

COVID-19 PANDEMIC UNEMPLOYMENT ASSISTANCE



pennsylvania

DEPARTMENT OF LABOR & INDUSTRY

OFFICE OF UNEMPLOYMENT COMPENSATION BENEFITS

*Auxiliary aids and services are available upon request to individuals with disabilities.
Equal Opportunity Employer/Program*

The information contained in this pamphlet is for your general information. Section 2102 of the CARES Act of 2020 created the Pandemic Unemployment Assistance (PUA) program. It contains a brief description of the procedures and requirements under Section 2102 of the CARES Act, the subsequent guidance issued by the United States Department of Labor in operating instructions, and the Pennsylvania Unemployment Compensation Law. In addition, because many of the procedural rules for individuals filing for regular unemployment compensation also apply to PUA applicants, you may find additional information in the Pennsylvania Unemployment Compensation Handbook.

More information regarding the PUA program is available on [**www.uc.pa.gov/PUA**](http://www.uc.pa.gov/PUA)

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PURPOSE AND SUMMARY OF THE PROGRAM

On March 27, 2020, the President signed into law the CARES Act, which includes the Relief for Workers Affected by Coronavirus Act set out in Title II, Subtitle A. Section 2102 of the CARES Act creates a temporary federal program called Pandemic Unemployment Assistance (PUA) that in general provides up to 39 weeks of unemployment benefits and provides funding to the states for administration of the program. The PUA program provides unemployment assistance to individuals not eligible for regular unemployment compensation (UC) or extended benefits under state or Federal law, including those who have exhausted all rights to such benefits. Covered individuals also include self-employed, those seeking part-time employment, individuals lacking sufficient work history, and those who otherwise do not qualify for regular UC or extended benefits under state or Federal law or the Pandemic Emergency Unemployment Compensation program created by Section 2107 of the CARES Act of 2020. These individuals include certain gig economy workers, clergy, and those working for religious organizations who are not covered by regular UC.

In general, PUA provides up to 39 weeks of benefits to qualifying individuals who are otherwise able and available to work within the meaning of Pennsylvania UC Law, except that they are unemployed, partially unemployed, or unable or unavailable to work due to the one of the COVID-19 related reasons identified in Section 2102 (a)(3)(A)(ii)(I) of the CARES Act.

Reemployment assistance and services are also available to individuals who apply for PUA.

The U.S. Department of Labor (USDOL) oversees the Pandemic Unemployment Assistance (PUA) program. The Pennsylvania Department of Labor & Industry administers the program in Pennsylvania. When determining the appropriate course of action in administering the PUA program, states are to first consult the Section 2102 of the CARES Act and the subsequent operating instructions provided by the USDOL. Where the CARES Act and the operating instructions are silent, states should refer to the Disaster Unemployment Assistance (DUA) regulations at 20 C.F.R. Part 625. Where DUA regulations are silent, states are to follow applicable state law for the administration of the regular UC program.

WHO IS ELIGIBLE FOR PUA?

Section 2102 of the CARES Act provides for payment of PUA to “covered individuals.” “Covered individuals” are those individuals not qualified for regular UC, extended benefits under state or Federal law, or Pandemic Emergency Unemployment Compensation (PEUC), including those who have exhausted all rights to such benefits. “Covered individuals” also include self-employed, individuals seeking part-time employment, individuals lacking sufficient work history, or those otherwise not qualified for regular UC, extended benefits under state or federal law, or PEUC.

Individuals are not entitled to receive benefits on two UC programs for the same claim week with the exception of the Federal Pandemic Unemployment Compensation (FPUC) program, which is a program designed to be an additional payment for benefits paid under all other unemployment compensation programs. **An individual is not entitled to receive a PUA payment for the same claim week as a UC, PEUC, or EB payment.** If this occurs, you must contact the department immediately and stop filing for PUA benefits if you are entitled to benefits from one of the other programs.

For purposes of PUA coverage, an individual “lacking sufficient work history” means an individual (1) with a recent attachment to the labor force (2) who does not have sufficient wages in covered employment during the last 18 months to establish a claim under regular UC, and (3) who became unemployed or partially unemployed because of one of the COVID-19 related reasons identified under Section 2102.

