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COVID-19: Unemployment Benefits

As part of the 'Coronavirus Aid, Relief, and Economic Security Act' (CARES Act), unemployment benefits are expanded to help meet the unique employment needs brought on by COVID-19. The federal government will invest approximately \$260 billion into the Unemployment Insurance Program and provide about \$360 million to the U.S. Department of Labor for programs such as training, supportive services, and implementing paid leave requirements.

Under the existing unemployment benefit program, qualified Georgians can receive between \$55 and \$365 in weekly paid unemployment benefits. The maximum number of weeks a claim could be established is based on the seasonal adjusted unemployment rate and could vary between 14 and 20 weeks. Approved applicants can choose to receive the benefits via direct deposit or a mailed debit card. The 'CARES Act' introduced three new programs that temporarily expand these benefits for unemployed Georgians. Additionally, the Georgia Department of Labor (GDOL) approved emergency rules to provide aid to unemployment insurance applicants.

The Federal Pandemic Unemployment Compensation Program (FPUC)

The 'CARES Act' created the Federal Pandemic Unemployment Compensation program to provide an additional \$600 per week to individuals who qualify for any of the state or federal unemployment compensation programs. As is the case with other paid unemployment benefits, FPUC payments are subject to state and federal income taxes. Individuals already receiving unemployment benefits will begin to receive the FPUC supplement the week of April 13, 2020 and the program will retroactively apply to all eligible weeks beginning with the week of March 30, 2020.

UPDATE: On August 8, 2020, President Trump signed an executive order extending the weekly unemployment benefit until December 27, 2020, or until the U.S. Congress passes legislation to continue the FPUC program beyond its sunset date of August 1, 2020. The executive order replaces the original \$600 a week benefit with an up-to-\$400 per week benefit funded with \$44 billion from the Federal Emergency Management Administration's (FEMA) Disaster Relief Fund. States may decide their level of participation, but must commit to providing 25 percent of the supplement to qualify; Georgians will be able to receive a total of \$300 per week when the program is active in addition to standard UI benefits.

On August 27, 2020, the Georgia Department of Labor announced it has begun creating a system to receive requests for the new benefit and expects it to be ready within the next three to four weeks. To qualify, a claimant's existing weekly benefit determination must be at least \$100 and they must be unemployed or partially unemployed due to the pandemic. Eligible claimants will receive benefits dating back to the week ending August 1, 2020, if eligible.

The Pandemic Emergency Unemployment Compensation Program (PEUC)

Under the PEUC program, qualified individuals can receive up to 13 weeks of unemployment benefits in addition to the maximum in Georgia; the maximum is temporarily set at 26 weeks per a GDOL emergency rule (discussed below). The cost of the PEUC program, including all implementation and administrative expenses, is 100 percent federally funded. After receiving federal guidance on April 10, 2020, the GDOL is currently developing the new PEUC system for the state. The GDOL will send a notification and instructions to any individual who potentially qualifies for a PEUC claim.

Pandemic Unemployment Assistance (PUA)

With the passage of the 'CARES Act', the following individuals who previously would not have qualified for unemployment benefits are now eligible:

- Self-employed workers
- Gig workers
- Form 1099 independent contractors
- Employees of churches
- Employees of non-profits
- Individuals with limited work history

Before being considered for federal PUA benefits, an applicant must first be determined ineligible for state unemployment benefits. Once an applicant is deemed ineligible, they may apply for and receive PUA benefits for up to 39 weeks. The benefits paid are based on Georgia's existing weekly benefit amounts. The federal benefits are available retroactively for unemployed weeks beginning on or after January 27, 2020 and will end on or before December 31, 2020. GDOL opened up applications and instructions for PUA benefits on April 12th, 2020. For additional information, please visit the PUA page on the Georgia Department of Labor's website: <https://dol.georgia.gov/pua>.

Emergency Rules Approved By the Georgia Department of Labor

On March 19, 2020, the Georgia Department of Labor approved an emergency rule that requires an employer to file partial claims online on behalf of their employees during any week that an employee works less than their regular full- or part-time schedule due to the COVID-19 emergency. Employers that fail to comply are liable to pay the full amount of benefits to the employee. The rule applies to any claims filed on or after March 14, 2020 and is in effect until July 14, 2020, or the passage of a subsequent rule. The rule can be found on the GDOL website: <https://dol.georgia.gov/blog-post/2020-03-20/emergency-rules-adopted-03-19-20>.

UPDATE: On July 17, 2020, the GDOL adopted a rule that no longer requires employers to file partial claims for part-time workers who have had hours reduced due to the pandemic, though employers may elect to continue to do so. However, employers will still be required to file partial claims for full-time employees. The rule further states that employers do not have to file partial claims for employees who have been offered restored hours, but refuse to return to work.

The GDOL adopted two additional emergency rules on March 26, 2020. The first states that GDOL will not count the first \$300 in wages earned by an individual receiving unemployment benefits against the benefits being received. This will allow a qualified individual to receive unemployment benefits while also earning

additional wages. Any amount over the \$300 will then be deducted from the individual's unemployment benefits. The second rule extends the maximum number of weeks an individual can claim unemployment from 14 to 26. This will temporarily replace the previous maximum that could vary from 14 to 20 weeks and the method of determining the maximum based on seasonal adjusted unemployment rates. These two rules can be found on the GDOL website: <https://dol.georgia.gov/blog-post/2020-03-26/emergency-rules-adopted-03-26-20>.

UPDATE: Steps Taken By the Georgia Department of Labor to Combat Fraud

The current economic situation created by the COVID-19 pandemic has led to an increase in fraud related to the unemployment benefits programs. The types of fraud experienced include the following: not reporting earnings; not meeting or attempting to meet work requirements; being currently incarcerated; and using another individual's social security number.

To combat fraud, the Georgia Department of Labor is partnering with ID.me for identity verification services. When combined with existing GDOL security features, benefits will be protected with a multifactor authentication system. Please visit the following webpage for additional information and to report fraud: <https://dol.georgia.gov/blog-post/2020-07-22/ui-fraud-crime>.

Online services provided by the Georgia Department of Labor, including applications for unemployment insurance benefits, job opportunities, and to access employer resources, can be found on the following webpage: <https://dol.georgia.gov/online-services>.