



# Self-Employment PUA Program

May 27, 2020

# AGENDA



- ❑ Welcome and Intro – CAMEO
- ❑ PUA Primer for Self-Employment – Legal Aid
- ❑ Why This Program is Needed – Renaissance Center
- ❑ How the Program will Work –Legal Aid
- ❑ How You Can Participate – CAMEO
- ❑ Q&A

# LEGAL AID AT WORK



# UNEMPLOYMENT BENEFITS DURING THE PANDEMIC

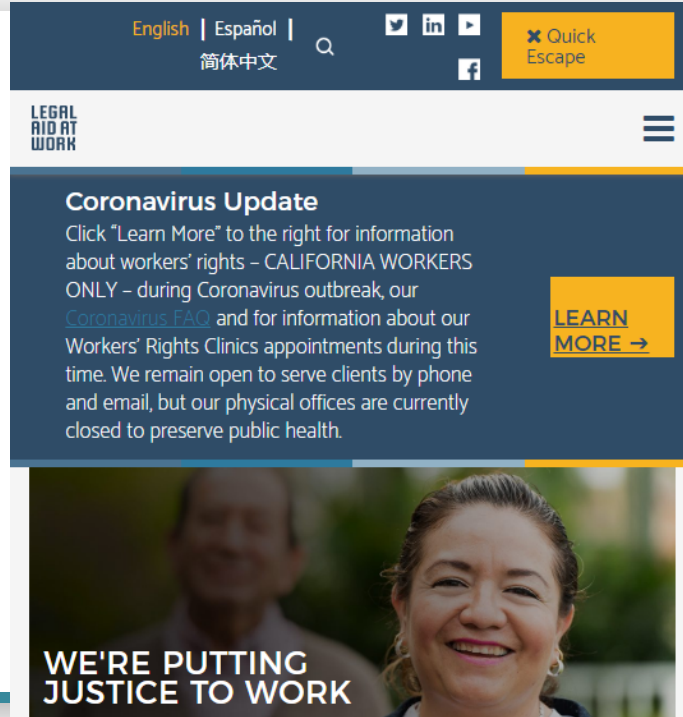
Carole Vigne, Senior Staff Attorney & Director, Wage Protection Program

**Legal Aid at Work**

May 27, 2020

# LEGAL AID AT WORK

- Non-profit organization **founded in 1916**
- Educational tools; clinics & helplines; direct representation; litigation; policy advocacy
- Unemployment Benefits; Wage Protection; Work & Family; Racial Economic Justice; Immigrants' Rights; Gender Equity & LGBT Rights; Disability Rights
- [www.legalaidatwork.org](http://www.legalaidatwork.org)

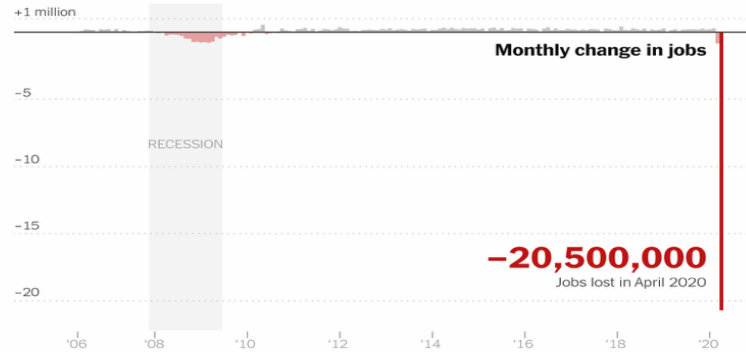


# UNEMPLOYMENT DURING THE PANDEMIC

The New York Times

LIVE

## U.S. Unemployment Rate Hits 14.7%, Worst Since Great Depression



the EDD, a total of **4.7 million claims** have no unemployment demand began during the week of **\$12.3 billion in benefits** has been paid to workers. These numbers are, at the height of the last large unemployment claim over a two-month period.

