

Looking Back at Scottsdale 2008

Marilyn White / Arizona

It hardly seems possible that it has been six weeks, as I write this, since the conference ended and everyone went home. The time we shared just flew by. To those of you who attended, thanks! I hope you enjoyed your time here. We were certainly glad to have you as our guests.

Just to re-cap, we had 105 registered attendees and quite a few guests. We had five superior helpers from Mississippi - they were learning for the 2009 conference and assisting us in ways too numerous to mention. We also had great AV support and hospitality hosting. The resort provided very comfortable sleeping rooms, nice meeting rooms, great food, and warm hospitality. And, who could forget the bunnies everywhere! The Agenda Committee offered what, I believe, was one of our best agendas ever. There were several distinguished non-member speakers, a great variety of topics and some outstanding presentations by our friends from USDOL. We also had the opportunity to see the technology advances being done in Utah, Florida and a few other states. We even had the chance to socialize, catch up with old friends and make new friends. And, I am pleased to report that y'all managed to consume an impressive amount of water, as instructed!

The evaluations which you submitted were almost all very positive. We really do appreciate all of you taking the time to give us your thoughts. We received some great suggestions for future conferences and for agenda topics and we will use those. We also take your criticisms seriously - we don't know if you don't tell us. In those areas where we may not have done a satisfactory job, we will strive to improve.

This conference, as you probably know, was unique in that it was not hosted by the State of Arizona, but by NAUIAB. It is not that Arizona did not want to host the conference; it was simply a matter of financial reality. And, it was the first conference NAUIAB has hosted without state support, so there were some unique challenges for us. One of the major drawbacks from not having a state host was that we found it necessary to put our available resources into the actual conference and not in gifts, shirts, bags or other amenities such as we have been able to provide in the past. I know this was disappointing to some of you, but hope that the other aspects of the conference made up for this.

The BOG works very hard to provide nice accommodations, quality speakers, useful and timely agenda topics and a little fun. I think we succeeded in Scottsdale this year. However, these annual training conferences actually belong to the membership. If you feel there are things we could have done better, things we should have not done, or things we failed to do - please let us know. The BOG tries to be responsive to all suggestions.

If you were among those who did not attend, we would really like to know why. Was it location, cost of travel and lodging, time of year, length of conference, conference fees, not interested, something else we can't think of? If you simply received a denial from your agency, can you ask them why and what might make a difference in the future. As the BOG plans for future conferences, we need to know what brings attendees and what keeps them from coming - we need to know how we can make the conference more attractive to you, your superior and your agency. You can email your comments to marilynwhite@azdes.gov, or snail-mail them to Marilyn White, Arizona DES/ Appellate Services Division, 1140 E. Washington Street, Suite 104, Phoenix, Arizona 85034. Every bit of information you can provide will help assure the continuance and improvement of the NAUIAB annual training conference.

Hope to see y'all in Oxford!



President's Column

Marcella Townsend / West Virginia



Greetings from Snowshoe Mountain! I'm writing today from nearly a mile high in the Allegheny Mountains of West Virginia, a few hours east of Charleston. Tony and I are up here this weekend supporting the Snowshoe Mountain Challenge. This is the third year we've volunteered with our bicycle club to provide rest stations for the 200 plus bicyclists who tackle the grueling 106 mile ride. Cyclists from across the country get to show their stuff on an amazing course with nearly 10,000 feet of climbs.

It is truly an inspiration to watch these athletes perform. The men and women are in superb shape. They face an enormous physical and mental challenge to pedal up those mountains with legs aching and lungs screaming. We stand on the side and cheer them on while filling hundreds of bottles with Gatorade. After making nearly a thousand of them, I'm the official Queen of the peanut butter and jelly sandwich.

We see familiar faces each year. Some ride to win while others ride in groups supporting each other along the way. The cyclists share training strategies, and the newest bike components and gear. One of the reasons they come together is because they are constantly looking for ways to improve. The best cyclists know that when you surround yourself with riders of excellence, you become better.

