

Community

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Testimony of an Interested Party regarding HB 614
Michelle Wrona Fox, Attorney
Community Legal Aid Services
Senate Government Oversight and Reform Committee
September 15, 2020

Chairman William P. Coley II, Vice Chair Matt Huffman, Ranking Member Hearcel F. Craig, and members of the Senate Government Oversight and Reform Committee, my name is Michelle Wrona Fox, and I am an attorney at Community Legal Aid Services (CLAS). CLAS is a non-profit law firm that advocates for low income workers who live in Northeast Ohio and who are living, working, and raising their children in poverty. Thank you for this opportunity to provide testimony, as an interested party regarding HB 614, to study the unemployment compensation system including its application, processing, and administrative infrastructure.

The Unemployment Compensation System Failed to Protect the Most Vulnerable Workers.

In Mid-March, after the stay at home order declared by Governor DeWine, many Ohioans lost their jobs abruptly with little to no notice and no ability to plan. At CLAS, we advocate for the working poor. Our clients often earn minimum wage and usually are not offered more than 30 hours a week by their employers. This can be difficult to raise a family. They also have the least ability to have money saved for a crisis. The only recourse they have is to file for unemployment compensation through the Ohio Department of Jobs and Family Services (ODJFS). However, many did not qualify for benefits because they could not meet the monetary requirement of earning an average weekly wage of \$269. On March 27, 2020, the CARES Act created Pandemic Unemployment Assistance (PUA) to help workers with insufficient work histories who didn't meet the monetary test required under state law. The state unemployment compensation computer system had no way of accepting and processing PUA applications from the passage of the CARES Act until May 12, 2020. This left the working poor who had not received a paycheck since March with no income for two months and no income for food, shelter, medication, and basic necessities. Although the abrupt change in the economy was understandable due to the health crisis we are living through, the unemployment compensation system response was inadequate to meet the needs of workers. The system was created during the economic crisis of the Great Depression and for the exact purpose of responding during economic downturns and natural disasters. This has not been the country's first crisis, as we saw during the Recession of 2007-2009, and it will not be the last crisis. Today's workers need an unemployment compensation system that responds adequately in their time of need.

Communication Between ODJFS, Workers, and Advocates Needs Addressed.

Advocates for these low income workers could see systemic issues and inadequacies with the computer system but had little to no ability to intervene and assist their clients. Some issues were simple and needed attended to manually by an ODJFS employee and some were more complex. Workers diligently called for assistance but had great difficulty reaching a person. Advocates reached out to the agency with delayed and little response. With little communication between advocates and workers with ODJFS staff, many people waited as long as 6 weeks or longer to receive benefits that they were otherwise eligible to receive. Workers would have benefited from an accessible and transparent unemployment compensation system. Workers would have also benefited from open dialogue between ODJFS and advocates to resolve issues for workers.

The Unemployment Compensation System is Archaic and Did Not Meet the Needs of Workers.

Many issues that slowed down the application process could have been automated instead of requiring manual input from an ODJFS staff member. For instance, many workers were unable to even log into the unemployment compensation system to file an application for benefits because they did not know their PIN number. There was no way to get a PIN reset outside of receiving it by mail at the last known address or by calling and talking to a person. This process delayed workers many weeks from even being able to file an application for benefits, because the PIN numbers were mailed to addresses where the workers no longer lived. Talking to a person was a meager solution, because workers would be unable to reach a person for several weeks. Workers would encounter messages telling them to call at another time or be hung up on. Once they filed an application, there were difficulties in verifying their identity despite the fact that they had been in the system and identified in the past. Once workers filed their application for benefits, they received notices that they could not open or respond too, again causing the processing of the application to take many weeks and sometimes a manual response from ODJFS staff. These issues could have been automated or handled by a system that is not antiquated and can meet the needs of workers in the world they live in today.

Again, thank you for this opportunity to provide testimony, as an interested party regarding HB 614 and listening to the experiences of vulnerable, low income workers.

Sincerely,

Michelle Wrona Fox

Michelle Wrona Fox
Attorney at Law