

EXHIBIT D

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DECLARATION OF DAVID KIMBALL

I, David Kimball, being over age 18 and of sound mind do state as follows:

1. I am employed by the Colorado Department of Labor and Employment (“CDLE”) in the Division of Unemployment Insurance (“the Division”). I have worked for the Division for the past 19 years. My current title is Manager, Customer Support Center Labor and Employment Specialist V.
2. Claimants are able to contact the Division regarding their unemployment claim by phone, U.S. mail, online through the MyUI+ portal, or in-person.
3. In my role, I am responsible for managing the Division’s call center, including 9 supervisors and 102 agents. The call center is the initial entry point for many unemployment claimants. Call center agents can assist with claim filing, adjudication of non-separation decisions, and answering questions and giving guidance for claimants in the unemployment system.
4. Call center agents are available to answer phone calls Monday through Friday, from 8 a.m. to 4 p.m.
5. The Division’s phone system has a total of 150 phone lines, which are divided up into 12 active queues. Each active queue can accommodate 10 people on hold, allowing up to 120 people to be on hold at a time.
6. Once the system reaches 120 people on hold, the system puts additional callers into a separate queue, which can hold up to 150 people at a time. Once this queue reaches 150 people, new callers will receive a notification that the queue is full and be given an option to speak with a virtual assistant. The virtual assistant can answer basic questions about claims, including how to file an unemployment claim and how to appeal a decision of the Division.
7. At present, the Division does not employ enough staff to be able to bring average hold times under 30 minutes. Based on the number of calls coming in on a daily basis, I estimate the Division would need an additional 60 full-time agents to bring average hold times under 30 minutes.
8. Claimants have multiple methods to contact the Division online. The primary method is MyUI+, an online portal where claimants can file an unemployment claim, manage an existing claim, request benefit payments, review tax information, update contact information, respond to requests for information, upload documents, verify their identity, and view correspondence from the Division.
9. A claimant who simply needs to provide documents or forms may upload the documents through the Division’s online “document submission form.”

10. Claimants can also complete a Claimant Feedback Form located at <https://co.tfaforms.net/f/uifedback>. Categories for feedback include:
 - a. Do you disagree with your decision?
 - b. Were you unable to contact an agent or schedule a call back?
 - c. Are you contacting us because your claim has not been processed and it has been over 12 weeks?
 - d. The agent I spoke to was rude or unprofessional.
11. When the Division receives a Claimant Feedback Form indicating the claimant was unable to contact an agent or schedule a call back, the request is reviewed by a subject-matter expert who may reach out to a supervisor if needed.
12. At present, the Division does not employ enough staff to be able to support a call back option. Based on the number of calls coming in on a daily basis, I estimate the Division would need an additional 60 full-time agents to support a call back option.
13. Kiosks are available at the Division for claimants who do not have computer access, and staff are available to assist with questions regarding online systems.
14. Claimants can also drop off documents in a secure dropbox located in the Division's lobby and available from Monday to Friday from 8 a.m. to 4 p.m.
15. Claimants can also receive in-person assistance by appointment. A claimant may schedule an in-person appointment by completing a form online. Claimants must confirm that they have reviewed the self-help options available before making an in-person appointment.
16. Appointments are available for claimants who have limited access to a computer, limited tech skills, or individual assistive needs; for claimants who are unable to use online tools to verify their identity; and for claimants who need to provide evidence of economic hardship, such as an eviction notice or utility bill.
17. As of the date of this writing, Joshua Abrams has an active unemployment claim and is receiving benefits. Mr. Abrams previously made a claim for unemployment benefits in March 2023.
18. I have reviewed Mr. Abrams' claim file, including call center activity.
19. Mr. Abrams has been in contact with the Division by phone several times in 2023 and 2025:
 - a. On March 3, 2023, Mr. Abrams spoke with a call center agent and was given basic claim information.

- b. On March 15, 2023, Mr. Abrams spoke with a call center agent and was given information on verifying his identity.
 - c. Mr. Abrams also spoke with call center agents twice on April 11, 2023, and once on July 5, 2023.
20. Mr. Abrams also spoke with call center agents twice on March 14, 2025, for a total of approximately 90 minutes. The two calls on that date concerned a program integrity hold that was placed on Mr. Abrams' claim. That hold was lifted on March 17, 2025, after Mr. Abrams provided documentation sufficient to lift the hold.

I declare under penalty of perjury, pursuant to 28 U.S.C. § 1746, that the foregoing is true and correct to the best of my knowledge.

Executed this _21st_ day of April 2025.

David E. Kimball

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