

## **Pandemic Unemployment Assistance Benefit Rights Information**

### **What is Pandemic Unemployment Assistance (PUA)?**

PUA provides benefits to qualifying individuals who are otherwise able to work and available for work within the meaning of state law, except that they are unemployed, partially unemployed, or unable or unavailable to work due to COVID-19 related reasons, as defined in the CARES Act. Benefit payments under PUA are retroactive, for weeks of unemployment, partial employment, or inability to work due to COVID-19 reasons starting effective February 2, 2020.

The US Department of Labor (USDOL) oversees the PUA program and coordinates with state UI agencies, acting as agents of the federal government to administer the PUA program.

### **Who can qualify for PUA Benefits?**

Eligibility for PUA includes those individuals not eligible for regular unemployment compensation, extended benefits, or pandemic emergency unemployment compensation (PEUC), including those who have exhausted all rights to such benefits. Covered individuals also include self-employed individuals, those seeking part-time employment, and individuals lacking sufficient work history. Covered individuals may also include clergy and those working for religious organizations who are not covered by regular unemployment compensation.

To be eligible for a PUA claim, individuals must first file a regular unemployment claim and be found not eligible. Additionally, the individual applying for the PUA must self-certify, under penalty of perjury, that they fall into one of the categories listed below and that intentional misrepresentation in one or more of these categories is fraud and may be subject to criminal prosecution.

To be covered under PUA, an individual must also self-certify that they are able to work and available to work as provided by state law except that they are unemployed, partially unemployed, unable to work, or unavailable to work due to at least one of the following categories:

- 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.

- The individual's place of employment is closed as a direct result of the COVID-19 public health emergency.
- The individual is an independent contractor who is unemployed, partially unemployed, or unable or unavailable to work because the COVID-19 health emergency has severely limited their ability to continue performing their customary work activities, and have been forced to suspend such activities.
- The individual was denied continued unemployment benefits because they 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. This includes but is not limited to, those related to facial mask-wearing, physical distancing measures, or the provision of personal protective equipment consistent with public health guidelines.
- The individual provides services to an educational institution or educational service agency and is unemployed or partially unemployed because of volatility in the work schedule that is directly caused by the COVID-19 public health emergency. This includes, but is not limited to, changes in schedules and partial closures.
- The individual is an employee and their hours have been reduced or have been laid off as a direct result of the COVID-19 public health emergency.

PUA benefits are not available if you are entitled to regular UI benefits. There is no waiting week required for PUA claims.

#### **How to file your Initial PUA claim**

1. Go to [uinteract.labor.mo.gov](http://uinteract.labor.mo.gov) to file your unemployment claim. If after submitting your regular unemployment claim, you find out that you are "not an insured worker," you may immediately file a Pandemic Unemployment Assistance claim under the "File a Claim" tab at [uinteract.labor.mo.gov](http://uinteract.labor.mo.gov).
2. Once your PUA claim is filed, you must file a weekly request for payment for each week you wish to be paid, including the week in which you filed your initial claim. All back weeks prior to the claim can be certified during the initial claim filing process. You must report all income from the week, including wages, even if you have not yet been paid for the work.

#### **How is my PUA Weekly Benefit Amount Determined?**

Those eligible for PUA benefits will receive the minimum PUA payment of \$133 for each week for which they are eligible to receive payments. The weekly benefit amount may be increased if proof of earnings from the previous tax year is provided. Examples of acceptable forms of proof of earnings will include copies of the previous tax year income tax returns with related Schedules C, E, F, and SE, Form K-1 and/or Form 1099-Misc. If the individual has not filed their tax return for the previous tax year, the previous tax year supporting tax documents will be acceptable proof. These are any documents used to file the income tax return, which show 2019 earnings, such as Form 1099, W-2, etc. Individuals will receive instructions from the DES on how to securely submit proof through the UInteract system.

Your PUA WBA is four percent of the average earnings of your two highest quarters during the past period (highest quarter + second-highest quarter divided by 2 x 0.04 = WBA). Missouri's maximum WBA is \$320. Missouri's minimum PUA WBA is \$133. You will receive the minimum PUA WBA if you do not have enough wages or income in the PUA base period to qualify for more than the minimum WBA.

The PUA benefits will be retroactive to when an individual was negatively affected by the coronavirus. Claimants should log into UInteract.labor.mo.gov for the most up-to-date status of eligibility and payments.