I see the same thing happen at NAUIAB conferences (except we don't wear bike shorts!). NAUIAB provides the opportunity for those of us working with unemployment insurance appeals to come together and improve. We learn from experts across the country and share the latest in technology. It is this acquisition and exchange of knowledge that makes us better. We push each other professionally to stay in the pursuit of excellence. We don't want to fall behind and climb those mountains alone.

This year's conference again provided outstanding educational opportunities. Thanks to everyone who helped make NAUIAB 2008 in Scottsdale, Arizona, such a success. We promised you HOT weather and we delivered! Special thanks to Marilyn White who did so much work behind the scenes to make this conference possible. The location was superb and our accommodations were first class all the way. Attendance was less than we had hoped for but we still had a wonderful time.

We are looking ahead to an extraordinary year. Lynn Fitch and the folks from Mississippi have fantastic plans already in place for our upcoming conference. Our Board had the pleasure of visiting Oxford and it is a lovely city full of southern hospitality.

It is a great time to serve as President. Thank you for this opportunity. When I think about the outstanding talent and intellect of our colleagues in NAUIAB, I am humbled and somewhat anxious to serve as President. But a little fear can be a good thing. In her book, "And One More Thing Before You Go...", Maria Shriver tells us not to be afraid of being afraid. "As you dive into your own future, remember this: If you feel afraid, it means you're alive. That's good. Now use it." On that note, I'm focusing my anxiety of being President into excitement about what we're going to accomplish this year.

Donna Watts-Lamont provided outstanding leadership as President over the last year. I recognize the luxury of the continuity of leadership I enjoy because of Donna and Marilyn White's mentorship, graciousness and generosity. We look forward to working with the other members of the Board of Governors. With this continuity, we are able to shape a vision for the future of NAUIAB that builds on our current strengths.

The key elements in this vision include recruiting and retaining outstanding unemployment appeals professionals who take pride in membership to NAUIAB, developing conference agendas that combine the best of traditional administrative training with the newest techniques in professional skills training, and continuing to provide support to our members throughout the year with the Navigator newsletter and website.

We need your help to accomplish those goals. Don't be surprised if we tap you on the shoulder and ask you to participate. For those of you who have experienced the value of NAUIAB's educational program and of our camaraderie, we urge you to stay involved and active. If you have an idea for a newsletter article, contact Clay Mitchell, our Newsletter Chair, at cmitchell@dllr.state.md.us. If you would like to make a presentation at the upcoming conference, contact Pete Lansdowne, our Agenda Chair, at plansdowne@azdes.gov. If you are interested in hosting a future conference, please contact me at mtownsen@workforcewv.org.

Peace, love, and peanut butter and jelly!
Marcella

Unemployment Insurance History

Submitted By: Brian Langley, USDOL

Many attendees at the Scottsdale conference commented on how much they enjoyed the USDOL presentation on the history of the unemployment insurance program. Most attendees had no knowledge of the long and winding history and development of the program. Brian Langley of the USDOL will be submitting the "Unemployment Insurance History" for the Navigator in several parts. It is a history with which we should all be familiar. The first article highlights the events of the "early days".

Part I: The Early Days

"...time would come when individual initiative and enterprise would not automatically result in a secure economic existence, that millions of our fellow citizens would come to economic grief through no fault of their own, and that we, as a government, if we were to survive, must provide these individuals with something more than private charity or emergency relief." By John G. Winant, Advisory Council for the Committee on Economic Security.

On August 14, 1935, at approximately 3:30 p.m., the Social Security Act was signed into law by President Franklin D. Roosevelt. The law asserted, for the first time in America, a comprehensive national program for the economic security of its citizens. The Act created unemployment compensation, old-age benefits, and aid to dependent children.

