To Whom It May Concern,

On behalf of the membership of the Professional Logging Contractors of Maine (PLC), I am writing to provide comments regarding the work of the UI Stakeholders Group, which was created by Public Law 2021, Ch. 456, “An Act To Amend the Laws Governing Unemployment Compensation,”.  The PLC was invited to participate as a stakeholder on the group but would like to provide further comments to be included in the public record for consideration in the final report that is presented to the Maine Legislature.

For background, the PLC is a trade association that represents logging and associated trucking contractors throughout the state of Maine. The PLC was formed in 1995 to give independent contractors a voice in a rapidly changing forest industry. As of 2017, logging and trucking contractors in Maine employed over 3,900 people directly and were indirectly responsible for the creation of an additional 5,400 jobs.  This employment and the investments that contractors make contributed $620 million to the state’s economy.  The PLC membership, which includes 200 contractor members and an additional 100 associate members, employs over half of the individuals who work in this industry and is also responsible for 80% of Maine’s annual timber harvest.

The PLC’s comments here will pertain to the highlighted areas of responsibility (below) of the stakeholder group as identified in public law:

D. Methods to streamline and facilitate application for unemployment insurance benefits that will increase access for unemployed workers, simplify reporting requirements for employers and determine any clarifications or modifications that may be needed related to the submission of partial unemployment claim forms in accordance with Title 26, section 1194, subsection 1-A;

E. How an employer liaison contract might be designed to provide assistance to the business community in interacting with the unemployment insurance program, focused on the goal of reducing administrative burden and improving user experience, including recommendations of a funding source to support such a contract;

F. Whether unemployed individuals have completed reemployment services and eligibility assessment with the Department of Labor within the prior 5 years and whether these individuals should be considered to have good cause for not participating in reemployment services and eligibility assessment under Title 26, section 1192, subsections 2 and 13; and

G. Any software or technology issues contributing to delays, claims processing issues and paperwork burden to businesses that may be resolved through technological means or any ways to promote improved claimant or employer user experience and interface with the unemployment insurance system.

In response Section D. and Section G above, the PLC surveyed its membership to solicit their feedback as small businesses and on behalf of their employees with respect to the UI system.  The following is a summary of the survey as well as the responses:

1. 200 small businesses were surveyed, and the PLC received 40 responses.
2. Respondents were from Avon, Bowerbank, Fort Kent, Hancock, Harmony, Hermon, Jackman, Jay, Lee, Livermore, Lowell, Madawaska, Mexico, Milford, Millinocket, Naples, Old Town, Poland, Portage, Porter, Saint David, Smithfield, Smyrna Mills, South china, Wallagrass, Waltham and Weston.  Several responses came from businesses that operated in the same community as another.
3. Questions posed on the survey were as follows:  a) Do your employees have difficulty applying for unemployment during mud season; b) If yes, what are the problems they face; c) Does your company have difficulties verifying employment with the Maine Dept. of Labor?; d) If yes, please describe the problems you have; e) Have your employees encountered challenges with the work search requirement and the six week work search waiver provided to job attached employees; f) If yes, what are the challenges; g) Are there other parts of the unemployment system that do not work well for your company and if so, what are your recommendations for change?
4. Date on respondents and sample responses to each question are provided here:

**Question A** – 60% of respondents said yes, their employees have difficulty applying for unemployment during mud season

**Question B** – if they said yes to Question A, respondents provided the following responses:

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| The whole sign up then the long delay before benefits...we pay in and it's hard to get any back |
| They went 6 weeks without pay |
| Nobody answers telephone |
| Work search when there is no work available in the woods. |
| It is extremely difficult for them to file for benefits, there are always problems with the unemployment office. They kick back applications, and it can take several days and hours of trying to get through to them. |
| Not being able to login or more so talk to a person directly |
| Takes time to get their first check and wait a lot to talk to someone |
| Starting a claim ( new or continued of previous year) and work search |
| Reapplying same answers every year for the same reasons when their gonna come back to work for same employer |
| Need in person support again in offices at close proximity and when making a phone call having someone at the other end at that moment to answer the necessary questions...no leaving messages not knowing when the call will be returned. |
| Trying to contact someone in the unemployment office |
| If they have to call I believe that there are sometimes long wait times |
| They need to have someone to talk to. |
| Long waits and seems things get delayed on the states side |
| Getting kicked out of the system |
| Calling unemployment no answer or short time. Unable to get the online system to work due to lack of technology |
| having to prove identity has been a big problem for some, takes weeks at times to get it straightened out. Most of these guys live week to week and missing weeks makes it very difficult.  I have some that have weeks they never got paid for.  Problems with the technology being used to apply for benefits. Big problems with their website and bigger problems having to use i-phones etc to prove to the Dept. of Labor their identity.  Unemployment department hard to get a hold of due to small hours of phone operations |

