

# UNEMPLOYMENT BENEFITS And Workers with Developmental Disabilities



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# Regular Vermont Unemployment vs New COVID Changes



- Have to have worked
  - Still true!
- Have to have worked for an employer for enough hours or for long enough
  - Not true! Self-employed and very part-time workers eligible!
- Have to have lost job through no fault / usually can't have quit
  - Partially not true – can have lost job for a variety of COVID reasons
- Have to be looking for work
  - Not True for now, this will change.
- Usually 26 weeks
  - Now 13 extra weeks (26 +13=39)

# NEW COVID UNEMPLOYMENT



## 1. Pandemic Unemployment Compensation

-extra \$600 a week for people receiving regular state unemployment who lost their job due to COVID thru July 31

## 2. Pandemic Emergency Unemployment Compensation

- Extra 13 weeks (after states' 26 weeks) - **starting soon!**

## 3. Pandemic Unemployment Assistance

- Benefits for people who were self-employed or worked very part time (feds pay states to pay UC) (ends Dec 31)

# HOW TO APPLY



- Initial regular UC claims can be done by phone or online. Call 1-877-214-3330 or 1-888-807-7072 or <https://vermont.force.com/DOLClaim/s/>
- For people with part time or short work history, Call 1-877-214-3330 or 1-888-807-7072 or <https://labor.vermont.gov/PUA>. The website will direct the worker to apply for regular unemployment first

# What is Pandemic Unemployment Assistance :



- Traditionally, UC was not available to the lowest-paid workers or people who are self-employed
- Under the COVID rules, these groups are **now eligible**
- Applicant must first apply for regular unemployment and get denied.
- Applicant then gets an email, with instructions on how to apply for PUA
- Applicant will be asked for 2019 taxes, or can accept the minimum amount of \$191 a week
- Will also get the \$600 extra a week through July 31, 2020

# Required Information – Applicant



- Social Security Number
- