

Employment and Training Administration Advisory System U.S. Department of Labor Washington, D.C. 20210	CLASSIFICATION UI Legislation and Federal Programs
	CORRESPONDENCE SYMBOL DL/UIOPS
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ADVISORY: UNEMPLOYMENT INSURANCE PROGRAM LETTER NO. 27-07

TO: STATE WORKFORCE AGENCIES

FROM: EMILY STOVER DeROCCO /s/
Assistant Secretary

SUBJECT: Required Submission of Unemployment Compensation Materials Using Form MA 8-7.

1. Purpose. To inform the states of the revised requirements for submitting unemployment compensation (UC) legislative and other materials using the Form MA 8-7.
2. References. Section 303(a)(6) of the Social Security Act (SSA); the Federal Unemployment Tax Act (FUTA); 20 CFR 601.3 as revised by 71 Federal Register 35511 (June 21, 2006); 20 CFR 609.1(d)(1), 614.1(d)(1), and 617.52(c)(1).
3. Background. The Form MA 8-7 has been used by states for many years to submit certain UC materials to the U.S. Department of Labor. The requirements pertaining to the MA 8-7 were previously found in Part I, Section 1215, of the Employment Security Manual, which is rescinded and replaced by this UIPL. OMB has approved the use of the MA 8-7 form through 06/30/2010.

The new reporting requirements are significantly reduced and are now aimed primarily at ensuring states provide materials necessary for assuring Federal law requirements are being met. States will no longer be required to submit such materials as research reports, training materials, or agreements between the state UC agency and other agencies, although the Department reserves the right to obtain these materials upon request. Also, the new requirements provide that, in certain limited cases, information that is otherwise readily available to the Department need not be submitted.

RESCISSIONS <u>Employment Security Manual</u> , Part I, Section 1215; UIPL 7-97	EXPIRATION DATE None
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4. Authority. Section 303(a)(6), SSA, requires, as a condition of receiving administrative grants, that state law contains provision for the “making of such reports, in such form and containing such information, as the Secretary of Labor may from time to time require, and compliance with such provisions as the Secretary of Labor may from time to time find necessary to ensure the correctness and verification of such reports.” Departmental regulations at 20 CFR 601.3 in part implement this requirement by requiring the submission of “all relevant state materials, such as statutes, executive and administrative orders, legal opinions, rules, regulations, interpretations, court opinions, etc. . . .” Also, the regulations for the UC for Federal Civilian Employees (UCFE) program at 20 CFR 609.1(d)(1) and for the UC for Ex-Service Members (UCX) program at 20 CFR 614.1(d)(1) require submission of certain documents to assure that states are properly administering these programs. The Trade Adjustment Assistance (which includes Trade Readjustment Allowances) program (TAA/TRA) regulations provide similar requirements at 20 CFR 617.52(c)(1).

The MA 8-7 is the mechanism for implementing these submittal requirements, the purpose of which is to provide the Secretary with sufficient information to determine whether (a) employers in a state qualify for tax credits under the FUTA; (b) the state meets the requirements for obtaining administrative grants under Title III, SSA; and (c) the state is fulfilling its obligations under Federal UC programs.

Note: Disaster Unemployment Assistance (DUA) appeals material should not be submitted using the MA 8-7. The state agencies are to submit a copy of any appeal decision issued to the appropriate Regional Administrator (RA). The RA will then submit these appeal decisions as appropriate to the National Office. See 20 CFR 625.10(b)(2).

5. Action Required. State administrators should distribute this advisory to appropriate staff, including appellate staff (to assure submission of appeals decisions as required) and attorney general staff (if these staff are responsible for submitting required court cases).
6. Inquiries. Please direct inquiries to the appropriate Regional Office.
7. Attachments.
 - I. Form MA 8-7
 - II. Instructions for Completing the Form MA 8-7