

**ALASKA DEPARTMENT OF LABOR
AND WORKFORCE DEVELOPMENT**

BENEFIT RIGHTS AND RESPONSIBILITIES HANDBOOK

**PANDEMIC
UNEMPLOYMENT
ASSISTANCE**

PUA

**Division of Employment
and Training Services**

P.O. Box 115509

Juneau, AK 99811-5509

Telephone: (907) 269-4700

Fax: (907) 465-2741

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**ALASKA DEPARTMENT OF LABOR
& WORKFORCE DEVELOPMENT**

We are an equal opportunity employer/ program. Auxiliary aids and services are available upon request to individuals with disabilities.

OVERVIEW

The following information provides general information concerning your rights and responsibilities while filing for Pandemic Unemployment Assistance (PUA). The explanations included in the handbook are intended 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 the Alaska Department of Labor and Workforce Development (DOLWD) at (907) 269-4700.

Due to the Privacy Act, the Alaska DOLWD staff cannot discuss your claim with anyone other than you. This includes your wife/husband, mother, father or other family member.

WHAT IS PANDEMIC UNEMPLOYMENT ASSISTANCE?

On March 27, 2020, President Trump signed into law what is known as the “Coronavirus Aid, Relief, and Economic Security Act” or the “CARES Act” which included the PUA program. This program is designed to provide benefits to individuals who are ineligible for regular Unemployment Insurance (UI), Pandemic Emergency Unemployment Compensation (PEUC), or state Extended Benefits (EB). This declaration authorized Individual Assistance, including PUA.

PUA benefits are only available once the President of the United States declares that a public health emergency has occurred. The PUA program is administered through voluntary agreements between states and the United States Department of Labor and Workforce Development (US DOLWD). PUA is available to aid individuals who are unable to work as a direct result of the pandemic. PUA funding is provided by DOLWD and does not come from employer payroll taxes.

DEFINITION OF A PANDEMIC

A “Pandemic” means a worldwide public health emergency, declared by the President of the United States and that warrants federal government assistance to communities and individuals. After the President makes the declaration and defines the public health emergency, if PUA benefits are made available, the Alaska DOLWD will announce the PUA filing period and issue filing instructions for PUA applications through the news media.

DURATION OF BENEFITS

The PUA is available to eligible individuals for a total of 39 weeks of benefits, minus any payable weeks under any other state or federal UI program issued during this pandemic period. An applicant’s continued eligibility for benefits is determined on a week-to-week basis and individuals must file weekly claims to receive payment. (See 20 CFR 625.2(f) & 625.7)

PUA benefits for individuals affected by COVID-19 are available starting with the week ending Feb. 8, 2020 and can be paid up to week ending Dec. 26, 2020, if the individual remains eligible.

WHO MAY BE ELIGIBLE FOR PANDEMIC UNEMPLOYMENT ASSISTANCE?

PUA is available to unemployed workers or self-employed individuals who were employed or were to commence employment when the pandemic occurred. Individuals who cannot work because of an illness as a direct result of the pandemic or have become the breadwinner because the head of household has died as a direct result of the pandemic may also be eligible for PUA benefits. (See 20 CFR 625.4 & 625.5)

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

PUA is only available to U.S. Citizens or U.S. non-citizen nationals, or qualified aliens under the U.S. Immigration and Nationality Act (INA). Individuals who wish to receive PUA benefits must provide proof of identity and demonstrate their status as U.S. citizens, U.S. nationals, or qualified aliens. This is irrespective of territory law eligibility criteria for regular unemployment benefits. Qualified aliens include:

- Legal permanent resident (“green card” holder)
- An asylee, refugee, or an alien whose deportation is being withheld
- Alien paroled into the U.S. for at least one year
- Alien granted conditional entry (per law in effect prior to Apr. 1, 1980)
- Cuban/Haitian entrant
- Aliens in the U.S. who have been abused, subject to battery or extreme cruelty by a spouse or other family/household member, or have been a victim of a severe form of human trafficking
- Aliens whose children have been abused and alien children whose parent has been abused who fit certain criteria

GENERAL ELIGIBILITY REQUIREMENTS

In order to be eligible for PUA you must meet the following eligibility requirements:

- An initial application for PUA filed after Alaska DOLWD announced PUA availability on Apr. 16, 2020. Timely applications for PUA are accepted through Dec. 31, 2020. Any PUA application received after Dec. 31, 2020, may result in a denial of PUA benefits unless it is determined there was good cause for late filing
- Your unemployment or inability to perform services as a self-employed individual must have been caused as a direct result of the major pandemic declared by the President of the United States

- Your principal source of income must have been generated from your employment or self-employment
- You do not qualify for regular unemployment benefits from any state
- You must present documented proof that you were employed, self-employed or preparing to begin employment when the pandemic occurred, within 21 calendar days from the date of filing the PUA claim. Proof of employment or self-employment at the time of the pandemic can include State agency wage records, Paycheck stub, Bank receipts, Business records, Ledgers, Contracts, Invoices, Billing statements, 1099 or W2, and 2019 Tax Returns. If proof is not submitted within 21 calendar days, PUA will be denied and an overpayment may result (See 20 CFR 625.6 (e)).

CONDITIONS OF UNEMPLOYMENT AS A DIRECT RESULT OF THE PANDEMIC

The following conditions of unemployment must have occurred as a direct result of the major pandemic in order to qualify for PUA:

Individuals must be out of work because of one of the following:

- 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

Or the individual is not able or available to work because of one of the following:

- 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 meets any additional criteria established by the Secretary for PUA.

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 Eligibility Determination will be issued advising you of your Weekly Benefit Amount (WBA) 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 Eligibility Determination will explain why you are not eligible for PUA (See 20 CFR 625.4 & 625.9)

WHAT IF I DISAGREE?

If you disagree with the determination, you have the right to request a reconsideration of the determination and you may also file an appeal. If you request a reconsideration of the determination, the Alaska DOLWD will review its prior determination and consider any new information you provide. A request for reconsideration must be submitted within 30 calendar days from the date of the determination. If you disagree with the reconsideration determination you may file an appeal within 30 calendar days, and a telephone

hearing will be scheduled with an appeal referee.

You may appeal any written determinations that denies or effects your eligibility to PUA benefits (see 20 CFR 625.10). The Alaska DOLWD will send you information on the hearings process.

COMPUTATION OF WEEKLY BENEFIT AMOUNT

In Alaska, the amount of PUA payable to an unemployed worker or unemployed self-employed individual for a week of total unemployment is determined based on the average of the payments of regular compensation made under State unemployment compensation laws for weeks of total unemployment in the first four of the last five completed calendar quarters immediately preceding the quarter in which the pandemic began. (See Title 20 CFR 625.6(c)).

Under the "Coronavirus Aid, Relief, and Economic Security Act" or the "CARES Act", Alaska's maximum PUA Weekly Benefit Amount (WBA) is \$370.

WHAT IF I CANNOT PROVIDE THE NECESSARY DOCUMENTATION SHOWING I WAS EMPLOYED OR SELF-EMPLOYED AT THE TIME OF THE PANDEMIC?

To receive PUA, individuals must provide all required documentation that provides evidence of their employment, or self-employment or work that was to commence at the time of the pandemic. If you fail to substantiate any evidence of your self-employment and income, your PUA claim may be re-determined to be invalid, and you will be liable for any overpaid benefits. If it is determined that you made false statements to collect PUA, you will be subject to administrative penalties and may be prosecuted for fraud.

WEEKLY PUA CLAIMS

Weekly PUA claims must be filed timely and in provided to you by the Alaska DOLWD Division of Employment and Training Services.

PUA is paid on a calendar week basis in Alaska. Your weekly claim for benefits must be filed within the seven-day period immediately following the Saturday of the week you are claiming. All weekly claims for assistance must be received by the Alaska DOLWD after the Saturday of the week you are claiming. Any request for benefit assistance submitted prior to the Saturday of the week being claimed is considered untimely and payment for the week may be denied.

You must be able and available for work, unless you are unable to work due to a direct result of the COVID-19 pandemic or you are unable to reach your place of employment as a direct result of the pandemic. If you performed any work for any employer, you must report gross wages when earned (not when paid) for each week claimed. If you are a self-employed individual, you must report net income when paid (regardless of when earned) for each week claimed.