“Self-employed individuals” as defined in 20 C.F.R 625.2(n) means individuals whose primary reliance for income is on the performance of services in the individual’s own business, or on the individual’s own farm. These individuals include independent contractors, gig economy workers, and workers for certain religious entities.

PUA is not payable to individuals who have the ability to telework with pay, or who are receiving paid sick leave or other paid leave benefits. However, an individual receiving paid sick leave or other paid leave benefits for less than his or her customary work week may still be eligible for a reduced PUA weekly benefit amount (WBA).

NOTE: If, while filing for PUA during the Pandemic Assistance Period, you meet the eligibility requirements to qualify for regular UC, *your entitlement to PUA benefits will be suspended until you exhaust all of your regular UC entitlement.*

To be a “covered individual” under PUA, an individual must also self-certify that he or she is otherwise able to work and available for work, as provided under state law, except that the individual is unemployed, partially unemployed, unable to work or unavailable for work due to at least one of the following categories described below.

- The individual has been diagnosed with COVID-19 or is experiencing symptoms of COVID-19 and is seeking a medical diagnosis;
- A member of the individual’s household has been diagnosed with COVID-19;
- The individual is providing care for a family member or a member of the individual’s household who has been diagnosed with COVID-19;
- A child or other person in the household for which the individual has primary caregiving responsibility is unable to attend school or another facility that is closed as a direct result of the COVID-19 public health emergency and such school or facility care is required for the individual to work;
- The individual is unable to reach the place of employment because of a quarantine imposed as a direct result of the COVID-19 public health emergency;
- The individual is unable to reach the place of employment because the individual has been advised by a health care provider to self-quarantine due to concerns related to COVID-19;
- The individual was scheduled to commence employment and does not have a job or is unable to reach the job as a direct result of the COVID-19 public health emergency;
- The individual has become the breadwinner or major support for a household because the head of the household has died as a direct result of COVID-19;
- The individual has to quit his or her job as a direct result of COVID-19; or
- The individual’s place of employment is closed as a direct result of the COVID-19 public health emergency.

WHEN AND WHERE TO FILE

If you believe that you are entitled to PUA, you should immediately file online at www.uc.pa.gov/PUA and click on the link, "*File for PUA.*"

If you cannot file online call 855-284-8545 and a PUA representative will help you file your online application.

If you use a text telephone (TTY), call this toll-free number: 888-334-4046. A PUA claims representative will take your initial PUA application. When you call, you should have your:

- Social Security Account Number, and if possible,
- Your Federal Income Tax Return for the most recent tax year that ended prior to the date of the pandemic.

PROOF OF INCOME/WAGES IS REQUIRED

If this agency has no record of your income/wages and you have provided no proof, the following important message applies to you:

20 CFR 625.6, in part, requires that an individual must furnish documentation to substantiate the wages earned from or paid for such employment or self-employment. This documentation must be submitted within 21 calendars days of the filing of the initial application for PUA. However, an individual will be provided the minimum PUA WBA if Pennsylvania does not have any existing wage records and the claimant does not provide documentation to support a higher PUA WBA. This could result in an overpayment of benefits, with applicable appeal rights.

Online (fastest option) – Please submit this proof by uploading your document(s) to your claimant portal.

You can upload documents by going to www.uc.pa.gov/PUA, click on the button "*File for PUA,*" then enter your user name and password. On your dashboard, go to the "*Unemployment Services*" box, click on the link "*Provide Additional Documentation,*" and select the "*Upload a Document*" or "*Scan a Document*" button.

By Fax: 717-772-0378

Specify (PUA) to expedite the proper routing of your documents and include:

- your name
- address
- social security number

Failure to follow these instructions may result in a delay in the processing of benefits.

CHANGING YOUR ADDRESS

If you move, you must report your new address as soon as possible. You can manage and update your address information directly by going to www.uc.pa.gov/PUA, click on the button "File for PUA," then enter your user name and password. On your dashboard, go to the "My Personal Profile" section, and select "Update Contact Information."

REPORTING REQUIREMENTS

In addition to filing an application for PUA, you can register for work and for reemployment services at <https://www.pacareerlink.pa.gov/jponline/>.

