

ARKANSAS DIVISION OF WORKFORCE SERVICES

PANDEMIC UNEMPLOYMENT ASSISTANCE BENEFIT RIGHTS AND RESPONSIBILITIES HANDBOOK

The following federal unemployment programs will end June 27, 2021: Pandemic Unemployment Assistance (PUA), Pandemic Emergency Unemployment Compensation (PEUC), Federal Pandemic Unemployment Compensation (FPUC), and Mixed Earner Unemployment Compensation (MEUC).

The following information provides general information concerning your rights and responsibilities while filing for Pandemic Unemployment Assistance (PUA). The explanations included are intended only to help you understand the benefit provisions of the PUA program.

- Do not rely on advice from friends or relatives. If you do not understand something or have a problem with your claim that does not appear to be covered in this handbook, contact 844-908-2178. Due to the Privacy Act, we cannot discuss your claim with anyone other than you. This includes your wife/husband, mother, or father.

WHAT IS PANDEMIC UNEMPLOYMENT ASSISTANCE?

The Pandemic Unemployment Assistance Program (PUA) provides payments to individuals who are unemployed as a direct result of the COVID-19 public emergency. On March 27, 2020, the CARES Act, Public Law 116-136, became a law. The PUA program is separate from the regular unemployment insurance program. PUA is designed for individuals who are not eligible for regular unemployment benefits or Pandemic Emergency Unemployment Compensation (PEUC). This could include contractors, self-employed workers, church workers, or agricultural workers. Funding for PUA is provided by the federal government and does not come from payroll taxes.

DURATION OF BENEFITS

PUA benefits coincide with the period in which COVID-19 became a public health emergency. Benefits are only payable to those that are unemployed as a direct result of the COVID-19 public health emergency. Benefits will continue until workers are reemployed in a suitable position, but no longer than 79 weeks. PUA benefits are available beginning the week ending February 8, 2020, and ending the week ending June 26, 2021. An applicant's continued eligibility for benefits is determined on a week-by-week basis.

WHO MAY BE ELIGIBLE FOR PANDEMIC UNEMPLOYMENT ASSISTANCE?

PUA is available to unemployed workers or self-employed individuals that were employed or were to commence employment during the pandemic. Individuals who have become the breadwinner/ main source of income because the head of household has died as a direct result of the pandemic may also be eligible for PUA benefits.

I AM NOT A UNITED STATES CITIZEN, AM I ELIGIBLE FOR PUA BENEFITS?

If you are not a citizen of the United States, you cannot be paid PUA benefits based on your services unless you were authorized to work by the Department of Homeland Security at the time such services were performed and while filing for PUA benefits.

GENERAL ELIGIBILITY REQUIREMENTS

To be eligible for PUA you must meet the following eligibility requirements:

- Your unemployment or inability to perform services as a self-employed individual must have been caused as a direct result of the pandemic as set forth in Section 2102 of the CARES Act.

I AM ELIGIBLE TO FILE A REGULAR UNEMPLOYMENT CLAIM, MAY I FILE A PUA CLAIM INSTEAD?

PUA is not a substitute for regular unemployment insurance benefits. You are not eligible for PUA if you are eligible for regular unemployment. You are not eligible for PUA if you meet one of the following criteria:

- You have established a regular unemployment benefit claim before and you are still eligible for benefits on that claim, OR
- You can qualify for and draw regular unemployment benefits, extended benefits, Trade Readjustment Allowances, or Pandemic Emergency Unemployment Compensation (PEUC).

CONDITIONS OF UNEMPLOYMENT AS A DIRECT RESULT OF THE COVID-19 PUBLIC HEALTH EMERGENCY

The following conditions of unemployment must have occurred as a direct result of the COVID-19 public emergency to qualify for PUA:

- 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 family 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 a school or facility 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 of your family because the head of household died in the disaster;
- The individual has had to quit his or her job as a result of inability to perform their job due to health conditions due to recovering from COVID-19;
- The individual is a "gig" worker, and that work is their primary source of income.
- You have been denied continued unemployment benefits because you refused to return to work or accept an offer of work at a worksite that, in either instance, is not in compliance with local, state, or national health and safety standards directly related to COVID-19.