As for unemployment compensation, this was the official beginning of a federal-state cooperative program to help unemployed workers meet their daily financial obligations until they could get back in the labor force. As he signed the Act into law, President Roosevelt stated, "We can never insure one hundred percent of the population against one hundred percent of the hazards and vicissitudes of life, but we have tried to frame a law which will give some measure of protection to the average citizen and to his family against the loss of a job and against poverty-ridden old age."

Addressing unemployment was not a new phenomenon in 1935. Its origins date back to the middle of the nineteenth century when trade unions first started paying benefits to workers. In Europe, beginning in 1893 and carrying through to the turn of the twentieth century, several cities established voluntary unemployment benefit plans. The first plan of this kind was started in Berne, Switzerland. Although the Swiss canton of St. Gall failed in its attempt to establish a compulsory unemployment insurance system in 1894, the concept for voluntary plans had already taken root and other European countries attempted to do the same. The most popular of these efforts was the "Ghent system." In 1901, the Belgian city of Ghent created a system where unemployment funds held by the unions or the labor federations were subsidized by the city. In 1905, France passed a law providing for a national subsidy for voluntary unemployment funds.

Great Britain established the first national compulsory system in 1911. Italy and Germany followed with their own compulsory unemployment insurance systems in 1919, and 1927, respectively.

Unemployment insurance systems here in America also date back to the "out-of-work" benefit plans established by the trade-unions. The first union plan in this country was developed in the early 1830's, but a hundred years of progress saw less than 100,000 union members covered by unemployment benefit plans. Several garment unions reached agreements with employers, including provisions for guaranteed employment and unemployment benefit plans. However, recurring economic downturns in the late 1890's, through the Great Depression of the 1930's, gave few companies incentives to establish voluntary unemployment insurance systems of their own.

Massachusetts introduced legislation for unemployment insurance in 1916; Wisconsin followed in 1921. Other states like Connecticut, Minnesota, and New York also introduced similar legislation throughout the 1920s. Wisconsin finally passed its unemployment insurance law in 1932. During the 1920's and 1930's, one of the most significant barriers causing states not to pass unemployment insurance laws was the concern of competitive disadvantage for their employers from states not implementing an unemployment system.

Many historians point to the Great Depression as the catalyst for increased interest in an unemployment insurance system and the herculean effort leading up to that historic date of August 14, 1935. But that's another story altogether. So stay tuned for Part II: UI in 20th Century America coming soon from the Navigator.

Sources:

- o Three Years' Progress toward Social Security, 1935-1938, Social Security Board
- o Unemployment Compensation What and Why?, Social Security Board, 1937
- o Social Security Administration, history; www.ssa.gov/history

Succession Planning Bon Voyage Baby Boomers!

Marcella Townsend / West Virginia

We are having fun here in West Virginia planning a retirement party. One of our Administrative Law Judges, Bill Smith, whom many of you met at the NAUIAB 2003 conference here in Charleston, is retiring later this month. We hate to see him leave, but it is a happy time celebrating a long and successful career in unemployment appeals.

We are joking that we may want to store some of these party supplies for the celebrations yet to come. You see, nearly ALL of our Judges will be eligible to retire within the next five years. By the year 2012, we anticipate enormous change within our office.

As State agencies set out plans to improve services, we all face challenges in recruiting and retaining staff to make it happen. Our workforce is aging and retirements will increase over the next few years. The nation's estimated 78 million baby boomers turned 60 this year. There are projections of mass exodus of public and private employment sectors which call for the need for succession planning.

I've seen statistics that a majority of the people working with unemployment appeals all across the country - our Board members, Judges, and support staff, will be eligible for retirement within the next five years. It is time to raise up and mentor our new folks. The problem is that there are fewer candidates in the "pipeline" due to downsizing over the last decade. Thus, we may have fewer candidates to choose from and many of them may be eligible to retire.