To claim weekly PUA benefits, you must:

- As instructed, personally file for each week of PUA benefits claimed.
- Register for work with the Pennsylvania CareerLink®. You must make an active search for work and keep a record of your work search contacts for each week you file a claim, unless you are prevented from doing so as a direct result of the pandemic, or you are a self-employed individual with definite plans to resume self-employment.

PLEASE NOTE THAT work registration and work search requirements are waived for the length of the emergency disaster declaration in Pennsylvania, as declared by Governor Wolf on March 6, 2020.

- Be able and available for work. There are exceptions. You will be considered to have met this requirement if due to one of the COVID-19 related reasons listed below:
- The individual has been diagnosed with COVID-19 or experiencing symptoms and is seeking a medical diagnosis; or
- A member of the individual's household has been diagnosed with COVID-19; or
- The individual is providing care for a household or family member who has been diagnosed with COVID-19; or
- A child or other person in the household for which the individual has primary caregiving responsibility is unable to attend school or another facility that is closed as a direct result of COVID-19 and such facility is required for the individual to work; or
- The individual is unable to reach the his/her place of employment because of a quarantine imposed as a direct result of COVID-19; or
- The individual is unable to reach the place of employment because he/she has been advised by a health care provider to self-quarantine as a direct result of COVID-19; or
- The individual was scheduled to commence employment and does not have a job as a direct result of COVID-19; or
- The individual has become the breadwinner or major support for the household because the head of household has died as a direct result of COVID-19; or
- The individual had to quit or take of leave of absence from his/her job as a direct result of COVID-19; or
- The individual's place of employment is closed as a direct result of COVID-19; or

- The individual is self-employed and does not otherwise qualify for benefits and meets one of the above requirements above; or
- The individual worked as an independent contractor with reportable income and COVID-19 has severely limited his/her ability to continue performing his/her work activities and/or has forced him/her to suspend such activities.
 - For example, a driver for a ridesharing service and who receives an IRS Form 1099 from the ridesharing service.
 - Clergy and those working for religious organizations.
 - Other workers who may not be covered by the regular UC program under Pennsylvania law.
- **Report all gross income from employment (i.e., W-2 individuals).** Income includes but is not limited to: Payment Protection Program earnings, holiday pay, vacation pay, tips, room and board. You must report any income for the week in which it was earned, not when it was paid.
- **Report all net income from self-employment (i.e., non-W-2 individuals).** You must report any self-employment income when earned.
 - If you are self-employed, report if you failed to resume self-employment that could have been undertaken, and the reasons for such failure.

Work registration and work search requirements are waived for the length of the emergency disaster declaration in Pennsylvania, as declared by Governor Wolf on March 6, 2020.

INDIVIDUALS NOT COVERED

PUA does not include an individual who has the ability to telework with pay and chooses not to work. However, individuals teleworking for less than his/her customary work week may still be eligible for PUA.

PUA does not include an individual who is receiving paid sick

leave or other paid leave benefits, even if not working due to COVID-19. However, individuals receiving paid sick leave or other paid leave benefits for less than his/her customary income may still be eligible for PUA.

ONLINE REGISTRATION

During online registration, you will establish a username/password for services. Do not forget your username/password. You will need these each time you claim benefits by telephone or online.

Warning: Your username/password has the same legal authority as your signature. Protect these security measures. Do not give them to anyone. If you believe someone knows your user information or accessed your file, immediately call the PUA Service Center at 855-284-8545.

FILE FOR WEEKLY BENEFITS

You need to file your PUA certifications WEEKLY to get paid. An unemployment week is Sunday through Saturday, so the first day you can file your weekly claim is on Sunday. You do not have to file on Sunday - you can file your weekly claim any day Sunday through Friday.

After the first payment, you will receive weekly PUA payments typically within three business days after filing your weekly certification.

DEBIT CARDS OR DIRECT DEPOSIT

Payments of benefits will be made through debit card or direct deposit. If you select debit card as the payment option, you will receive a debit card in the mail shortly after you file your claim. It will have instructions on how to activate the card. You may inquire about the balance on the debit card, without charge, by contacting the customer service center listed on the card.

If you have problems with the debit card, contact US Bank at 888-

233-5916. The PA Department of Labor & Industry does not have access to your debit card account balance and cannot answer questions concerning disputed charges. If you have questions concerning your statement, please contact US Bank.