- You provide services to an educational institution or educational service agency and you are unemployed or partially unemployed because of volatility in the work schedule that is directly caused by the COVID-19 public health emergency.
- You are an employee and your hours have been reduced or you were laid off as a direct result of the COVID-19 public health emergency.

HOW DO I KNOW IF I AM ELIGIBLE FOR BENEFITS?

Benefits can only be paid to you if you meet all the federal requirements under the PUA program. A Notice of Entitlement Determination will be promptly issued advising you of your Weekly Assistance Amount if you meet the eligibility requirements of the PUA program. If you do not meet the eligibility requirements of the PUA program, the Notice of Entitlement Determination will explain why you were not eligible under the PUA program.

WHAT IF I DISAGREE WITH THE DIVISION'S DECISION?

If you disagree with any notice that denies benefits, you may file an appeal for a review of your case with the Arkansas Appeal Tribunal. You must continue to file your weekly claim for benefits each week, while you remain unemployed due to the COVID-19 public emergency, in order to receive payment for those weeks if you win your appeal. To file an appeal, you may report to the nearest DWS local office to complete a form or you may write directly to the Arkansas Appeal Tribunal at P.O. Box 8013, Little Rock, AR 72203. Your appeal must be submitted or postmarked within 20 calendar days of the date the determination was mailed to you. Be sure to clearly state your reason for appealing, include your correct name and address, social security number and attach a copy of the determination being appealed.

COMPUTATION OF WEEKLY ASSISTANCE AMOUNT

The computation of the weekly assistance amount for PUA will be based on the gross wages for unemployed workers and net earnings for self-employed individuals. All wages earned for the performance of services in the most recently completed tax year will be used to compute the weekly assistance amount.

The PUA weekly assistance amount will be calculated in accordance with Arkansas Employment Security law. For PUA, the weekly assistance minimum is \$132 per week and the maximum is \$451 per week. The weekly amount shall be the weekly amount of compensation that the individual would have been paid for regular unemployment insurance compensation unless the weekly benefit amount is less than 50% of the average weekly payment of regular unemployment insurance benefits. The maximum weekly assistance amount shall not exceed the maximum weekly benefit amount of regular unemployment insurance benefits payable in the state. Employment, wages, and self-employment that are not covered by the Arkansas Employment Security law shall be treated in the same manner, and with the same effect as covered employment and wages.

Employment and wages that are prohibited by federal law shall not be included in the computation of the weekly assistance amount.

WHAT IF I CANNOT PROVIDE PROOF OF INCOME FOR THE MOST RECENTLY COMPLETED TAX YEAR?

If an applicant gives a statement because he or she has no proof of wages and/or employment or self-employment, his or her weekly assistance amount will be established a minimum of \$132 per week for PUA. An individual may later provide a copy of his or her completed federal tax return to request a redetermination on the weekly assistance amount. If a higher weekly benefit amount is warranted, supplemental payments will be issued.

REPORTING AND FILING REQUIREMENTS

Weekly PUA claims must be filed in accordance with the instructions provided to you by your local Division of Workforce Services office. PUA is paid on a calendar week basis in Arkansas. Your weekly claim for benefits must be filed within the 7-day period immediately following the Saturday of the week you are claiming. All weekly claims must be completed online at pua.arkansas.gov or by calling the PUA Call Center at 844-908-2178 after the Saturday of the week you are claiming.

You must be able and available for work within the meaning of Arkansas Employment Security law, unless you are unable to work due to the COVID-19 public health emergency.

If you are a worker, you must report wages when earned (not when paid) for each week claimed. If you are a self-employed individual, you must report gross income when paid (regardless of when earned) for each week claimed.

VERIFICATION OF IDENTITY

The Arkansas Division of Workforce Services deployed an identity verification process for individuals applying to receive PUA benefits. Now, ALL PUA applicants must verify ID to qualify for benefits. When you log in to the PUA website, you will be provided a link to verify your ID.

If you are an existing PUA claimant and your identity needs to be verified, you will receive notice through your PUA online account. Even if you previously uploaded, emailed, or faxed pictures of your ID, you will still need to use the UIdentify process to verify your identity. If you have already completed the UIdentify process, you do not need to do it again.

