



**This system offers
the following
online services to
employers.**

- Apply for a DWS Employer Account Number
- File and pay Quarterly Contribution and Wage Reports
- Respond to the UI 901A Overpayment Wage Response System
- Register for and respond to the UI Benefit Notice Response System & Shared Work Program
- Report Unemployment Insurance Fraud
- Notify DWS of a potential employee's refusal of work, failure to submit to a pre-employment drug screen, or failure to pass a pre-employment drug screen

Enroll in ADWS Online UI Employer Services Today!

The Department of Workforce Services is pleased to offer Arkansas employers an online method for handling their Unemployment Insurance accounts. The DWS website includes a link to many of the employer UI notices and reports that employers are accustomed to completing by hand and submitting by mail. Signing up online makes it easier to keep track of UI tax accounts.

To access the online menu, visit the DWS website <http://dws.arkansas.gov/> and click on the **Employers** tab. Then select the first link on the menu, **Online UI Employer Services**. Once the screen displays, choose from the many options listed.

A DWS employer account and online user ID are needed to get started. Companies that have never registered with DWS, may register and apply for an account number on this site. The left hand column on the main page (**Welcome to Arkansas DWS Online Unemployment Insurance Employer Services**) allows visitors to immediately start the registration process.

This newsletter gives just a brief glimpse of the online services. DWS encourages Arkansas employers to visit the DWS website and take a more detailed look at what is now available online. It is the agency's goal to provide innovative methods to assist employers in working with DWS.

Arkansas Department of Workforce Services

Preparing today's workforce for tomorrow's careers.

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- Online UI Employer Services**
An overview of all the UI Employer Services offered.
- Arkansas JobLink**
A site for finding jobs.
- New Hire Registry**
Link to the Newhire Registry website.
- Work Opportunity Tax Credit**
Information about the Work Opportunity Tax Credit.
- Employer Workplace Poster**
A helpful pdf of Employer information.
- Training Trust Fund Program**
Overview, Regulations, and Application.
- UI Employer Information**
Useful UI Info for Employers.
- UI Benefit Appeals**
Overview of Unemployment Insurance Benefit Appeals.
- UI Shared Work Program**
Information regarding the UI Shared Work Program.
- UI Tax Appeals**
Overview of UI Tax Appeals.
- UI Employer Forms**
Useful UI Employer forms.
- Contact UI**
Contact information for UI.

To access all of the new online information, forms and services that DWS offers to Arkansas employers, click on the **Employers** tab at the top of the page. Then select **Online UI Employers Services**.

