

Ladies and gentlemen of the committee good afternoon,

My name is Jordan Weissmann. I am a writer at Slate, where I serve as a member of our union's labor management committee, and I am here to discuss the Department of Employment Service's utter failure to properly implement the District's work sharing program, a frustrating and bizarre bureaucratic debacle that has forced my colleagues to spend months attempting to collect government benefits that they are very much owed.

Work sharing programs like the District's are designed to prevent layoffs, especially during a recession. In times of trouble, they allow businesses to temporarily reduce their employees' hours and pay. In return, those workers can collect a prorated share of their normal unemployment benefits. The goal is to keep people attached to their jobs.

For various reasons, businesses have rarely taken advantage of these programs in the past, even though they have existed for years in dozens of states. But when Congress passed the CARES Act, lawmakers included valuable incentives in the bill designed to encourage wider use of work sharing. First, the legislation provided full federal funding for all benefits paid through work sharing agreements. Second, it made workers who participated in them eligible for the extra \$600-per-week unemployment payments that were created in response to the pandemic.

If the Department of Employment Services had promoted this program widely and run it competently, it theoretically would have been a way to save jobs and bring potentially millions of federal dollars into the city during an economic crisis.

Unfortunately, as Slate's experience illustrates, the program has been a fiasco.

After the coronavirus decimated the advertising market, a handful of publications, including Slate opted to use work sharing programs in various states to reduce our costs without letting staffers go. We applied for ones in New York, California, and D.C.

In New York, the whole process was remarkably smooth. In California, there have been bumps. But despite the fact that both states have been dealing with a historic crush of unemployment claims that has at times overwhelmed their administrative capacity, we still found it was easy to reach local government officials for guidance and troubleshooting.

In Washington, the process has been nonfunctional. After weeks-long-delay, our application was originally approved on June 22. To this day, only 3 of the 28 Slate employees who participated in the program have been correctly paid. Five have received nothing, and the rest have received incorrect amounts.

Trying to get DOES to correctly implement this program has been an agonizing, daily slog. At times, it has felt like Slate has collectively been trying to push a car with a dead battery and three flat flat tires uphill on a dirt road in the dark. There have been multiple, inexplicable paperwork mistakes, and regular emails from our HR department greeted by long periods of

radio silence from the department, followed by vague, usually unfulfilled promises that the problems would be fixed. At every single step of the effort, there has been some sort of mistake or delay that has drawn the fiasco out.

Recently, the back and forth has become outright surreal. This week, Slate's CEO received an email from Unique Morris Hughes, in which she claimed that she had "recently coordinated a call with your union, HR members and my team to hash out any issues." No such call ever took place.

Thankfully, Slate eventually found a somewhat effective strategy for moving the process forward whenever it came to a seeming dead end: We complained to our City Council members. Each volley of angry emails led DOES to inch the process forward to the next step. While we deeply appreciate the help we've received from our elected representatives—seriously, we mean it from the bottom of our cynical, journalist hearts: thank you—it is incredibly discouraging that the department only appears capable of responding to outside political pressure. That is not the hallmark of a functioning government agency.

In the end, Slate's experience has not been much of a tragedy by the standards of 2020. Compared to Washingtonians who went months without an employment check after losing their jobs, my colleagues are doing fine. Moreover, I realize that this has been a very difficult time to manage the District's government, partly because it was shafted on CARES Act funding. To make matters worse, until this year, the District's workshare program essentially existed on paper only—it was essentially trying to implement the program for the first time on the fly. But its inability to promote and run work sharing has been a horrible missed opportunity for the District to bring in badly needed federal funds, and its lackadaisical bureaucratic response to obvious problems people who tried to use the program encountered raises questions about its basic competence. If a state like New York can run a program like work sharing, Washington, D.C. should be able to, as well.

Exhibit A: Timeline of Slate's experience with D.C.'s worksharing program.

June 1, 2020 - Application submitted for June 22, 2020 effective date. Receipt acknowledged by DC this day with a note that we should expect a decision in 7 days.

June 8-21 - Near daily emails requesting status update

June 22, 2020 - Workshare application approved (14 days after promised date)

June 22-July 17, 2020 - Near daily emails requesting status updates, completing MOA document and data file. Constantly asking for claimant instructions, but told that would come at a later date from the benefits department.

July 17, 2020 - Claimant instructions received, 25 days after the plan start date.

July 17, 2020 - present - Some claims were paid, very few paid correctly. Many emails to DOES requesting resolution and status updates. Responses from DOES with vague commitments to investigate the issue and promise for weekly updates (weekly updates never happened).

As of September 14 - [Current claimant status here](#). Five claimants have not seen any payment. Of 28 claimants, only 3 paid correctly

Exhibit B: Email message from Unique Morris Huges

Mr. Check,

Thank you for your email. I recently coordinated a call with your union, HR members and my team to hash out any issues. I understand that there was a unresolved tax liability issue and awaiting approval from DOL. All of which has been resolved, so I can understand the nature of your problem, are you saying your employees have not received any benefits payments ?

Kindly,
UMH