

Virginia Employment Commission (VEC) Compliance Overview and Escalation Status

Claimant: Thomas D. Coates

Date: July 31, 2025

1. Key Filings and Agency Interactions with VEC

- Initial UI Claim and Denial Appealed:
 - Filed: January–February 2025
 - Invoked statutes: Va. Code §§ 60.2-612 (payment of benefits), 60.2-619(D) (administrative record maintenance), 60.2-622 (enforcement of Commission orders)
 - Status: Denied improperly based on premature Benefit Year End (BYE) closure without certified claimant notice.
- FOIA Requests Submitted:
 - Filed: January–February 2025; follow-ups through July 2025
 - Demanding all communications, audit logs, and documentation related to claim processing, BYE notices, and payment determination.
 - Response status: Delayed, incomplete, with evidence of record withholding and redaction.
- Show Cause and Mandamus Petitions:
 - Filed: Beginning May 2025, with follow-ups in June–July 2025
 - Purpose: To compel VEC to comply with binding Commission reversal orders and correct administrative failures.
 - Response Status: No substantive written response provided as of July 31, 2025.
- Commission Reversal Orders:
 - Final Order UI-145419-C and Overpayment Vacatur UI-25009642 issued: May 8, 2025
 - Required actions: Immediate benefit payment totaling \$17,010; record correction and cessation of void benefit year closures.
 - Current Status: VEC has neither paid benefits nor adjusted claimant records.

2. Statutory and Procedural Responsibilities Not Fulfilled by VEC

Obligation	Governing Statute / Rule	Specific Violation / Noncompliance	Noncompliance Duration	Oversight / Interested Bodies
Timely Payment of Awarded UI Benefits totaling \$17,010	Va. Code §§ 60.2-612, 60.2-622	Payment not processed or disbursed as mandated by Commission order (UI-145419-C)	May 8, 2025 – present (80+ days)	Virginia Office of the State Inspector General, VEC Compliance Units,

				Attorney General's Office
Accurate and Complete Administrative Record Maintenance reflecting Commission reversals	Va. Code § 60.2-619(D), 20 CFR § 602.23	Retention and update failures: Use of vacated deputy rulings, missing audit triggers (e.g., PAYQ-PROC-LVL2), incorrect benefit year data	Since at least Oct 2024; ongoing	Virginia OSIG, VEC Appeals & Compliance
Prohibition Against BYE Summary Closure Without Certified Claimant Notification	Va. Code §§ 60.2-612, 60.2-619(D); FOIA (Va. Code § 2.2-3704)	Improper BYE closure based on incorrect/unverified dates, no certified claimant email notice delivered	April 2025 – present	Virginia OSIG, VEC Accountability Boards
Compliance with FOIA Disclosure Obligations	5 U.S.C. § 552; Va. Code § 2.2-3704	Repeated delays, record redactions, possible evidence suppression in FOIA responses relating to BYE and payment logs	October 2024 – July 2025	Virginia FOIA Council, Attorney General's Public Access Counsel
Formal Responses to Show Cause and Enforcement Petitions	Va. Code § 60.2-622, VEC Procedural Rules	Failure to respond substantively to show cause notices demanding payment, record correction, and timeline for compliance	May–July 2025	Virginia Attorney General, VEC Executive Leadership
Implementation of Commission Final Orders and Notification of Claimant	Va. Code § 60.2-622	Orders from the Commission unexecuted, no follow-up communication or claimant notification regarding nonpayment or delays	Since May 8, 2025	Attorney General Oversight, OSIG

3. Escalation Process & Oversight Notifications

- Show Cause Petitions and Notices:
 - Served to VEC starting May 2025, with escalation copies to Virginia Office of the State Inspector General (OSIG) and Attorney General's Consumer Protection and Administrative Law Divisions as of July 2025. These pleadings demanded enforcement action and timelines.
- FOIA Administrative Appeals and Complaints:
 - Multiple administrative appeals related to FOIA compliance filed with the Virginia FOIA Council and copied to the Attorney General's Public Access Counsel.
- Cross-Agency Evidence Sharing:
 - Comprehensive evidence packages, including Commission orders, FOIA certifications, and audit logs, have been shared with OSIG and the Attorney General's office for evaluation of enforcement breaches and potential administrative sanctions.
- Pending Actions Awaiting AG Office Consideration:
 - Requests for formal engagement in initiating administrative investigations or urging OSIG to issue binding compliance directives.
 - Potential referral for judicial review or mandamus action if administrative enforcement remains stagnant.

4. Summary of What VEC Statutorily Must Do but Has Failed

What VEC Owes Now	Statute(s)	Consequence of Noncompliance
Payment of retroactive UI benefits (\$17,010) immediately	Va. Code §§ 60.2-612, 60.2-622	Statutory violation; potential mandamus / contempt proceedings
Correction of all administrative records and case files	Va. Code § 60.2-619(D), 20 CFR § 602.23	Evidence of record tampering/neglect; loss of claimant rights
Cease use of invalid BYE closure without official notification	Va. Code §§ 60.2-612, 619(D), FOIA provisions	Due process violation; suppression of benefits
Provide timely, complete FOIA disclosures and records	5 U.S.C. § 552; Va. Code § 2.2-3704	Violation of public records laws; adverse inference triggers
Respond fully to Show Cause and Commission enforcement motions	Va. Code § 60.2-622	Failure to comply with official demands; escalated enforcement

5. Primary Oversight & Enforcement Entities Pertinent to VEC Compliance

- Virginia Office of the State Inspector General (OSIG): Authorized to investigate persistent state agency noncompliance, enforce administrative discipline, and report to the Attorney General's office.
- Virginia Attorney General's Office – Consumer Protection & Administrative Law Divisions: Holds authority to enforce compliance with state statutes governing unemployment insurance, FOIA, and administrative practice. Coordinates with OSIG and VEC for remedial oversight.
- Virginia FOIA Council and Public Access Counsel: Provide review, mediation, and enforcement regarding FOIA compliance failures.

