



Controlling The Cost Of West Virginia Unemployment Compensation

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In recent months, the rate of unemployment has doubled and is currently at 8.6%. Because the balance in the State Trust Fund was dwindling, the West Virginia Legislature found it necessary to raise the taxable wage base for employers. Employers now pay tax on the first \$12,000 of each employee's earnings which is an increase from the previous \$8,000.

The tax rate applied to the \$12,000 is determined by the employer's past experience as in the amount of tax which has been credited to his account and the number of claims which have been charged to that account. This makes it critical that each employer protects his/her unemployment account. The balance of the account is ongoing much like a bank account. In other words, the tax credited and the claims charged stay in the account for as long as the employer remains in business.

If an unemployment claim charged to an employer's account 10 years ago could be affecting his tax rate today, it is extremely important that only proper claims are charged to the account.

How do you make sure only proper claims are charged?

1. Document everything in the employee's record. Do not rely on someone's memory. That person may be gone by the time the claim is filed and memory is not proof.
2. When you receive notice of an unemployment claim, be sure to respond to the claim timely. The response time is very short—4 days if you are the last employer and 14 days if you are not. Although you will not receive a form to complete when you are not the last employer, it is very important that you request relief from charges if the person quit or was discharged for misconduct before going to work for his last employer.

Preparing To Deal With OSHA's Enhanced Enforcement Activity

There are measures that you can take to ensure that OSHA's enhanced enforcement activity has limited impact on your organization.

- Review and update safety programs – ensure all applicable requirements are in place with assigned responsibilities and accountabilities.
 - Implement and document discipline for failure to follow safety protocols.
 - Ensure that your accident investigation process is applied and effective.
 - Integrate safety outcomes into performance management systems.
 - Ensure all required training is completed and documented.
 - Ensure all record keeping is accurate.
 - Coordinate daily, weekly and monthly inspections
 - Coordinate and document corrective measures from inspections.
 - Conduct "mock" OSHA inspections.
 - Coordinate a formal plan to respond to OSHA inspections and manage citations.
 - Where possible, collaborate with OSHA through consultation programs.
- Visit www.osha.gov for additional information.

3. Review the decision when received and appeal to the next level if you believe the decision is incorrect.
4. Make sure the person(s) with direct knowledge attend all hearings but especially the Administrative Law Judge hearing.
5. Audit the Statement of Charges received quarterly and make sure your account was not charged improperly. If the statement contains improper charges, request credit for those charges and follow up with WorkForce WV until you receive credit on a future statement.
6. Audit the tax rate assigned annually. Determine if the rate is proper and whether a lower rate can be obtained by making a voluntary contribution and/or forming a joint account.

It really does no good to do one or two of the above items if all of them are not done. For instance, if you make sure you get a good decision in a claim and then fail to realize you were charged for benefits when you should not have, you wasted your time getting the proper decision.

This is what the Unemployment Unit of Wells Fargo Disability Management does all day every day. We make sure that all six items, and many others that occur, are taken care of for all of our clients. If your company has relatively few claims, you may have to reeducate yourself each time one is received while we receive many every day.

If you have questions about unemployment, please feel free to contact me at 304.556.2274 or diana_osborne@wellsfargois.com. If you have questions about our service, you may contact Gary Waskey at 304.556.1162 or gary_waskey@wellsfargois.com.

Diana Osborne has 30 years experience; the service value is excellent at protecting the employers' UC account. This has become ever more important as the costs have risen.