Succession planning in most private sector businesses is focused on identifying and preparing suitable employees through mentoring and training to replace key players, such as the chief executive officer (CEO). However, succession planning in a government agency is different. We must develop a strategy that fits within the existing human resource administration.

We can't develop people in secret. It is counterproductive to put someone forward for a job who will turn it down when the time comes. A better succession plan focuses on career development for all employees that will engage them by investing in their career goals within the agency. We create a powerful tool for encouraging long-term service commitments by providing more opportunities for career development. Continuous development is a strategy that can be emphasized for all workers to strengthen agency leadership and operational continuity.

There is no single, right way for agencies to develop and implement succession planning. We can begin with a simple exercise of "what if" scenario planning. For instance: "What if we had to replace half of our Administrative Law Judges within a year? Could we maintain our current timeliness performance?" This exercise might suggest the need for a contingent plan of contracting those services until permanent placements can be made. A careful and considered plan of action ensures the least possible disruption to the organization's effectiveness.

Planning to meet staffing needs in challenging times presents both difficulties and opportunities. I know many of you are currently working overtime to eliminate a large backlog of appeals. You may be focusing your attention on the next 6 months and do not have the time to look 5 years ahead right now.

Succession planning is an important topic for all of us. We plan to organize a workshop to cover this subject at the upcoming NAUIAB conference. If you have developed a plan please contact me at mtownsen@workforcewv.org or give me a call at 1(800) 635-0189. We would like to assemble a handful of professionals to share their agency's design. If you haven't had time to give succession planning much attention, you will want to attend the Oxford, Mississippi, conference to get an enormous head start.

NAUIAB Website

James Hilly / Maine

In August, Commissioner James Hilly of Maine completed an update of the NAUIAB.org website. The website includes information gathered at the Scottsdale conference. Jim sent NAUIAB members the following email memo describing the available features on our website:

1. Membership Database and the Forum: The URL or address for our website is www.nauiab.org. To get to the "members only" section of the site you need to go to the bar just below the organization's name on the home page and click on "Members Login" on the right side of the bar. You will be asked to enter a "Member Login ID" and a "Password". The member login ID is almost always your first initial and your last name in lower case, without spaces. (e.g. jhilly) You make up your own password and type it in. The first time you enter your password you will be asked to confirm it. This will remain as your password. You will then have access to both the membership database and forum. The membership database is very helpful for contacting members in other jurisdictions. It includes member mail and email addresses, and phone numbers. The forum is a great place to ask questions and find out what issues are important to other members. Members have unlimited computer access to both areas.
2. Member Resources: As you look down the members' page you will see a wide variety of resources therein including:
 - a. The Members Information Folder: This section contains SUTA dumping PowerPoint presentations from the 2007 conference, and most of the PowerPoint presentations and conference handouts from the 2008 conference. They are good as refreshers or as training material for your staff.
 - b. Utah Comprehensive Unemployment Benefit System (CUBS): CUBS is a comprehensive database program designed to handle all aspects of the UI process from claims filing through the appeals process. This program was developed with the help of USDOL funds and is available without cost to other state UI systems. On the web site, you will find a demonstration program and the entire CUBS handbook. If you think this program might be helpful to your state, you may want to forward the handbook to you IT staff to review.
 - c. NAUIAB Library: This section contains various links to other information resources.
 - d. The National NAUIAB Mail List: A member can sign on to the list serve system by following the simple instructions. Once you have signed up you can send an email question to all the members that have registered for this service. This is an easy way to get quick input from your unemployment appeals colleagues.
3. 2008 Conference Attendees: I have attached a copy of the attendee from the 2008 conference.

Jim suggests that when you have a few minutes you should review the NAUIAB site. It contains a wealth of information, and numerous links to unemployment and administrative law related material. You can email Jim (james.a.hilly@maine.gov), if you have any problems, or need assistance.

Insightful Humor

by Conny Franken, Indiana

Death is not the end. There remains the litigation over the estate.

