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Interested Party Testimony on HB 614
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House Ways and Means Committee
June 10, 2020

Chair Merrin, Vice Chair LaRe, Ranking Member Rogers, and members of the House Ways and Means Committee, my name is Megan O’Dell, and I am an attorney at the Ohio Poverty Law Center. The Ohio Poverty Law Center advocates for evidence-based policies that protect and expand the rights of low-income Ohioans. We are a non-profit law firm working closely with Ohio’s legal aid community, serving Ohioans who are living, working, and raising their families in poverty. Thank you for the opportunity to provide interested party testimony on House Bill 614, to study and reform the unemployment compensation system.

The sudden and extensive loss of employment caused by the pandemic would stress even the best equipped unemployment compensation systems. However, amid a global pandemic, it is the most vulnerable Ohioans who struggle most to access this system. COVID-19, and the growing number of unemployed Ohioans, exposed many areas for necessary reform.

1) Increase and improve access for Limited English Proficient (LEP) individuals.

There are only two ways to apply for unemployment compensation benefits: (1) over the phone or (2) through the Ohio Department of Jobs and Family Services (ODJFS) website. When applying over the phone, there is an option for assistance in Spanish, but not for the 14 other identified language populations large enough to require translation services. However, even Spanish speakers have had difficulty obtaining an interpreter when choosing the option for Spanish on the phone. Similarly, the online portal is only available in English, with some limited access to documents in Spanish. Since the online portal is only available in English, Ohioans who speak other languages are forced to complete the application over the phone, further burdening an overwhelmed telephone system.

When non-English speaking individuals call the tollfree line, they struggle to receive translation assistance and are often transferred to English speaking representatives who cannot adequately answer their questions. Additionally, for the other 14 languages, there is no option to receive translation assistance.

This crisis demonstrates that individuals who have a limited ability to read, write, and speak English are unable to effectively participate in the unemployment compensation program. To ensure the rights of these Ohioans, as protected by Title VI of the Civil Rights Act of 1964, the unemployment compensation system should be reformed so that the online application portal is available in multiple languages. The text should be translated by a professional translator, not a machine translator prone to errors. Improving access to the online system will reduce the burden on the ODJFS phone system. Additionally,

interpreters should be made readily available if an applicant indicates they need assistance in another language. ODJFS staff should be trained on how to use an interpreter, and a portion of the phone lines should be dedicated to LEP individuals.

2) Automate Personal Identification Number (PIN) Resets.

Passwords and PINs are a common feature in this digital age and almost all systems have easy and safe ways to change or update passwords and PINs. In the current traditional unemployment compensation system, there is no automatic way to reset a PIN other than receiving it by mail at the last known address or by calling ODJFS and talking to a staff member. Many applicants are unable to complete their applications because they are locked out of accounts created years ago from a previous claim. Many wait weeks for their temporary PIN number to be mailed to them, while others resort to the phone lines, continuing to overburden the ODJFS phone system. Automated PIN resets are available for Pandemic Unemployment Assistance but not for traditional unemployment compensation. Automating PIN resets will free up phone lines and allow individuals access to their benefits quickly.

3) Expand access to the unemployment compensation application to individuals without reliable internet or mobile phone service.

Significant areas of the state lack reliable internet or mobile phone services, particularly in our rural communities. The current application process is challenging for those without reliable internet, or those with limited-minute phones, without computer skills, and those who are illiterate or speak other languages. Even for individuals with phone or internet access, the application process is not intuitive and can be difficult to complete without the help of an attorney or ODJFS worker. Individuals should be able to apply for benefits in person to receive step by step guidance. Some Ohio Means Jobs offices have had limited availability and some have closed completely, making it difficult to speak to someone in person about unemployment compensation application issues. Years ago, this service existed when unemployment offices were open all over the state. Individuals without internet or phone services and those without computer skills must have access to unemployment compensation benefits.

4) Individuals with good cause must be able to refuse to return to work.

Under current law, an individual receiving unemployment compensation benefits cannot refuse suitable work and still receive benefits unless there is good cause. To determine good cause, the state must “consider the degree of risk to the claimant’s health, safety, and morals...” ORC 4141.29(F). Currently, there are no specific COVID-related good cause exemptions for Ohioans who refuse to return to work for good cause. The Centers for Disease Control and Governor DeWine have specified those who are at a higher risk of contracting COVID-19, including those over the age of 65, those with diabetes, and those with severe obesity, for example. The state must provide specific, good cause exemptions to give working people a fair chance of protecting their health and their income. Texas and Colorado, for example, have put in place good cause exemptions, allowing individuals with a higher risk of contracting COVID-19 to refuse to return to work without losing unemployment compensation benefits. Without these exemptions, Ohioans are forced to make the difficult decision of returning to work and risking the health and safety of themselves and their loved ones or refusing to work and losing crucial unemployment benefits.

The importance of unemployment compensation cannot be understated. For many, these benefits help Ohioans keep the lights on, a roof over their head and food on their table. Thank you for considering these reforms.

Sincerely,
Megan O'Dell