You can manage and update your direct deposit information directly by going to www.uc.pa.gov and click on the link "*File for PUA.*" On your dashboard, go to the "*My Personal Profile*" section, and select "*Update Banking Information.*" If you use direct deposit, be sure to check your balance each week to determine when your benefits have been paid.

It is possible for your first payment to be issued via paper check in the mail if Direct Deposit was your selection, but your account has not yet been verified.

THE PUA WEEKLY BENEFIT AMOUNT

PUA is payable for weeks of unemployment, partial unemployment, or inability to work caused by the COVID-19 related reasons listed above beginning on or after January 27, 2020. The first week for which PUA is payable in Pennsylvania is the week ending February 8, 2020. PUA is not payable for any week of unemployment ending after December 31, 2020. Accordingly, the last week for which PUA is payable in Pennsylvania is the week ending December 26, 2020.

For each week you file a PUA claim, your reason for being unemployed must be a direct result of COVID-19. A shorter or abbreviated pandemic assistance period may be provided if it is determined that the pandemic is of a shorter duration.

The PUA weekly benefit amount (WBA) is computed in accordance with the same formula and tables as are used in the Pennsylvania Unemployment Compensation (UC) Law to compute UC weekly benefit amounts under the state's regular UC program. Special federal rules apply to the method used to calculate the PUA weekly benefit rate for certain individuals. (See page 14, Special Rules for Computing the Weekly PUA Benefit Amount).

EMPLOYED AND SELF-EMPLOYED INDIVIDUALS

If you claim a week during which you were employed less than full-time, your weekly PUA amount payable may be reduced by the income or wages that you earned in that week, regardless of when you receive this income. Only that income in excess of your partial benefit credit (PBC) (30 percent of the WBA) will be deducted from your PUA payment. The amount of partial or part-total PUA benefits payable to you is determined in the same manner as it would be if you were applying for, and receiving, partial or part-total UC benefits.

For employed individuals, report your gross earnings for the week; for self-employed individuals, report your net earnings for the week.

The maximum weekly amount of PUA payable must be reduced by the amount of certain types of benefits you qualify to receive, or would receive, if you took all procedural steps necessary under the law, contract or policy to receive such payment.

- Certain benefits or insurance proceeds for loss of wages due to illness or disability;
- Private income protection insurance;
- Any workers' compensation by virtue of the death of the head of your household as the result of the major disaster, prorated by weeks, if you have become the head of your household and are seeking suitable work; and
- The prorated amount of any retirement pension or annuity under a public or private retirement plan or system to the extent they would be deducted from regular unemployment compensation.

HOW IS THE PUA WEEKLY BENEFIT AMOUNT COMPUTED?

Your weekly benefit amount (WBA) is computed under the provisions of the state unemployment compensation law, except that it is based on your wages paid and/or net income earned

from self-employment during your most recent federal tax year that ended prior to the beginning of the pandemic. This is your **base period**.

USDOL has directed the states to treat employment wages and self-employment income not covered by applicable state UC law in the same manner and with the same effects as covered employment.

For purposes of computing the WBA, the net income as reported on the tax return for a self-employed individual shall be used.

When an individual is unable to provide a copy of the prior year's income tax return, acceptable documentation of wages earned or paid during Calendar Year 2019 includes, but is not limited to, pay check stubs, bank receipts, business records, ledgers, contracts, invoices, and billing statements.

An individual may submit additional documentation at any time during the Pandemic Assistance Period, which ends on December 31, 2020, to substantiate wages earned or paid during the base period (Calendar Year 2019). A monetary redetermination will be reissued if the wages documentation is sufficient to permit a re-computation. The monetary redetermination will apply to all weeks of unemployment that the individual files during the Pandemic Assistance Period. The WBA will be recalculated for any weeks previously paid and provide supplementary payment as appropriate.

Minimum PUA Weekly Benefit Amount

If an individual's PUA WBA is less than 50 percent of the Pennsylvania average weekly benefit payment or if the individual has insufficient wages from employment or no net income from self-employment, the PUA minimum amount is determined under 20 C.F.R 625.6. USDOL determined the minimum PUA amount for this pandemic in Pennsylvania is \$195 per week.