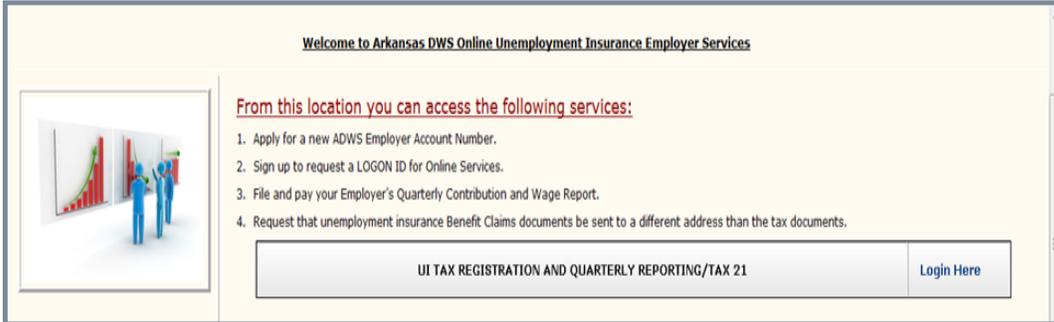


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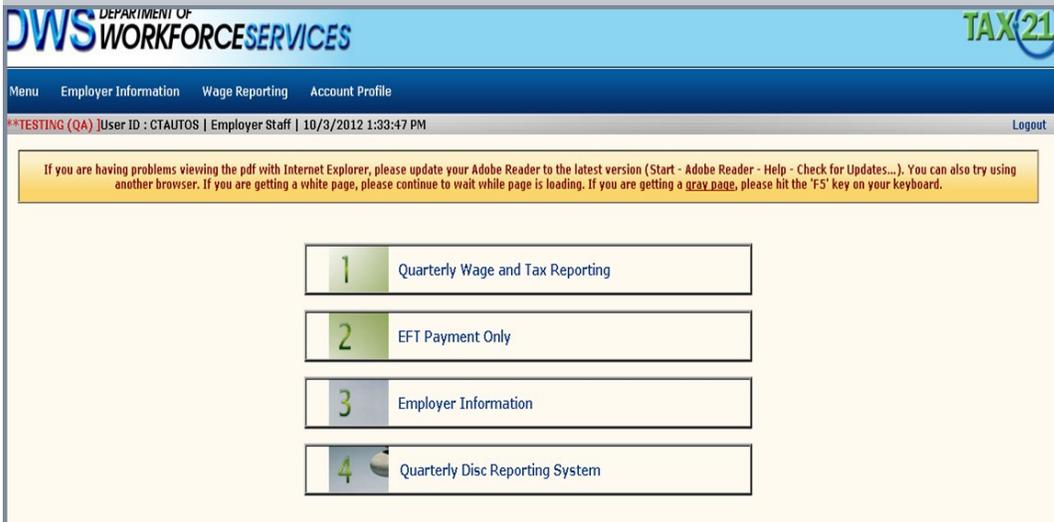
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UI Tax Registration & Quarterly Reporting-Tax 21

TAX 21 is the online site where employers and/or their tax agents can file the **Employer’s Quarterly Contribution and Wage Report (DWS 209b)** and pay the tax due by Electronic Funds Transfer (EFT). Employers can access their account, all client accounts and maintain those accounts with regard to address changes and terminations. Finally, employers can view and print their rate statements and access their accounts’ status with regard to report and tax payment compliance.



For tax and payment related options, select **UI TAX REGISTRATION AND QUARTERLY REPORTING/Tax 21**.



After logging into the **Tax 21** system, four menu options relating to a company’s unemployment insurance tax account will appear.

Option One: Quarterly Wage and Tax Reporting

From this menu option, employers may check the status of and file their quarterly wage and tax reports.

Option Two: EFT Payment Only

Make electronic quarterly tax payments.

Option Three: Employer Information

From this screen, employers may view their account information and quarterly reports history.

Option Four: Quarterly Disc Reporting System

The last option will allow employers to upload their wage report information from most accounting softwares, such as QuickBooks and Peachtree.

A DWS employer account and an online user ID are necessary to get started. If an Arkansas company has never registered with DWS, the employer representative may register and apply for an account number from this site. The left hand column on the **Welcome to Arkansas DWS Online Unemployment Insurance Employer Services** page displays the links that will initiate the registration process.



UI 901A Overpayment Wage & Benefit Notice Response Systems

The bottom login portal on the **Welcome to the Employer UI Online Employer Services** page grants access to several UI employer functions. Once an employer logs in here, they can select any of the five available options.

The first option, the **UI 901A Overpayment Wage Response System**, a paperless online response system, enables DWS to quickly identify employees reporting inaccuracies.

If an employee claims unemployment while working for an organization, the employer may be asked to provide that person's wages to DWS to determine if that person accurately reported wages.

This option allows employers to respond to requests for wage information in overpayment investigations (DWS 901a).

Select Option 2, the **UI Benefit Notice Response System & Shared Work Program**, to receive and respond to Notices to Last and Base Period Employer (DWS 501.3/550), Adjudication Questionnaires (DWS 525), and to apply for the Shared Work program.

Option 2 also allows employers to make changes to their electronic profile, including the method of receiving these UI notices. All notices are sent by mail unless the notification is changed to be sent electronically. If electronic transmission is requested, it will require an e-mail address for notification. If the **Both** option is selected, the notices will be sent electronically and by mail.

- 5. Respond to UI 901A Overpayment Wage Response System.
- 6. Register for & Respond to UI Benefit Notice Response System & Shared Work Program.
- 7. Report Unemployment Insurance Fraud.
- 8. Report a Refusal of an Offer of Work.
- 9. Report a Failure to Submit to or Pass a Pre-Employment Drug Screen.

**RESPOND TO UI 901A OVERPAYMENT WAGE RESPONSE SYSTEM
 REGISTER FOR & RESPOND TO UI BENEFIT NOTICE RESPONSE SYSTEM & SHARED WORK PROGRAM
 REPORT UNEMPLOYMENT INSURANCE FRAUD
 REPORT A REFUSAL OF AN OFFER OF WORK
 REPORT A FAILURE TO SUBMIT TO OR PASS A PRE-EMPLOYMENT DRUG SCREEN**

[Login Here](#)

Go to the DWS website, and click on the **Employers** tab. Then click on the **Online UI Employer Services** link. At the **Welcome** page, choose the second login portal.

