

One Year Appeal Process

Our state implemented the one-year appeal after the National Office Conference call in February 2017 directing states to the new policy.

Please note that there are three different letters that you may see in association to your applications.

1. Submission Letter/Initial Denial Pending More Information (Needs Letter) – is automatically generated upon submittal of an application.
 - a. ALL supporting documentation to be considered for the eligibility of the target group(s) selected on the ETA Form 9061 should be uploaded with application in the Kansas CertLink system within 90 days of submission. Refer to the State of Kansas Required Documents by Target Group and the Authorized Forms of Documentation for the required and authorized forms of documentation.
2. Denial Letter - is generated when it is determined that an applicant does not meet the requirements for a specified target group, or we have not received complete supporting documentation that was requested in the Submission Letter/Initial Denial Pending More Information (Needs Letter) within the designated time frame.
 - a. Any appeal would need to be submitted per the guidelines outlined below.
3. Certification Letter – is generated when it is determined that an applicant does meet the requirements for a specified target group.

An application can only be appealed to the State once by the Employer/Consultant and must be received within one year of the original denial date, include all the following documents and meet the following guidelines:

1. Employer/Consultant must provide an official letter of appeal on their letter head stating the specific reason of appeal. **AND**
 - a. Example reason of appeal: Employer is requesting that the application for the attached documentation be re-evaluated for the (specific) target group. We have provided the following supporting documentation in support of the appeal: (List all documents provided i.e., Driver's License, W-4, etc. Refer to the State of Kansas Required Documents by Target Group and the Authorized Forms of Documentation found on the Kansas Department of Commerce WOTC website for required and accepted forms of documentation).
2. Employer appeal must contain a copy of the original denial letter with "Appeal" written or stamped on letter. **AND**
3. Request for an employer appeal must be electronically appealed and uploaded to the application on the Kansas CertLink website within one year of the original denial date. **AND**
4. Request must have **NEW** and/or additional documentation to support the target group(s) that was/were selected on the original application **AND** the documentation was not originally submitted with the original application that supports the certification. **AND**
5. Upload **ALL** the above required letters and the (original and new) supporting documentation for the target group that is being appealed into one pdf file on the Kansas CertLink website.

Disclosure

Kansas Department of Commerce, WOTC Program reserves the right to change any policy or procedures at any time, with or without notice in accordance with Internal Revenue Service, U.S. Department of Labor, Training and Employment Guidance Letter (TEGL) and/or the State of Kansas business practices.