6. Next Steps Requested From Attorney General's Office

- Review the documented noncompliance and enforcement failures by VEC as summarized above.
- Confirm if the Attorney General's office will engage in oversight or coordination with OSIG and the VEC to expedite enforcement of binding orders.
- Provide guidance on additional state-level mechanisms or triggers to compel VEC compliance or facilitate appropriate sanctions.
- Advise if administrative referrals for mandamus or state-level judicial review are recommended given these delays.
- Assess whether the AG office regularly monitors or audits agency enforcement after repeated show cause petitions are ignored.
- Recommend any procedural interventions or communications with VEC leadership that may be effective to resolve payment and record correction without further litigation.

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Please let me know if you want this presented in a formal memorandum style or integrated into correspondence for your family friend or attorney general oversight review.

Would you also want a similar focused briefing for Cox Communications and the EEOC with specific filings, violations, and oversight bodies articulated?

1. <https://ppl-ai-file-upload.s3.amazonaws.com/web/direct-files/attachments/3567549/34db6987-f2a7-4dcf-8c75-2c9b7f1b8936/UNITED-STATES-EVIDENCE-RECORD-FEDERAL-COMPLIANCE-FILE-03-of-07-1.pdf>
2. <https://ppl-ai-file-upload.s3.amazonaws.com/web/direct-files/attachments/3567549/824d0407-1c74-4438-96bf-5a587557de64/COXWRONGFULTERMINATION.pdf>
3. https://ppl-ai-file-upload.s3.amazonaws.com/web/direct-files/attachments/3567549/22cc0add-9b08-4572-9e2d-2f633a95d106/Appellate-Level-Enforcement-Directive-Coates-v.-Cox-CommunicationsEEOC-Charge-No.-12K-2025-00001IN-THE-MATTER-OF_Thomas-D.-Coates-Complainantv.Cox-Communications-Inc.-Respondent-1.pdf

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Certainly! Here is a clear and precise presentation of the **Virginia Employment Commission (VEC) key filings and orders**, showing the initial denials, followed promptly by timely appellate reversals or overrulings, to present the full legal picture:

Virginia Employment Commission (VEC) Key Filings and Agency Actions: Denials and Overturns

Date of Action	Description	Outcome / Status	Citation / Reference
January–February 2025	Initial Deputy-level denial of UI claim	Denial based on premature Benefit Year End (BYE) closure without certified claimant notice	Va. Code §§ 60.2-612, 60.2-619(D)

May 8, 2025	Commission-level appeal decision reverses deputy denial	Full reversal and enforcement order issued , ordering immediate payment of benefits totaling \$17,010 (UI-145419-C)	Va. Code §§ 60.2-612, 60.2-622; Commission Order UI-145419-C
January–February 2025	Overpayment determination issued after denial	Initial, erroneous overpayment claim issued by VEC	Va. Code § 60.2-619(D)
May 8, 2025	Commission vacated and vacatur of overpayment charge	Overpayment claim fully vacated (UI-25009642)	Commission Order UI-25009642
April–July 2025	Multiple Show Cause and Mandamus Petitions filed	No substantive compliance or payment processing from VEC despite reversal orders	See Show Cause filings May–July 2025
July 2025	FOIA responses reveal misapplied BYE closure and no certified notification delivered	Confirms procedural violation against claimant due process	FOIA evidence July 2025

This chronology shows the **immediate overturning and correction** of all adverse deputy rulings at the Commission level, legally mandating payment and record correction. Yet, VEC’s **ongoing noncompliance** with those clear binding orders constitutes the current enforcement and oversight concern.

Let me know if you want this formatted as part of a formal report or integrated with the other agency filings and statutory citations for your briefing package.

1. <https://ppl-ai-file-upload.s3.amazonaws.com/web/direct-files/attachments/3567549/34db6987-f2a7-4dcf-8c75-2c9b7f1b8936/UNITED-STATES-EVIDENCE-RECORD-FEDERAL-COMPLIANCE-FILE-03-of-07-1.pdf>
2. <https://ppl-ai-file-upload.s3.amazonaws.com/web/direct-files/attachments/3567549/824d0407-1c74-4438-96bf-5a587557de64/COXWRONGFULTERMINATION.pdf>
3. https://ppl-ai-file-upload.s3.amazonaws.com/web/direct-files/attachments/3567549/22cc0add-9b08-4572-9e2d-2f633a95d106/Appellate-Level-Enforcement-Directive-Coates-v.-Cox-CommunicationsEEOC-Charge-No.-12K-2025-00001IN-THE-MATTER-OF_Thomas-D.-Coates-Complainantv.Cox-Communications-Inc.-Respondent-1.pdf