditional and expanded unemployment compensation systems could help address this problem.

Now we are hearing that many claimants, like our plumber, are worried about their health or that of their loved ones if they return to work. If they refuse an offer to return to work, will they lose their benefits? Will returning to work expose their loved ones and lead to illness or death? Some employers are calling workers back offering reduced hours and even lower wages and are telling workers their unemployment benefits will end if they refuse to return. These workers are now facing a choice without clear answers: Will they be able to afford to return to work or lose benefits if they refuse? And even worse, some employers are threatening workers with fraud reports if workers decline work in good faith and continue to fight for unemployment benefits. Further clarity is essential around these issues for workers and their families.

Many workers are worried about finding childcare. While childcare centers are reopening, they are operating at reduced capacity due to social distancing. There are long wait lists to get back into centers where people took children prior to the pandemic. Grandparents who watched children are not available. Many people do not have adequate childcare. Parents face an impossible choice: Leave kids behind to return to work or stay home and risk a complete loss of income. No family should be forced to make this choice.

Expanded unemployment benefits allow for COVID-related eligibility criteria at the stage of initial job loss. However, there are currently no COVID-related good cause reasons to refuse to return to work. Without the development of good cause reasons for not returning to work during this pandemic, Ohioans will be forced to make the difficult decisions mentioned above. Additionally, appeal and hearing processes will become overwhelmed as workers argue their circumstances on a case-by-case basis, causing delays for everyone. Years ago, we had people waiting six months for a hearing to get their benefits. The economic wellbeing of our state cannot afford a backlog like that now.

Again, it is an honor to provide this written testimony on these important issues. Thank you for your time and consideration.

Respectfully,

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