You may go through myAlaska online to get to the PUA application portal to file your weekly claims certifications. If you are unable to file your weekly claim online, you must contact your nearest claim center for assistance.

REDUCTION OF PUA BENEFITS

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

- Gross income in excess of \$50 earned in an employer-employee relationship whether paid or not. For self-employed individuals, net income in excess of \$50 received during the week for the performance of services in self-employment, regardless of whether or not any services were performed during the week.
- Any benefits or insurance from any source not defined as “compensation” under PUA regulation for the loss of wages due to illness or disability; such as private income protection insurance, etc.

- Workers compensation by virtue of the death of the head of household as a direct result of the emergency pandemic if the individual has become the head of the household and is seeking suitable work.
- Supplemental unemployment benefits (SUB) pursuant to a collective bargaining agreement.
- Private income protection insurance, by the amount the individual has received, is receiving, or would be receiving if an insurance claim was filed.
- Any public or private retirement pension or annuity.

The PUA maximum WBA for claims filed is \$370 per week. Any week claimed in which an individual in an employer-employee relationship reports gross earnings, or self-employed individual reports net, of less or less than the weekly benefit amount, they will be considered partially unemployed. The first \$50 of reported earnings will not reduce the PUA WBA. Any amount over \$50 of earnings reported will reduce the PUA WBA. If you have wages equal to or more than 1^{1/3} times your weekly benefit amount plus \$50, you will be considered fully employed and no benefits will be paid.

ARE MY BENEFITS TAXABLE?

PUA benefits are subject to federal income taxes. Alaska DOLWD will provide you a 1099 form for the prior calendar year showing the amount of PUA payments you received.

WHAT IF I AM OVERPAID?

Occasionally an individual may receive benefits to which they are not entitled, causing an overpayment. You will be notified in writing if it is determined that you have been overpaid. If a PUA overpayment is established, you will be responsible to repay the PUA amount that was overpaid. (See 20 CFR 625.14)

WHAT ARE MY RESPONSIBILITIES?

You are responsible to read the information provided in this handbook.

You are responsible for any information you furnish for the purpose of claiming financial assistance under the PUA program. All information is subject to verification to ensure all information furnished is complete and correct.

If you willingly make a false statement or conceal information to receive PUA, you are may be subject to criminal prosecution and penalties under Alaska and/or Federal Law. In addition, you will be liable for repayment of any PUA payments that are determined to be overpaid as a result of such concealed information or false statement(s).

WHY MUST I PROVIDE DOCUMENTATION AND PROOF OF MY SOCIAL SECURITY NUMBER?

Information requested for use by the Alaska DOLWD, Employment and Training Services, is authorized under Robert T. Stafford Disaster Relief and Emergency Assistance Act (Stafford Act) (42 U.S.C. §5177). All information furnished will be kept 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 PUA eligibility and to ensure that benefits have been properly paid.

HOW AND WHERE CAN I APPLY FOR PUA?

Individuals, affected by the COVID-19 pandemic, who lost work as a direct result of the pandemic may apply for PUA by going online to myAlaska, or by calling your claim center for assistance at one of the following numbers:

Juneau (907) 465-5552
Fairbanks: (907) 451-2871
Anchorage: (907) 269-4700
All other areas: (888) 252-2557

To receive PUA, individuals must provide all required documentation to support evidence of their employment, or self-employment or work that was to commence at the time of the pandemic. Documents can be uploaded online through the pandemic unemployment assistance application, or mailed documents to the following address:

Alaska Department of Labor and Workforce Development
Division of Employment and Training Services
ATTN: UI Support
P.O. Box 115509
Juneau, AK 99811-5509

Documents should include your name, and contact information.

WILL I RECEIVE THE \$600 SUPPLEMENTAL PAYMENT FOR FEDERAL PANDEMIC UNEMPLOYMENT COMPENSATION?

If you are eligible to receive PUA benefits for a week, you will also receive the additional \$600 supplemental payment under the Federal Pandemic Unemployment Compensation (FPUC) program. FPUC is payable only for weeks of unemployment beginning on or after the date on which the state entered into an FPUC agreement with the U.S. Department of Labor. FPUC is not payable for any week of unemployment ending after July 31, 2020.