Ending Date

Total Applications Submitted  
(Approx. UI Online applications received from unemployed workers)<sup>1</sup>

	Reg. UI	PUA	Total
May 9, 2020	189,901	160,162 <sup>1</sup>	350,063
March 14 – May 2	3.7 million	400,000	4.1 million
TOTAL for last 9 weeks <sup>7</sup>	4.5 million		

# UNEMPLOYMENT DURING THE PANDEMIC



**Unemployment Insurance (UI)** – 26 weeks\*, \$40–\$450/week\*\*

**Pandemic Unemployment Assistance (PUA)** – 39 weeks between Feb. 2 through Dec. 26 - for otherwise ineligible applicants. \$167–\$450/week\*\*

**\*\*Pandemic Unemployment Compensation (PUC)** – runs March 29 through July 25 for UI and PUA, and gives \$600 extra per week (in which UI/PUA is paid)

**\*Pandemic Emergency Unemployment Compensation (PEUC)** – runs through Dec. 26 – extra 13 weeks beyond the normal 26 weeks – EDD still working to implement this program, retroactive to March 29.

**\*Extended Benefits (UI)** – extra 13 weeks beyond the normal 26 weeks, triggered as of May 14

# OTHER EMPLOYEE PROTECTIONS/RIGHTS DURING THE PANDEMIC

- State Disability Insurance
- Paid Family Leave
- Workers' Compensation
  
- Paid Sick Days (state and local)
- **Emergency Paid Sick Leave Act (EPSLA)**
  
- **Emergency Family and Medical Leave Act Expansion Act (EFMLEA)**
- California Family Rights Act (CFRA)
- Family Medical Leave Act (FMLA)
- Fair Employment and Housing Act (FEHA) / Americans with Disabilities Act (ADA)



# UNEMPLOYMENT INSURANCE (UI)

**Temporary, partial wage replacement** for people who are unemployed or underemployed through **no fault** of their own.

- Duration: 26 weeks during claim year
  - + 13 weeks (PEUC)) + 13 weeks (Extended Benefits) = 52 weeks!
  - One week waiting period has been waived during pandemic
- Benefits: \$40-\$450/week (the average weekly benefit amount is \$334)
  - + \$600 (PUC) : \$640-\$1050, between March 29th and July 25th
    - Calculated based on highest earnings (gross) quarter
      - If applying in May or June, base period year is 2019
- Unemployed through no fault of your own, i.e. layoff for lack of work
  - Termination not for misconduct OR Quit with good cause
  - NOTE new reason for separation: Related to Covid19

# PANDEMIC UNEMPLOYMENT ASSISTANCE (PUA)

**Disaster-relief-like** income **replacement/stimulus** for people who are unemployed or underemployed or unable to work **because of the pandemic: THE BENEFIT OF LAST RESORT.**

- Duration: 39 weeks, until December 26, 2020
  - Went “live” in California on April 28, 2020: paid out within days
    - Retroactive to last day worked, back to possibly Feb. 2, 2020
- Benefits: \$167-\$450/week
  - + \$600 (PUC) : \$767-\$1050, between March 29th and July 25th
    - Over 39 weeks, up to \$27,750 total, in benefits
  - Immediate minimum payout, but will be recalculated
    - If 2019 income exceeds \$17,368, EDD will recalculate your weekly benefit amount – up to \$450 per week
      - Calculated based on NET income, as self-reported
      - No verification of income at filing, but may be asked to submit tax returns/forms, pay stubs, invoices, etc. later

# PANDEMIC UNEMPLOYMENT ASSISTANCE (Cont.)

## Initial Eligibility Requirements:

- Legally authorized to work in the U.S.
- Not be eligible to receive UI benefits;
  - **Business owner, self-employed, or independent contractor**
  - Insufficient work history
    - Had worked for not very long before pandemic
    - Had secured employment but unable to start b/c of pandemic
  - Collected all UI benefits and remain unemployed or partially unemployed; or serving UI false statement penalty weeks

AND

- Cannot work because of a Covid-19 – related reason

# PANDEMIC UNEMPLOYMENT ASSISTANCE (Cont.)

## Initial Eligibility Requirements (Cont.) :: Qualifying Covid-related reasons

- **For independent contractors: less or no work, or unable to work, because Covid severely limited your customary work activities;**
- Self or household member has been diagnosed with Covid or seeking treatment for symptoms, advised to quarantine by a healthcare professional, or caring for someone diagnosed with Covid;
- Place of employment is closed as a direct result of Covid;
- Had to quit job as a direct result of Covid;
- Was scheduled to start employment and does not have a job or cannot reach place of employment as a result of Covid; OR
- Has become the breadwinner for a household because the head of household has died as a direct result of Covid.

