

## PUA Program Extension 12/27/20

PUA under CARES Act: Effective 2/2/20 – 12/26/20

- Maximum Number of Weeks: 39 weeks
  - Minus any Regular UI and Extended Benefits (EB) weeks paid during the Pandemic Assistance Period (PAP)

PUA extension under the Continued Assistance Act (CAA): Effective 12/27/20 – 3/13/21

- Maximum Number of Weeks: 50 weeks
  - Minus any Regular UI and Extended Benefits (EB) weeks paid during the Pandemic Assistance Period (PAP)
  - Additional 11 weeks of benefits are only payable for weeks of unemployment beginning on or after 12/27/20.

### Claims:

- Claimants filing new PUA claims must submit a new PUA claim application.
  - This is done by filling out a PUA claim application on jobsnd.com
    - Initial PUA claim applications filed after 12/27/20, may not be backdated any earlier than 12/6/2020.
    - **IMPORTANT CHANGE:** New initial PUA claims filed on and after 12/27/20 will use the Net wages for self-employed individuals and gross wages for liable employment reported on the PUA claim application to calculate the claimants PUA Weekly Benefit Amount (WBA). The claimant has 21 days from the date listed on the PUA Notice of Entitlement to submit their documentation.
      - Once JSND receives the substantiating documentation, JSND will redetermine their WBA and issue a reconsidered PUA Notice of Entitlement containing the new WBA.
      - If the claimant does not provide the required substantiating documentation JSND will reduce the claimant's WBA down to the PUA minimum WBA of \$228. Any difference between these amounts already paid will create an overpayment, which the claimant will be required to repay.

- PUA claimants whose last claim was a PUA claim, do not have to file a new PUA claim application to reopen their claim.
  - JSND will reopen their PUA claims with an effective date of 12/27/20.
- PUA claimants who exhausted their PUA claims before the program ended 12/26/20 are not required to submit a new PUA claim application if they have not qualified for another claim type (Reg UI, PEUC).
  - JSND will reopen their PUA claims with an effective date of 12/27/20.
  - If the claimant does not fall into any of the scenarios listed above, they will be required to submit a new PUA claim application. A new PUA eligibility review will be completed to determine if the claimant's reason for unemployment meets one of the COVID-19 related reason in the CARES Act.

#### Certifications:

- Once the PUA claim has been entered or reopened, claimants will be able to complete their weekly certifications back to the effective date of their PUA claim or the effective date of their reopened PUA claim.
  - The new PUA program does have limitations on the effective dates of the claims
  - Due to this, claimants will not be able to complete weekly certifications themselves for any week end date (WED) prior to 12/27/20.
  - If the claimant is eligible for weeks of certification prior to 12/27/20, we will need to take these weeks manually
- **(IMPORTANT CHANGE)** The PUA program effective 12/27/20 clarified the COVID-19 reasons listed in the CARES Act. These reasons are listed in the PUA weekly certification, where the claimant is required to select which COVID-19 reason best describes why they are unemployed.
  - It's important to note the PUA program changes outlined in the Continued Assistance Act (CAA) clarifies 2 options listed in the drop down. Due to this the following drop-down items have been reworded.
    - Old Drop-Down Wording: My employer is closed or only has reduced hours due to COVID-19.
    - New Drop-Down Wording: My employer has temporarily shut down or permanently closed due to COVID-19
  - This next change only applies to self-employed individuals. To ensure this drop-down option is only selectable to self-employed individuals, JSND added a question prior to the drop-down selection screen. If the claimant answers Yes to this question, then they are provided the entire COVID-19 reason list to include the reworded reason.

- New question added to determine if the claimant is on PUA due to being self-employed:
  - I am on a PUA claim because I am self-employed, an independent contractor or gig economy worker and do not report my wages to Job Service. Due to this I do not qualify for any other claim (a regular unemployment claim or a pandemic emergency unemployment claim [PEUC]).
- Old Drop-Down Wording: My employer is closed or only has reduced hours due to COVID-19.
- New Drop-Down Wording: I'm self-employed and have a substantial decline of work due to the COVID-19 public health emergency
- You will notice with these reworded options, there is no longer an eligible PUA COVID-19 related reason that covers employees whose employer is open, but only has reduced hours available. Claimants meeting this scenario should be filing Regular UI and PEUC claims.

#### New Documentation Requirements (**IMPORTANT CHANGE**):

- Under the new federal PUA program requirements, claimants are required to submit documentation substantiating 2 different pieces of information:
  1. Earnings
    - Proof showing the person who filed the PUA claim, is the one who earned the wages
      - Examples of acceptable documentation, but is not limited to: paycheck stubs, earnings and leave statements showing the employer's name and address, and W-2 forms.
  2. Employment and/or self-employment, or planned commencement of employment or self-employment.
    - Proof the person has an attachment to the labor force.
      - Examples of acceptable documentation but is not limited to: state or federal employer identification numbers, business licenses, tax returns, business receipts, and signed affidavits from persons verifying the individual's self-employment.

It is very possible the documentation submitted substantiates both pieces of information covering the required timeframe. In addition, it is also possible this same documentation may also meet the 21-day Net earnings requirement included in the claim filing process.

- The claimant has either 90 days or 21 days to submit the substantiating documentation to JSND. The timeframe the claimant has is determined by when they filed their PUA claim application.
- PUA claim applications filed prior to January 31, 2021 = 90 days
- PUA claim applications filed on or after January 31, 2021 = 21 days
- Failure to meet these documentation requirements will cause a denial of benefits and create an overpayment. Since this documentation requirement was added under the CAA, the denial may only go back to 12/27/20 and forward. The claimant will be required to repay these denied PUA benefit payments.
- If the claimant is unable to meet the 90 or 21 day requirement, they must notify JSND in writing prior to the deadline to provide their reason. JSND will determine if they have good cause for not providing the required documentation timely.

#### Phase Out Period: Effective 3/14/21 – 4/10/21

Claimants who have not exhausted their PUA claim as of 3/13/2021, may continue to receive PUA during the phase out period.

- Claimants must **receive** PUA benefits for week ending 3/13/2021, in order to continue to receive PUA under the phase out period.
- If the claimant exhausts their Reg UI claim during the week ending 3/13/2021, they will not be eligible for PUA during the phase out period.
- FPUC is **not** payable during the phase out period.

#### Program Hierarchy:

Claimants must navigate through the Pandemic programs in this order =

**Regular UI -> PEUC -> EB (if active) -> PUA**

#### Quarter Change Still Applies to PUA claims:

Therefore, at each quarter change, a State must check to see if an individual has earned enough wages to:

- Establish a new benefit year in the State;
- Establish a new benefit year in any other State; or
- Establish a new benefit year if wages from one or more states are combined (a combined wage claim [CWC]).

If the individual can establish a new benefit year in the filing State or in any other State, the individual may not continue to collect PUA.