PENSION DEDUCTIONS

Pensions and annuities are subject to the pension deduction provisions of Section 625.13 of the Federal DUA Regulations and Section 404(d)(2)(iii) of the Pennsylvania UC Law. **Pensions and annuities you are receiving that would be deductible from**

regular UC benefits under Pennsylvania UC Law are also deductible from weekly PUA benefits in the same manner.

*Examples of the most common **deductible** pensions and annuities are:*

- State and local government pensions
- Federal Civil Service pensions
- Federal disability pensions
- IRA and KEOGH (only when established, or contributed to, by a base-year employer)
- Military retirement pensions
- Military disability retirement pensions

*Examples of the most common **nondeductible** pensions are:*

- Social Security disability, including those based on self-employment
- Black Lung
- Social Security survivors' benefits
- Supplemental Security Income (SSI)
- Widow's Pension
- VA service-connected disability pensions
- Workers' compensation
- Temporary Disability Insurance
- Railroad Retirement

If you become eligible for an additional pension or annuity or should the amount of the current pension or annuity change, this new amount must be reported immediately.

SPECIAL RULES FOR COMPUTING THE PUA WEEKLY BENEFIT AMOUNT

Weekly Amount of PUA in Cases Involving Death of Head of Household

If you are an unemployed individual who has become the breadwinner or major support because the head of household has died as a direct result of the pandemic, you may be eligible to receive PUA benefits. You must now be able and available for work, except where you are otherwise unable and unavailable to work for one of the COVID-19 related reasons set forth on Pages 5-7 of this pamphlet. If it is not possible to compute a weekly PUA amount for you due to a lack of sufficient employment in your base period, your weekly amount for PUA will be the weekly amount the

deceased head of your household would have been entitled to if he or she had not died. If a PUA claim can be established using your actual wages, you will receive the higher of the two entitlements.

Rules for Family Businesses

If you worked in or own part of a family business, you and all members of the family business may be eligible for PUA benefits. All members of the family who were customarily or routinely employed or self-employed as a family unit, or in the same self-employment business prior to the date you and the other members of the family business became unemployed as a direct result of the pandemic, will be eligible to apply for PUA benefits. The wages from this employment or net income from self-employment will be allocated equally among all **adult family members** that are considered part of the working family unit. All family members must be over the age of majority, as defined by state law, on or before their application for PUA. The applicant's equal portion of the wages or net income will be used to determine their PUA WBA. There is an exception provided. If the documentation substantiating employment or self-employment and wages from the family business justifies a different allocation, it will be used rather than the equal allocation.

The term "**family**," as used for the purposes of determining a WBA, is not limited to the traditional family of husband, wife and children, but includes any family members related by blood, adoption or marriage who customarily work as a family unit.

Rules for Minors

If you are a minor child who worked in a family-owned business or if there were any minor children working in the family business at the time you became unemployed as a direct result of the pandemic, you or the minor children may be eligible for PUA benefits. The USDOL has found that minor children of a family often work in the family business or share in the profits of the family business. This occurs particularly in the agricultural industry, where family members may share in the profits from the sale of crops or livestock. Such employment or self-employment is usually performed during periods when these individuals are not attending school and may be full-time during vacation or between term periods, and part-time or not at all during times that school is in session. The fact that these children are under the age of majority does not, in itself, mean they are

not entitled to PUA. These individuals will be **entitled to PUA** if they meet the definition of unemployed worker or unemployed self-employed individual and the eligibility requirements for a week of unemployment, which includes being unemployed or partially unemployed for one of the COVID-19 related reasons set forth on Pages 5-7 of this pamphlet.

Computing the PUA WBA of Minors

The method used by the department to compute a PUA WBA for an individual under the age of majority, uses the **actual wages** earned or received during the base- year period in employment or self-employment, **rather than an equal allocation of the wages**, as provided for family members over the age of majority. The PUA WBA for these individuals will be based on whether they were working full- time or part-time at the time they became unemployed as a direct result of the pandemic. In either case, the PUA WBA is calculated in the same manner as if they were not employed in a family-owned business.

PUA Based on Part-Time Employment

If you were customarily or routinely employed or self-employed less than full-time prior to your unemployment as a direct result of the pandemic, your weekly benefit rate will be the minimum PUA WBA (\$195).