Ambrose Bierce

A man may as well open an oyster without a knife, as a lawyer's mouth without a fee. *Barton Holyday*

It is hard to believe that a man is telling the truth when you know that you would lie if you were in his place. *H.L. Mencken*

Q: How do you define double jeopardy?

A: When a lawyer calls in her partner.

Injustice anywhere is a threat to justice everywhere. *Martin Luther King, Jr.*

In Texas it is illegal to shoot a buffalo from a second story hotel window.

I didn't commit a crime. What I did was fail to comply with the law. *David Dinkins, former Mayor of New York, answering accusations that he failed to pay taxes.*

Quote From Court Records:

"The eldest and the youngest children were gone, but the two-middle aged children were still at home"

Sharing A Good Read

Cynthia Thornton / California

Looking for a few good books? Here are four books that should be on your "must read" list.

NONFICTION

Blink and The Tipping Point both by Malcolm Gladwell (mentioned by Angela in her presentation!): These are both non-fiction, but not difficult to read. Gladwell worked as a Wall Street Journal reporter and he can really tell a story. He uses lots of examples, which makes his books interesting and easy to read. *Blink* is about how our first impressions affect us. The first half of the book is about how our first impressions can guide us and why and when we should act on our hunches and intuition. The second half of the book is about how our first impressions can lead us astray. *The Tipping Point* is about how ideas catch on and the three elements necessary for an idea or trend to catch on.

The Secret History of the War on Cancer by Devra Davis: The author is the Director for the Center for Environmental Oncology at the University of Pittsburgh Cancer Institute and was a researcher for the NIH. Believe it or not, this is a page turner. The author started to write this book twenty years ago and was warned off and told her career would suffer. She's now at the point she doesn't care and this book exposes the sordid underbelly of cancer research. Try this: look at the ingredients of the soaps, shampoos and conditioners in your home. Is sodium laurel sulfate or sodium laureth sulfate mentioned on any of them? If so, read this book.

FICTION:

Wicked, Confessions of an Ugly Step Sister, Mirror, Mirror and Son of a Witch, all by Gregory Maguire: I LOVE these books! Maguire takes a fairy tale (*Wizard of Oz*, *Cinderella*, *Snow White*), then explains how it all plausibly COULD have happened. *Confessions of an Ugly Step Sister* is my favorite. This *Cinderella* story starts with the step mother and two stepsisters in England after the father is burned at the stake as a witch. The step mother and step sisters barely escape back to their native Netherlands with their lives, where the step mother then meets and marries *Cinderella's* dad. Very clever plot line. The writing is fun and easy to read.

The Red Tent by Anita Diamant: Like *Wicked* and *Confessions of an Ugly Stepsister*, the author takes a character from the bible, *Dina*, and tells the story from her point of view. It's fascinating, historically accurate and fun to read.

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SHOP TALK

Lori Roberts, TALX Corporation

Employer Representative News: Getting to Know TALX Government Relations

TALX Corporation, provider of Equifax Workforce Solutions, delivers human resource and payroll related services to employers nationwide, with an emphasis on replacing inefficient, paper-based, manual processes with technology-based solutions. In 2002, TALX acquired and integrated two unemployment cost management firms, the former Frick Company and the Gates McDonald unemployment cost unit, which became UC eXpress. TALX acquired Johnson and Associates in 2003 and Sheakley Unemployment Services in 2004, followed by Jon-Jay Associates and the unemployment tax management business of Employers Unity, Inc. in 2005.

In 2003, Government Relations was formed to develop and strengthen relationships between state UI agencies and TALX UC eXpress. The team's mission is to help associates and clients better understand agency needs, to explore administrative improvement opportunities between TALX and agencies, and to increase awareness of UI legislation. Government Relations communicates regularly with state UI agency leadership, in addition to in-person visits and attending industry conferences. TALX, through its Government Relations team, is an associate member of the National Association of State Workforce Agencies (NASWA) and the National Association of Unemployment Insurance Appellate Boards (NAUIAB).

