

## MINUTES

### UNEMPLOYMENT COMPENSATION MODERNIZATION AND IMPROVEMENT COUNCIL

October 25, 2021  
Room 112-N—Statehouse

#### Members Present

Representative Sean Tarwater, Chairperson  
Senator Renee Erickson  
Senator Jeff Pittman  
Senator Caryn Tyson  
Representative Stephanie Clayton  
Representative Susan Estes  
Deputy Secretary of Labor Peter Brady  
Katie Givens  
Phil Hayes  
Jake Miller  
Jeff Oswald  
Shelbye Smith

#### Members Absent

Shawana Woods

#### Staff Present

Eddie Penner, Kansas Legislative Research Department (KLRD)  
Dylan Dear, KLRD  
Matthew Willis, KLRD  
Victoria Potts, KLRD  
Elaina Rudder, KLRD  
Kyle Hamilton, Office of Revisor of Statutes  
Charles Reimer, Office of Revisor of Statutes  
Sky Westerlund, Committee Assistant

#### Conferees

Pedro Rosa, Director of Product Management, Customer Engagement, On Point Technology  
Scott Malm, Labor Workforce Development Team Leader, Deloitte

#### Others Attending

See [Attached List](#)

## MONDAY, OCTOBER 25 ALL DAY SESSION

### Call to Order and Welcome

The Chairperson opened the Council meeting at 9:00 a.m.

Senator Erickson was introduced as a new member of the Council. She became a member of the Council having been named as the new Chairperson for the Senate Committee on Commerce.

The Chairperson stated the National Association of State Workforce Agencies provides guidance on companies for state workforce agencies to consider, and the Council would hear presentations from two companies for the purpose of gaining input and information before the Council proceeds to make any recommendations.

### Presentation - Unemployment Modernization

Pedro Rosa, Director of Product Management, On Point Technology, joined the Council meeting via Webex. Mr. Rosa discussed the modular approach to modernization and the use of the cloud for data storage. He stated modules allow states to choose to address urgent needs and does not lock a system into one solution or one vendor. A modular system allows for subset modules to address detailed needs. He discussed the identity verification that utilizes several checks including confirming identity through department of motor vehicles records. ([Attachment 1](#))

Mr. Rosa stood for questions.

Discussion among Council members ensued.

### Break

The meeting was recessed at 10:33 a.m. and reconvened at 11:03 a.m.

### Presentation - Unemployment Modernization

Scott Malm, Labor Force Workforce Development Team Leader, Deloitte, joined the council meeting via Webex. He discussed the company's approach to labor modernization built on a foundation of integrating labor agency operations across a multitude of programs. He noted that, during 2020, the company was able to meet the unprecedented volume through scalability by utilizing "bots" (robots) to clear staff backlogs. The company developed the uFACTS solution framework to support internal and external business needs for state unemployment insurance programs. Mr. Malm stated the solution offers flexibility and has built-in security that is constantly evolving. He offered a checklist the company uses to evaluate opportunities for business including risk-sharing considerations. ([Attachment 2](#))

The conferee stood for questions.

Discussion among Council members ensued.

## **Break**

The meeting was recessed at 12:37 p.m. and reconvened at 1:05 p.m.

## **Approval of Minutes**

*Senator Tyson moved, and Phil Hayes seconded, to approve the minutes for the meeting of September 8 and 9, 2021. Motion carried.*

## **Review Questions and Answers from KDOL Modernization Bidders**

The Legislative Research Department assembled the list of questions Council members had after the video presentations from each of the four bidders. The Department of Administration submitted the questions to the bidders, and the bidders' replies were assembled into a single document. ([Attachment 3](#))

The Chairperson asked for Council discussion on the bidder Accenture. The Council members commented and discussed the vendor's responses to their questions.

The Chairperson asked for council discussion on the bidder Fast. The Council members commented and discussed the vendor's responses to their questions.

The Chairperson moved to the next bidder, Sagitec. The Council members commented and discussed the vendor's responses to their questions.

The Chairperson continued to the final bidder, TATA Consultancy Services (TCS). The Council members commented and discussed the vendor's responses to their questions.

## **Council Discussion**

Council members discussed the interaction between the My ReEmployment Plan and union members receiving unemployment benefits. Senator Pittman addressed reports of union members being forced into the My ReEmployment Plan even though they are exempt under statute. Deputy Secretary of Labor Brady responded that this is an error in the mainframe and typically occurs when employers file by spreadsheet. Discussion occurred regarding work circumstances involving vaccine mandates and unemployment. Deputy Secretary Brady stated that each application would be reviewed according to the current process and procedures to determine eligibility for unemployment payments.

Discussion ensued about the Council's responsibility and authority to make recommendations regarding the current request for proposals (RFP) for the Kansas Department of Labor modernization.

Rick Beattie, Department of Administration, responded to questions about the department's procurement process.

Jason Long, Office of Revisor of Statutes, clarified an RFP may be opened by whoever issued the original RFP. Mr. Long stated the Council may make recommendations on specific attributes of the modernization in general terms and possible actions, such as re-opening the RFP or specific items to include in an RFP.

The Chairperson stated the next meeting would include generating a list or framework of what the Council would like to see that supplements the RFP process.

*Chairperson Tarwater moved, and Senator Erickson seconded, to report to the Legislative Coordinating Council that the Council asks that the RFP for the Kansas Department of Labor modernization be re-opened for a 30-day time period to accept additional proposals, whether they qualify or not, and to give the current vendors time to re-tool their bids if they so wish. The same recommendation would go to the Procurement Negotiating Committee.*

Discussion ensued.

A voice vote was taken. The Chairperson was in question and requested a count. There were 7 yeas and 4 nays. Motion carried.

## **Adjourn**

The Chairperson stated the Council's next meeting will be in November but a date had not been determined.

The meeting was adjourned at 3:14 p.m.

Prepared by Sky Westerlund

Edited by Matthew Willis

Approved by the Committee on:

December 15, 2021

(Date)