Important

Please recheck the net income and wage information listed on your Notice of Financial Determination for accuracy. Is your Social Security Account Number correct?

DISQUALIFICATION OR TERMINATION OF BENEFITS

You may be disqualified, or your PUA benefits terminated, for the following:

- If you become employed in a suitable position,
- If you return to your pre-pandemic self-employment status,

- If you refuse, without good cause, to accept suitable employment, or resume or commence suitable self-employment,
- If you refuse without good cause to accept a referral to suitable employment,
- If you are not able or available for work (except if the reason you are not able and available for work is a direct result of COVID-19), or
- If it is determined that your unemployment is no longer a direct result of the pandemic.

YOUR RESPONSIBILITIES

It is your responsibility to give correct answers to any questions asked in regard to your initial and weekly claims for PUA benefits.

Failure to furnish requested documents or information can result in denial or a delay in the receipt of PUA benefits.

All information is subject to verification. PUA benefits are provided through federal funds. Criminal and/or civil penalties for violations of federal and/or state laws will be enforced for willfully making false statements or concealing information to obtain or increase your PUA benefits.

KEEPING RECORDS

It is your responsibility to keep accurate records of the weeks you claim, payments you receive, wages you earn and work search contacts you make. When you inquire about your claim, we will be better able to assist you if you keep accurate records.

STATEMENT REQUIRED UNDER THE PRIVACY ACT OF 1974

The Privacy Act of 1974 requires that you be furnished this statement because you are being asked to furnish your Social Security Account Number on claim forms that are given to you.

Your Social Security Number is solicited under the authority of the Internal Revenue Code of 1954 (26 U.S.C. 85, 6011(a), 6050B and 6109(a)). Disclosure of your Social Security Number for this purpose is MANDATORY and must be entered on forms you submit to claim PUA benefits.

Your Social Security Number will be used to report your receipt of PUA to the Internal Revenue Service as income that is potentially taxable. It will also be used as a record index for processing your claim, for statistical purposes, and to verify your eligibility for PUA and other public assistance benefits. Should you decline to disclose your Social Security Number, your claim for payment of PUA will not be processed.

APPEALS INFORMATION

The Pennsylvania Department of Labor & Industry will issue a written determination to inform you of your financial eligibility for PUA benefits. You may also receive additional determinations. These determinations may cover one or more weeks of PUA, or your total eligibility for PUA benefits.

If you disagree with a determination, you may appeal within 15 days from the date the determination is mailed to you. The last day to file your appeal will appear on the determination that you will receive. You must file your appeal on or before this deadline. You may file your appeal by US mail, email or fax. For more information on filing an appeal click [here](#).

US mail – Mail Appeal to:

PA Department of Labor & Industry
Office of UC Benefits, Attention: PUA Appeals
651 Boas St, Room 501
Harrisburg PA 17121 -0750

NOTE: Make sure your appeal is postmarked by the appeal deadline provided on your determination.

Email Appeal: [**UCAppeals@pa.gov**](mailto:UCAppeals@pa.gov) (indicate **PUA Appeal** in the subject line)

Fax Appeal: 717-772-0378

Your appeal must include your name, Social Security Number, if possible a copy of the determination, a statement that you want to file an appeal from this determination, and the reasons for your appeal. An appeal must be postmarked or received by the last day to appeal in accordance with Regulation 101.82.

The UC Referee office will notify you when your hearing is scheduled. Following the hearing, the Referee will issue a written decision. If you are not satisfied, the Referee's decision may be appealed to the Unemployment Compensation Board of Review within **15 days** of the mailing date of the Referee's decision.

Financial Determinations: If you have documentation which you have not already submitted that you feel will increase your weekly benefit amount, submit it to the Department and request a redetermination rather than file an appeal. (See Page 16) You will have the right to appeal the redetermination.

PUA CONTACT QUICK REFERENCE

Website: www.uc.pa.gov/PUA

Phone: 855-284-8545

TTY: 888-334-4046

Email: ucpua@pa.gov

Fax: 717-772-0378

Mailing address:

PA Department of Labor & Industry
*Office of UC Benefits
651 Boas St, Room 501
Harrisburg PA 17121 -0750

***Note:** For appeals, specify "*Attention: PUA Appeals*" on this line