Doug Johnson, Director of Appellate Services and Government Relations oversees the team. Lori Roberts is Sr. Manager, who works in concert with Joe Fogarty, Manager Government Relations, and Erin Koehler, Government Relations Coordinator. NAUIAB members are welcome to contact Government Relations, if they may be of service: Doug Johnson - djohnson@talx.com; Lori Roberts - lroberts@talx.com; Joe Fogarty - jfogarty@talx.com.

New Appointments at Texas Workforce Commission

Tom Paulken has been appointed as the new Chairperson of the Texas Workforce Commission. NAUIAB member Roger Dickinson directs the Commission's Appeals Department following the retirement of Toni Browning, who served 30 years in that position. NAUIAB congratulates Tom and Roger on their new positions.

Idaho Industrial Commission Has A New Location And New Appeals Referee

The Idaho Industrial Commission has moved to new quarters this past summer. The new location is 700 S. Clearwater Lane, Boise, Idaho 83712 and the new facsimile number is 208-332-7558. Their mailing address, however, remains the same: P.O. Box 83720, Boise, Idaho 83712.

The Idaho Industrial Commission is pleased to announce that Becky Ophus has joined them as an appeals referee. Becky is a graduate of the University of Idaho Law School and a former law clerk for Idaho Commissioner Kile. Becky will be attending the conference in Oxford.

Thinking About Hosting a Conference?

Marilyn White / Arizona

The NAUIAB Board of Governors has made it easier for you to do this. In addition to the details set out in the Conference Planning Manual on the web-site, we have contracted with a company to assist in finding, negotiating, and finalizing a contract for lodging, meeting space and on-premises catering. This contract is in place for the 2011, 2012 and 2013 conferences. The BOG has actually used this company a few times in the past to plan our interim meetings and it has been quite seamless and simple.

The company is called USArrangers. How this works is that you would provide them with the specifics you are seeking - price, space, date, location, and any other details. They make the initial contact with hotels/resorts at whatever location they are given, using your specific criteria. They receive bids from various properties and pass those back to you. You review them and decide which seems to suit your needs best. You then give that information back to your contact at USArrangers and they enter negotiations on your behalf for the best possible deal. You are spared from constant call from hotels you contact and from comparing the fine print in on proposed contract with another. Quite honestly, it is easier for one hospitality professional to deal with another and get the most in the process. Neither your state, nor NAUIAB, incurs any cost associated with this. The hotel which receives the final, signed contract pays USArrangers for their services - much like travel agencies work. There is not an increase in the cost of the hotel's room rates or other services to cover this.

With this large and often tedious part of conference planning being handled, you would be free to focus your time and energy on planning an outing and other events to showcase your location.

If your state has some interest in hosting 2011, 2012, or 2013, please get in touch with one of the BOG members for current contact information for USArrangers. Remember, the BOG will be considering proposals for the 2011 conference at our Fall 2008 and Spring 2009 meetings, so that a final proposal can be presented to the membership in Oxford in June 2009.



Fall 2008

NAUIAB Navigator

www.nauiab.org

Charting a Course in UI Appeals

A Newsletter of the National Association of Unemployment Insurance Appellate Boards

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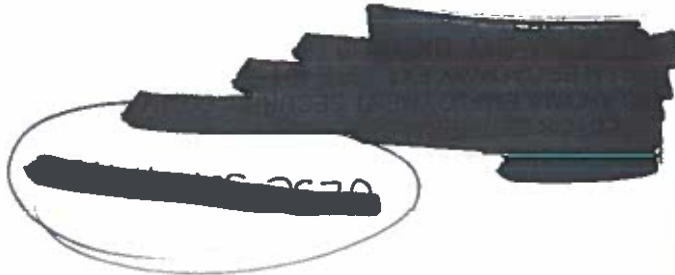
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