If you are unable to use the UIdentify service, you can verify your identity by visiting a local ADWS office. Please allow 48 hours for your ID to be uploaded after providing your ID to the local office. This new security measure will help ADWS eliminate potentially fraudulent claims as well as assist in getting benefits to valid claimants more quickly and efficiently.

Please do not contact On Point directly regarding your PUA claim. If you need assistance using the UIdentify service, please contact the ADWS UIdentify Help Desk at (501) 682-4037 or at ADWS.UI.Identify.Help@arkansas.gov. For more information on PUA, please visit www.ARUnemployment.com or call 844-908-2178.

DOCUMENTATION REQUIREMENT

- **Proof of Employment/ Self-Employment:** The federal PUA program now requires all claimants to provide supporting

documentation of their employment/self-employment, or the planned commencement of employment/self-employment to qualify for benefits. This documentation demonstrates a recent attachment to the labor force and serves as an important tool against fraud.

- Go to ARunemployment.com and click on the red box. There is a link to a document with details on the types of acceptable documentation you can submit to meet this requirement.
- Claimants should include their name, contact information and application number on each document submitted. ADWS does not accept videos for documentation purposes.
- **Documents may be submitted using one of the following methods:**
 - Upload using the PUA website, or
 - Email to PUA.documents@arkansas.gov, or
 - Fax to 501-534-3870, or
 - Mail to PUA Documents, P.O. Box 8120, Little Rock, AR 72203-8120

REDUCTION OF PUA BENEFITS

The weekly assistance amount payable to you will be reduced by the amount that you have received for a week or will receive for a week based on the following criteria:

- Any compensation or insurance from any source for the loss of wages due to illness or disability, such as private income protection insurance, etc.
- Supplemental unemployment benefits (SUB) pursuant to a collective bargaining agreement.
- Workers' compensation benefits by virtue of the death of the head of household.
- Any public or private retirement pension or annuity deductible under Arkansas Employment Security law.
- Gross earnings in excess of 40% of your Weekly Benefit Amount.

ARE MY BENEFITS TAXABLE?

PUA benefits are subject to federal income taxes. An option of voluntarily withholding Federal Income Tax from PUA benefits is available. You have the option of having federal income tax in the amount of 10% withheld from your weekly assistance amount (after applicable adjustments, such as earnings and retirement).

If you chose to have federal income taxes withheld from your PUA claim, you will be permitted to change your withholding status in the future if you desire.

WILL CHILD SUPPORT DEDUCTIONS BE TAKEN FROM MY PUA BENEFITS?

Federal law requires DWS to deduct and withhold child support obligations from any PUA payable to an individual who owes child support as a result of a signed agreement or court order served by the Office of Child Support Enforcement.

WHAT IF I AM OVERPAID?

Occasionally claimants receive benefits to which they are not entitled, causing an overpayment. You will be notified in writing if you have been overpaid. If a PUA overpayment is established, you will be responsible for the repayment of the overpaid amount.

YOUR RESPONSIBILITIES

You are responsible for any information you furnish for the purpose of claiming benefits. Verification may be made as to the correctness of all information furnished. If you willingly make a false statement or conceal information in regard to your right to receive assistance, you are subject to any applicable criminal prosecution and penalties under State or Federal Law. In addition, you may be disqualified from receiving PUA benefits and will be liable for repayment of any overpayment of benefits.

WHY AM I REQUIRED TO PROVE MY SOCIAL SECURITY NUMBER?

While all the information requested on the Pandemic Unemployment Assistance (PUA) application and payment request forms is voluntary, most of the information (including your Social Security Number) is required to promptly process your claim for PUA. All the information requested will be used for statistical purposes by the Arkansas Division of Workforce Services and the United States Department of Labor.

Information requested for use by the Arkansas Division of Workforce Services and the United

States Department of Labor is authorized under Section 407 of the Disaster Relief Act of 1974 (942 U.S.C. §5177) and Section 906 of the Social Security Act (42 U.S.C. §1106). All information furnished will be confidential except to the extent that release of such information is authorized in processing your claim and will not be released or used for any purpose other than for establishing your entitlement to PUA, for statistical studies and research, and to ensure that benefits have been properly paid.