The five options below will display, allowing employers to access several new Unemployment Insurance services.



- 1** [UI 901A Overpayment Wage Response System](#)
- 2** [UI Benefit Notice Response System & Shared Work Program](#)
- 3** [Report Unemployment Insurance Fraud](#)
- 4** [Report a Refusal of an Offer of Work](#)
- 5** [Report a Failure to Submit to or Pass a Pre-Employment Drug Screen](#)

The Adjudication Process: To Provide Information or Not to Provide Information? That is the Question...



The determination of a claimant's eligibility for unemployment insurance (UI) benefits is a critical UI program function. The adjudication process is initiated if a claimant indicates during the claim process that there is a potential issue that may affect a claimant's past, present, or future benefits. Potential issues are also detected through information provided by employers on the Notice to Last Employer and Separation Questionnaires.

Information and/or documentation provided concerning a claimant's eligibility for benefits not only impacts a claimant's rights, but the employer's as well. Depending on the type of issue being adjudicated, a determination concerning a claimant's eligibility also impacts an employer's liability for benefit charges. As a result, an employer's first line of defense in protecting its UI tax rate is to respond timely and adequately to requests for information from DWS.

The Notice to Last Employer - Form 501.3

Any time a claimant files an unemployment claim based upon a separation from work, the business the claimant worked for immediately prior to filing the claim will receive a "Notice to Last Employer." The Notice to Last Employer is the first "check and balance" designed to protect an employer's UI tax rate. This form serves to verify the information provided by a claimant as to the reason for the separation. Many issues that could affect the claimant receiving UI benefits can be detected by carefully reviewing the Notice to Last Employer. It is crucial that an employer timely notify DWS to verify the claimant's reason for separation. The most pertinent information an employer can provide in its response is an accurate last day of work, the claimant's employment type (part time, full time, temporary, etc.), and the reason for separation from work.

If an employer does not respond to the Notice to Last Employer, then DWS has no alternative but to accept the claimant's information as accurate. In addition, the failure to timely return the Notice to Last Employer will result in the employer not being eligible to receive a noncharge of benefits should the claimant subsequently become eligible to receive UI benefits.

Separation Questionnaires - Form 525

Within the UI world questionnaires are necessary because they serve as the foundation upon which a claimant's eligibility for UI benefits is determined. If the questionnaires are not returned or are returned without sufficient information or supporting documentation, it might result in the claimant being awarded UI benefits when a disqualification could have been imposed had all of the facts surrounding the separation been made available. After DWS has received the Notice to Last Employer and Separation Questionnaires, it may be necessary for the adjudicator to contact the parties to obtain additional information concerning the claimant's eligibility for UI benefits. It is important to note that in some instances, ADWS Regulation 15 (G) prohibits an employer's account from being relieved of charges arising from an overpayment of benefits if the employer or its agent has developed a pattern of failing to respond timely or adequately to Separation Questionnaires.

The Notice of Agency Determination - Form 578

Except in cases involving a lay off, the adjudication process results in the issuance of a Notice of Agency Determination. The Notice of Agency Determination states the facts considered in adjudicating the issue, the applicable section of law on which the determination is issued, and whether the claimant is eligible for UI benefits. Both the claimant and the employer have a right to appeal the Notice of Agency Determination. The Notice of Agency Determination will become final if not appealed to the Arkansas Appeal Tribunal within twenty (20) calendar days from the mailing date of the determination.

Tips to Providing Timely and Accurate Information:

- Ensure that your contact information is up-to-date with DWS.
- If you use a third party representative to handle your UI claims, ensure that information is on file.
- If you discontinue using a third party representative, notify DWS immediately upon terminating those services.
- Respond to the Notice to Last Employer (501.3) within 10 calendar days of the mailing date.
- Ensure that the response is completed accurately and thoroughly.
- Respond to all DWS questionnaires within seven calendar days of the mailing date.
- Respond to all DWS questionnaires accurately and thoroughly—even if you think the questionnaire is not applicable.



A pattern of failing to return the Notice to Last Employer or DWS Questionnaires can result in an employer not being eligible to receive an overpayment credit.

Unemployment Insurance Benefit Charging Process Explained

Only the base period employers used to establish an unemployment insurance claim have the potential to be charged if benefits are paid to a claimant. The first indication a base period employer has of potential charges to its account is if it receives a **Notice to Last Employer (501.3)** or a **Notice to Base Period Employer (550)**.