# PANDEMIC UNEMPLOYMENT ASSISTANCE (Cont.)

## Ongoing Eligibility Requirements:

- Continuing certification (every two weeks, for every week)
- - **SUSPENDED BETWEEN March 14<sup>th</sup> and May 9<sup>th</sup> UNLESS WORKED -**



- **Work Search: not necessary**
- **Income earned:** report when paid, not earned
  - 75% of wages will be deducted from weekly benefit amount (WBA)
  - Offset provision is not clear – seeking further guidance from DOL - but it seems that if you earn \$599 or less, you still qualify for \$167

# APPLYING FOR UNEMPLOYMENT BENEFITS

- One, single application for UI & PUA
  - EDD is tasked with determining which benefit one qualifies for
    - If one disagrees with EDD's determination, seek legal advice & appeal (within 30 days)
- How to apply:
  - online: [https://edd.ca.gov/Unemployment/UI\\_Online.htm](https://edd.ca.gov/Unemployment/UI_Online.htm): FASTEST!
    - [Register or log in with Benefit Programs Online](#) and click “File a New Claim”
  - By phone: 8 a.m. – 12 p.m., Monday – Friday
    - English, Spanish, Cantonese, Mandarin, and Vietnamese
  - By paper (via fax or mail): [https://edd.ca.gov/pdf\\_pub\\_ctr/1101i/de1101id.pdf](https://edd.ca.gov/pdf_pub_ctr/1101i/de1101id.pdf)
- BE HONEST. Applications are filed/signed under penalty of perjury.
  - Do NOT file under a SSN not given to you by the SSA.

# APPLYING FOR UNEMPLOYMENT BENEFITS

- Documents/information needed for the application:
  - **Citizenship status, and, if you are not a US citizen, information from your employment authorization document.**
    - Social Security number
    - California driver license or ID card
    - Proof of US citizenship, or a green card, or a visa that allows you to work in the US, or an Alien Registration Number
  - **Information about past work history, if employee.**
    - Last employer information including
      - Company name, supervisor's name, address (mailing and physical location) and phone number.
      - Last date worked and the reason no longer working.
      - Gross earnings in the last week worked, from Sunday to last day of work.
        - Vacation? Severance? Pension benefits?
    - Information on all employers worked for during the past 18 months, including name, address (mailing and physical location), the dates of employment, gross wages earned, hours worked per week, hourly rate of pay, and the reason no longer working.
  - **Information about 2019 net earnings, if small business owner.**

# QUESTIONS? & ADDITIONAL RESOURCES

**Legal Aid at Work**  
**[www.legalaidatwork.org](http://www.legalaidatwork.org)**  
**Workers' Rights Clinics: 415.404.9093**

<https://legalaidatwork.org/factsheet/coronavirus-faq/>  
(COVID-19 Factsheet In English, Spanish, Chinese, Vietnamese)

[https://edd.ca.gov/About\\_EDD/coronavirus-2019/faqs.htm](https://edd.ca.gov/About_EDD/coronavirus-2019/faqs.htm)  
(EDD FAQ's on COVID-19 Benefits)

[https://edd.ca.gov/About\\_EDD/coronavirus-2019/faqs.htm#UIBenefits](https://edd.ca.gov/About_EDD/coronavirus-2019/faqs.htm#UIBenefits)  
(EDD FAQ's on UI Benefits)

[https://edd.ca.gov/about\\_edd/coronavirus-2019/pandemic-unemployment-assistance/faqs.htm](https://edd.ca.gov/about_edd/coronavirus-2019/pandemic-unemployment-assistance/faqs.htm)  
(EDD FAQ's on PUA Benefits)



# Why This Program is Needed

**Sharon Miller**

CEO

**Renaissance Entrepreneurship Center**

**Erin Morris**

Program Coordinator, Women's Business  
Center and SoMa Programs

**Renaissance Entrepreneurship Center**

# How the Program will Work

**DeCarol A. Davis**

Staff Attorney, Community Legal Services

**Legal Aid at Work**

## How You Can Participate: Goal 1000 Businesses

- ❖ Provide direct outreach to your clients about this initiative
- ❖ Share information about PUA for Self-employed
- ❖ Announce the program in your e-newsletter and classes
- ❖ Encourage eligible business to reach out to the hotline number or fill out the online form.



## CAMEO's Webinars/Resources

- **Policy Update & Listening Session** – May 29
- **CAMEO's Advocacy Day** – June 9
- **CAMEO COVID-19 resource page**
  - <https://cameonetwork.org/coronavirus-resources-for-business/>