



THE COMMONWEALTH OF MASSACHUSETTS  
EXECUTIVE OFFICE OF LABOR AND WORKFORCE DEVELOPMENT  
DEPARTMENT OF UNEMPLOYMENT ASSISTANCE

MAURA HEALEY  
GOVERNOR

KIM DRISCOLL  
LIEUTENANT GOVERNOR

LAUREN E. JONES  
SECRETARY

KATIE DISHNICA  
DIRECTOR

**NOTICE**

**PROPOSED CHANGE TO REGULATIONS OF THE  
DEPARTMENT OF UNEMPLOYMENT ASSISTANCE**

Pursuant to the provisions of G.L. c. 30A, §2, notice is hereby given of the following proposed action:

**REGULATIONS**

Amendment of 430 CMR 11.00, Procedures for non-monetary redeterminations under MGL c. 151A, § 71.

The proposed regulatory action will establish new and updated procedures for non-monetary redeterminations of unemployment eligibility decisions, in accordance with MGL c. 151A, § 71.

The Department of Unemployment Assistance will hold a public hearing with respect to the above-entitled regulation, on October 16, 2023 at 9:30 AM. The hearing will be held at 100 Cambridge Street, Boston, MA 02114. All visitors should check in at the 2<sup>nd</sup> floor security desk with a photo ID.

Individuals can also participate virtually via Zoom: Meeting ID: 991 6690 1541; Passcode: 481188

At said time and place, interested parties will be afforded an opportunity to orally present data, views, or arguments relative to the proposed action. Written presentations may be made at the hearing or at any time prior to 5:00 PM on October 16, 2023 by directing same to:

David J. Gold  
Chief Counsel  
Department of Unemployment Assistance  
100 Cambridge Street, 4<sup>th</sup> Floor  
Boston, Massachusetts 02114  
or  
David.gold@mass.gov

The text of the proposed amendment is available upon written request to the above email.

100 CAMBRIDGE STREET • SUITE 400 • BOSTON, MA 02114  
[www.mass.gov/dua](http://www.mass.gov/dua)

## Small Business Impact Statement

*(As required by M.G.L. c. 30A §§ 2, 3 & 5)*

**Agency: Department of Unemployment Assistance**

**CMR No: 430 CMR 11.00 – Procedures for non-monetary redeterminations under MGL c. 151A, s. 71**

**Estimate of the Number of Small Businesses Impacted by the Regulation:** All businesses in Massachusetts, including small businesses, that are subject employers under 151A will be potentially impacted.

### Select Yes or No and Briefly Explain

Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Will small businesses have to create, file, or issue additional reports? This section does not create reporting requirements.
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Will small businesses have to implement additional recordkeeping procedures? This section does not mandate recordkeeping provisions.
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Will small businesses have to provide additional administrative oversight? This section does not require administrative oversight.
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Will small businesses have to hire additional employees in order to comply with the proposed regulation? This section does not impose requirements mandating hiring of employees.
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Does compliance with the regulation require small businesses to hire other professionals (e.g. a lawyer, accountant, engineer, etc.)? This section does not require hiring of professionals.
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Does the regulation require small businesses to purchase a product or make any other capital investments in order to comply with the regulation? This section does not require the purchase of a product or make any other capital investments to comply.
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Are performance standards more appropriate than design/operational standards to accomplish the regulatory objective? (Performance standards express requirements in terms of outcomes, giving the regulated party flexibility to achieve regulatory objectives and design/operational standards specify exactly what actions regulated parties must take.) This section governs the redetermination process for unemployment eligibility determinations. These regulations are designed to update the process for issuing redeterminations with current practice.
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Do any other regulations duplicate or conflict with the proposed regulation? There are no other regulations known to be duplicative with this section.
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Does the regulation require small businesses to cooperate with audits, inspections or other regulatory enforcement activities? This section does not govern enforcement activities.
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Does the regulation require small businesses to provide educational services to keep up to date with regulatory requirements?

		This section does not require small business to provide educational services to keep up to date with regulatory requirements.
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Is the regulation likely to <i>deter</i> the formation of small businesses in Massachusetts? This section governs the redetermination process for unemployment eligibility determinations. It is not likely not deter formation of businesses. All businesses in Massachusetts that are subject to 151A are subject.
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Is the regulation likely to <i>encourage</i> the formation of small businesses in Massachusetts? This section governs the redetermination process for unemployment eligibility determinations. It is unlikely by itself to create business.
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Does the regulation provide for less stringent compliance or reporting requirements for small businesses? All businesses in Massachusetts that are subject to 151A are subject in the same manner.
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Does the regulation establish less stringent schedules or deadlines for compliance or reporting requirements for small businesses? All businesses in Massachusetts that are subject to 151A are subject in the same manner.
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Did the agency consolidate or simplify compliance or reporting requirements for small businesses? All businesses in Massachusetts that are subject to 151A are subject in the same manner.
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Can performance standards for small businesses replace design or operational standards without hindering delivery of the regulatory objective?  This section governs the redetermination process for unemployment eligibility determinations. All businesses in Massachusetts that are subject to 151A are subject in the same manner.
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Are there alternative regulatory methods that would minimize the adverse impact on small businesses? This section governs the redetermination process for unemployment eligibility determinations. All businesses in Massachusetts that are subject to 151A are subject in the same manner.