If an employer receives a Notice to Last Employer listing potential charges, then it is also a base period employer. In most instances if there are no potential charge amounts listed on the Notice to Last Employer, then the employer is not a base period employer and its account will not be subject to charges. Nonetheless, it is still critical that an employer that received a Notice to Last Employer submit a response. If the claimant files another claim in a succeeding benefit year then the employer would be included as a base period employer for the subsequent unemployment insurance claim.

To be eligible for noncharging for benefits paid, employers must respond to ADWS' requests for information in a timely fashion. ADWS Regulation 15 requires that the Notice to Last Employer be returned/postmarked within 10 calendar days from the mailing date and the Notice to Base Period Employer within 15 calendar days from its mailing date. ADWS also offers an online unemployment insurance claim notification and response system for employers to respond to several different requests for information related to unemployment insurance claims.

Returning notices in a timely fashion is just the first step in receiving a noncharge. To be eligible for a noncharge, an employer must also provide sufficient information concerning the reason for the claimant's separation in order for ADWS to determine why a claimant became separated from employment. If it is found that the claimant was separated because he quit without good cause connected with the work or was discharged for misconduct in connection with the work, then the account will be noncharged provided the employer response was submitted timely. It is also possible for an employer to receive a noncharge if the claimant is a part-time employee who continues to work for the employer without a reduction of hours, as long as the claimant is not employed on an "on call" or "as needed" basis. Again, the employer must have submitted a timely response to the Notice to Last Employer or the Notice to Base Period employer.

ADWS Regulation 15 (G) states that no employer's account shall be relieved of charges arising from an overpayment of benefits as provided in Ark. Code Ann. §11-10-703 if the overpayment of benefits is the result of the failure of the employer or the employer's agent to respond timely or adequately to a request for information from the Arkansas Department of Workforce Services and the employer or the employer's agent has established a pattern of failing to respond to such requests.

Reimbursable employers are not eligible for benefit noncharging. Ark. Code Ann. §11-10-713 provides that reimbursable employers pay dollar for dollar for all benefits paid based on wages paid by the reimbursable employer. Once the claimant starts receiving benefits, the reimbursable employer must pay an amount equal to benefits paid each quarter.

All other reasons result in a charge to the employer's account.

As the amount of charges is unknown, ADWS cannot make a formal written charge determination upon the receipt of the returned Notice to Last Employer or Notice to Base Period Employer. Rather, employers are notified at the end of each quarter if charges have accrued.

If there are charges assessed to an employer's account, it will receive a **Quarterly Statement of Benefits Charged to Your Account**. If no charges accrued during the quarter, then a quarterly charge statement is not mailed.

If an employer disagrees with any first time charges on a quarterly charge statement, then those charges must be protested. It is extremely important to note that charges can only be protested the first time they appear on a quarterly charge statement. First time charges are designated by an asterisk. Subsequent charges appearing on a quarterly charge statement from the same benefit year claim cannot be protested.

To lodge a protest of first time charges, you must write a letter of protest and mail it to **ADWS, PO Box 8011, Little Rock, AR 72203-8011**. Charge protests must be postmarked within 30 calendar days from the mailing date of the quarterly charge statement. An employer must provide information in or attached to its protest letter that can be used to determine that it responded timely to the Notice to Last Employer or Notice to Base Period Employer and that the account is entitled to one of the non-charge provisions—the claimant quit without good cause, was discharged for misconduct, or is still working other than an "on call" or "as needed" basis with no reduction in hours. A copy of the quarterly charge statement must also be included.

After an employer's protest is reviewed, it will receive a **Notice of Agency Decision on Request for Review and Redetermination of a Quarterly Charge Statement**. If an employer disagrees with the disposition of the charges, it must file an appeal to the Circuit Court in the county of its business residence or to the Pulaski County Circuit Court. All such appeals must be filed within 20 calendar days from the mailing date of the notice. Most courts require a filing fee and that the documents be physically received by the court, not postmarked, within the 20 calendar day period.

Before a Lay Off, Consider the Shared Work Program!

DWS provides an alternative for employers faced with a reduction in their work force through the Shared Work Unemployment Compensation Program. It allows an employer to divide available work or hours of work among a specific group(s) of employees in lieu of a layoff, and it allows the employees to receive a portion of their unemployment benefits while working reduced hours.

Any employer who chooses to participate in the Shared Work Program must have a positive reserve account and must not have had a temporary layoff of the affected group within the four (4) month period preceding the application for the Shared Work Program.