### **Do I have to show Proof of Employment or Self-Employment?**

As part of the Continued Assistance for Workers Act of 2020, any individual who received a PUA payment on or after the week ending January 2, 2021, is required to show proof of employment, self-employment, or proof of the planned commencement of employment or self-employment.

Failure to provide this documentation will lead to a denial of future PUA benefits and will result in an overpayment of PUA benefits received on or after the week ending January 2, 2021. This date may be extended if good cause is provided.

Acceptable documentation of employment includes, but is not limited to: paycheck stubs, W-2 forms, and earnings and leave statements with the employer's name and address. Acceptable documentation of self-employment includes, but is not limited to: state and federal employer identification numbers, business licenses, tax returns, and business receipts. Proof of the planned commencement of employment includes, but is not limited to, letters offering employment, statements/affidavits by individuals (with name and contact information) verifying an offer of employment. Proof of the planned commencement of self-employment includes, but is not limited to, business licenses, state or federal employer identification numbers, written business plans, or a lease agreement.

To upload the documentation, please log into UInteract → Correspondences → Upload Benefits Documents or you may mail the documentation to the Division of Employment Security, PO Box 59, Jefferson City, MO 6510-0059 or you may fax it to 573-751-5040.

### **Would I also be eligible for the Federal Pandemic Unemployment Compensation program (FPUC)?**

The Federal Pandemic Unemployment Compensation program (FPUC), which provides an additional \$600 per week to individuals collecting PUA is available for weeks beginning March 29, 2020, through the week ending July 25, 2020. The FPUC \$600 per week changed to \$300 per week beginning December 27, 2020.

### **Will I be Required to Conduct Work Search Activities?**

Yes, three work search activities are required each week. For additional information on work search activities, visit <http://labor.mo.gov/required-work-search>

### **Are Federal Taxes Withheld**

Individuals may elect to have federal withholdings deducted from their PUA benefit payments. Individuals will receive a federal "Certain Government Payments" (Form 1099-G) to file with their income tax returns.

### **What Causes PUA Benefits to be terminated?**

An individual can be ineligible for PUA benefits or PUA benefits can be terminated if any of the following occur:

- The individual becomes employed and the earnings exceed the weekly benefit amount (WBA) allowed under the state's law.
- The individual refuses to accept suitable employment without good cause.
- The individual refuses to accept a referral to suitable employment without good cause.
- The individual is not able to work (unless the inability is due to an injury caused as a direct result of the pandemic).
- The individual is not available for work.
- The individual is no longer unemployed as a direct result of the pandemic.

### **What is the Process for Overpayments and Fraud?**

The DES will notify you if you are overpaid. If you receive benefits to which you are not entitled, you must repay them. If you deliberately misrepresent facts in order to obtain benefits, it is considered an act of fraud. If the overpayment was caused by acts of fraud, additional penalties will apply.

### **What is the Appeals Process?**

Any denial of PUA benefits may be appealed. Individuals must file the appeal within 30 days of the date the determination was sent. Instructions for appealing are included in the determination.

### **What other Income will reduce my Benefits?**

Vacation, Holiday, Worker Adjustment Retraining Notification (WARN) Act Pay, Emergency Pay, Disaster Pay, Furlough Pay, Paycheck Protection Program (PPP) payment, and Family Medical Leave Pay, including Sick Pay may reduce your weekly benefit amount (WBA) in the same way as wages. Severance, Termination Pay, or Social Security payments do not reduce your WBA. Pensions may reduce your unemployment benefits. Examples of pensions that may reduce your benefits are military retirement (including disability) union pension, private employer pension, federal civilian pension, and state, county, or city pension. Tell your claims representative if you are receiving a pension. If it affects your benefits, you will be notified.

### **What is the Legal Authority for PUA?**

Section 2102 of the Coronavirus Aid, Relief, and Economic Security (CARES) Act.

### **Contact Information**

To file a PUA claim or check your claim status or correspondence, visit [uinteract.labor.mo.gov](http://uinteract.labor.mo.gov).

To upload proof of income, proof of employment, or file an appeal, visit [uinteract.labor.mo.gov](http://uinteract.labor.mo.gov)

Benefits Section (PUA)

Division of Employment Security

PO Box 2313

Jefferson City, MO 65102-2313

Or fax to 573-751-5040