**Question C** – Only 10% of respondents stated that they had challenges verifying employment

**Question D** – Those who did respond yes to Question C stated the following, “I called them, I emailed everything to them several times and they still took 6 weeks to give them anything,”, “Unemployment often asks for the same verification multiple times even though we have to respond in the electronic SIDES system.”

**Question E** – 60% of respondents said yes, their employees have encountered challenges with the work search requirement and waiver process.

**Question F** – If they said yes to Question E, respondents provided the following responses:

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| They told them we would be going back in the woods when allowed, but, still had to go around and look for work |
| Confusion over rules |
| Can’t use the same employers for work search, even though they are going back to work. |
| Knowing when, or if they should. It is my understanding that for six weeks employees do not have to file a work search requirement if a return date has been set at the end of the six weeks. Anything beyond those six weeks a work search is required. The only way around this is if the employee or employer call and are granted a waiver for beyond those six weeks. |
| A few never got there checks when calling they were told they had to look for work. They would tell them they were exempt it would get corrected they were told and following week no check again. They would have to make calls back to get it resolved |
| No option for a green slip week |
| No work in our field of employment at that time of year |

**Question G –** Are there other parts of the unemployment system that do not work well for your company…..?  Here is a sample of the responses:

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| they maybe should be quicker about paying people after they are sent all the paperwork |
| Not all employees use computers, add more state workers to answer phones |
| When we are told we don’t need to do a work search for a few weeks. Then they refuse to pay you because you didn’t do a work search. They know you have a call back. But still gives you a hard time. |
| It should not be so hard to talk with someone who is knowledgeable about my employees claims. |
| Yes, employers are not able to get logged in in order to help our laid off employees |
| Accessibility!!! |
| Many! Need more knowledgeable personnel for sure. Application has too many questions. Stop writing questions that are confusing, not clear and tricky. This is unnecessary for applying for unemployment. Stop changing the wording of the questions every other week to confuse us even more. Excessive security tactics that's too much! Hard working punctual dependable flexible self-taught loggers shouldn't be put in the same basket as someone that wants to commit fraud!! |
| Can't get through to call center.  They need to totally abandon their reemployment website with is NOT very user friendly and design something that actually is easy to understand and use. Most of our employees are not computer or i-phone savy. Perhaps more boots on the ground with more help available at multiple locations (maybe on a rotating schedule) would help. Using what they have now is challenging, exasperating - even if you are computer and i-phone literate.  Maybe time for a change at the top as well as things are not working well.  Employees who have gone to work for someone else and then claim unemployment, at times it has been charged back to me and I disagree with how that is done. We are also asked to verify workers employment dates multiple times. |
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With respect to Section E. above, “How an employer liaison contract might be designed to provide assistance to the business community in interacting with the unemployment insurance program, focused on the goal of reducing administrative burden and improving user experience, including recommendations of a funding source to support such a contract,”, the PLC is in opposition to having an employer liaison at the Maine Dept. of Labor for the time being.  It will add further cost to the employers to fund such a position and may/may not have positive benefits for the employers in the state.

With respect to section F. above, “Whether unemployed individuals have completed reemployment services and eligibility assessment with the Department of Labor within the prior 5 years and whether these individuals should be considered to have good cause for not participating in reemployment services and eligibility assessment under Title 26, section 1192, subsections 2 and 13; the PLC and its members were strong supporters of having this provision included in law in 2018.  For unemployed individuals who are job attached and return to the same position year after year, it is not necessary to have those employees participate in reemployment services more than once every five years.  If the employee was not job attached, then certainly, gaining the assistance of reemployment services such as training might be warranted, but not for an individual who has been laid off due to no fault of their own and the fact that they will return to their employer following the seasonal layoff.

Thank you for the opportunity to provide comments on this stakeholder process.  If you have any questions regarding our comments or if I can provide any further information, please do not hesitate to contact me.

Best,

Dana

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