To qualify for benefits under the Shared Work Program, employees must be regularly employed by an employer whose Shared Work Plan has been approved by the Director of the Department of Workforce Services or his duly authorized representative.

During the period for which benefits are payable, the following conditions must be met:

1. The employees normal weekly hours of work are reduced at least 10% and not more than 40%.
2. The employees must be monetarily eligible for regular unemployment insurance benefits and must not have exhausted their entitlement to regular UI benefits.
3. The employees must file a claim and meet the eligibility requirements for regular Arkansas benefits.
4. The employees need not:
 - a. Be available for work other than with the Shared Work Employer.
 - b. Conduct an active search for work, or
 - c. Apply or accept work other than from the Shared Work Employer.

**What are the advantages for an employer to elect to participate in the Shared Work Program?**

- Production and quality levels are maintained.
- Rapid recovery to full capacity is possible because of retention of an experienced workforce.
- When the economic climate improves, administrative and training costs of hiring new employees are minimized.
- Affirmative action gains are protected.
- Employee morale remains high.
- Consumer spending patterns remain more stable.
- Public assistance expenditures may be lessened.

The employees must be able and available to work the normal hours of work of the Shared Work Employer.

Employees can receive up to 25 weeks of benefits through the Shared Work Program.

Employees involved in an employers' approved Shared Work Program, if otherwise eligible, will receive that percentage of their weekly unemployment insurance benefit amount which equals the percentage of reduction in normal work hours for that week due to Shared Work. If additional hours are worked during the week in the employment of another employer(s), the combined hours of work for both employers will be used to determine the percentage reduction of their weekly unemployment insurance benefit amount. However, if the combined hours are equal to or greater than 90% of the normal weekly hours of work with the Shared Work Employer, the claimant shall not be entitled to Shared Work benefits for that week.

For more detailed information about the Shared Work Program visit www.dws.arkansas.gov and select the UI Shared Work Program link.

Combatting Unemployment Insurance Fraud

The **Fraud Investigations, Recoveries and Enforcement (FIRE)** Unit is an earnings fraud investigative unit within ADWS. While unemployment insurance fraud can take many forms, the FIRE Unit only investigates potential earnings issues on an unemployment claim when there are no other potential nonmonetary issues impacting an unemployment insurance claim, such as an unreported separation issue. The mission of the FIRE Unit is to preserve the integrity of the unemployment insurance program through detection, investigation, prosecution, and enforcement of Arkansas' unemployment insurance laws related to the reporting of earnings by unemployment insurance claimants.

The FIRE Unit has four main roles, those are:

- Detect and adjudicate earning issues on unemployment claims
- Deter claimants from obtaining benefits through fraudulent means.
- Prosecute individuals who have committed egregious fraud.
- Enforce the recovery of an overpayment of benefits.

Wage Audit Notices are mailed to employers when a quarterly crossmatch indicates that within the audited quarter an employer paid wages to a claimant and the claimant also was paid unemployment insurance benefits. Wage Audit Notices also are mailed when there is a weekly match between an active unemployment insurance claim and the National Directory of New Hires. The timely return of the completed Wage Audit Notices by employers so that the weekly wages can be compared with the wages reported by the claimant when weekly filing for benefits, plays a critical role in detecting fraud. Detecting fraud as quickly as possible preserves the integrity of the unemployment insurance program

If an employee claims unemployment benefits while working, the employer might be asked to provide a statement of that person's wages to ADWS to determine if the person reported those wages accurately and to stop fraud. An employer's assistance and cooperation in detecting and preventing unemployment insurance fraud will help preserve the integrity of the unemployment insurance program and ensure that an employer's UI contributions account and tax rate are not negatively impacted.

Important Reminder Concerning Responses to a Wage Audit Notice

In order for ADWS to complete an accurate investigation, it is vital for an employer to submit the Wage Audit Notices in the requested format. When providing earnings information for your employee(s), the earnings must be provided in a *Sunday to Saturday* format.

Unemployment Insurance Tax Information

2017 State UI Tax Rates

In addition to the experience based rates (0.1% – 14%) or the new employer rate (2.9%), the 2017 rate will include 0.3% stabilization tax. The taxable wage base will continue to be \$12,000.

FUTA Tax Credit

Aside from state unemployment insurance taxes, employers pay a federal unemployment or FUTA tax. The FUTA tax rate is 6.0% with a taxable wage base of \$7,000. However, if states operate their unemployment insurance programs in compliance with federal law then the FUTA tax is reduced (credit) by 5.4% to 0.6%.

