

# PROGRAM INTEGRITY

which has been approved by the Commissioner of Labor. *Neb. Rev. Stat. § 48-628 (7)*

## Receipt Of Other Payments

Certain types of payments are disqualifying or deductible from benefit payments. Such payments include vacation, holiday, bonus, severance, sick, or pension payments from an employer, and Worker's Compensation. *Neb. Rev. Stat. § 48-628 (5)*

## Educational Institution Employees And Athletes

Employees of an educational institution are disqualified from receiving benefits based on their school employment during periods of unemployment between regular school terms if they have a contract or reasonable assurance of such employment for the next regular term. A similar disqualification applies to professional athletes between sports seasons. *Neb. Rev. Stat. § 48-628 (8)*

## APPEALS

A written determination issued by an Adjudicator concerning a question of benefit eligibility or charging of an employer's account may be appealed by an employer. An appeal must be in writing, must state that the determination is being appealed, and must be delivered and received within twenty days from the date the determination was mailed. The appeal should be addressed to the Claim Center shown on the determination. It must include the name and social security number of the worker, the employer's name and address, (if appropriate), and must state the claimant employer's reason

for believing that the determination is in error. *Neb. Rev. Stat. § 48-634*

You may request a reconsideration and possible redetermination based on new information if provided either prior to or in conjunction with your appeal. Requesting a reconsideration of the determination will not delay or extend the statutory 20 day filing requirement for your appeal. *Neb. Rev. Stat. § 48-631*

Appeals will be heard before the Nebraska Appeal Tribunal which is an independent appeal authority. The employer, the claimant and the Commissioner of Labor are parties to each appeal. Each party may appear, present evidence, and cross examine opposing witnesses. Questions about the appeal process should be directed to the Nebraska Appeal Tribunal. *Neb. Rev. Stat. § 48-635*

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### Program And Trust Fund

Making every effort to assure that all laws, rules, regulations and policies are followed in all areas of the Office of Unemployment Insurance of the Nebraska Workforce Development, Department of Labor is a normal part of daily operations. In spite of best efforts, situations and actions occur which through error or deliberate intention, the laws, rules, regulations, or policies are circumvented. In order to prevent, detect, and correct these situations, the Office of Unemployment Insurance maintains program and quality control operations. The components are Benefits Accuracy Measurement Unit, Benefit

Payment Control Unit, Internal Security Unit, and Tax Performance System Unit, which gives a four-pronged approach to the accomplishment of the primary mission which is protecting the integrity of the Unemployment Insurance Program and Trust Fund.

### **Benefit Payment Control**

The mission of the Benefit Payment Control Unit (BPCU) is to ensure the correctness of Unemployment Insurance benefit payments and the integrity of the Unemployment Insurance Trust fund through the prevention, detection, prosecution, and collection of benefit overpayments.

To accomplish this mission, several overpayment detection methods are utilized. Our main focus is on two computerized cross match systems which match benefit payments against the quarterly wage and new hire reports submitted by Nebraska employers and a nationwide crossmatch system.

Whenever a potential conflict of benefits paid and earnings reported or new hire information is detected through automated matches, an audit form is mailed to the employer involved requesting a breakdown of wages. The fact that an audit is mailed does not necessarily mean the employer to whom the audit is sent is being charged for benefits paid. An overpayment can not be determined until the earnings information provided by the employer on the audit form can be compared to the benefits actually paid. Please read the instructions on the audit form carefully before completing the information requested. ( See Appendix

Any information you, as an employer or as a private individual, have concerning persons who are drawing or attempting to draw Unemployment Insurance benefits to which they may not be entitled (particularly if they are employed while drawing benefits) can and should be reported to personnel at the nearest Nebraska Workforce Development, Department of Labor office or the Benefit Payment Control Unit at the address on the back of this handbook. BPCU telephone number is 402.471.2865. Our e-mail address is [benoverpay@dol.state.ne.us](mailto:benoverpay@dol.state.ne.us).

### **Internal Security**

The Internal Security Unit is charged with the responsibility of protecting the Office of Unemployment Insurance assets, including the Unemployment Insurance Trust Fund by the prevention, detection and investigation of fraud, waste and abuse outside the scope of the Benefit Payment Control operations. Any information concerning fraud, waste or abuse not involving Unemployment Insurance claimants should be provided to the Internal Security Unit at the address listed on the back of this manual. Unit phone number is 402.471.9986. Source and information provided is held in strict confidence in accordance with the Nebraska State Employment Security Law and the Privacy Act of 1974.

### **Benefits Accuracy Measurement**

Nebraska participates in a national information system to identify the type and cause of Unemployment Insurance benefit payment errors. The Benefits Accuracy Measurement Unit (BAM) randomly

selects for audit a specific number of claims each week. A team of qualified investigators verify all data with employers, claimants, and other sources to determine correctness of benefit payments. Areas investigated include, but are not limited to, base period wages reported by employers, the reasons for separation or reduction in working hours, and whether the claimant's activity is of the nature and type which meets work search expectations. Based on findings in these cases the number, type, and cause of benefit payment errors can be projected into the total number of weeks paid to determine a correct payment rate. Additionally, audits of denied benefits are conducted using the same methodologies.

The data accumulated by the BAM Unit is beneficial to the Department of Labor in determining if operational corrective actions or program enhancements are necessary for the most effective and efficient administration of the Unemployment Insurance system, and for maintaining the

integrity of the Unemployment Insurance Trust Fund.

## **Tax Performance System**

The Tax Performance System (TPS), formerly Revenue Quality Control, implemented by the Office of Unemployment Insurance is a federally mandated program intended to assist state administrators in improving Unemployment Insurance (UI) Tax operations. The program monitors the federally mandated computed measures for Cashiering, Collections, Report Delinquency and Status tax functions. These computed measurers provide the state with statistical analysis of the tax system.

TPS is designed as a cost effective means of evaluating UI Tax operations. TPS measures the timeliness, completeness, and accuracy of primarily internal functions, (status, cashiering, report delinquency, collections, field audits, and account maintenance), performed by the UI Tax operation.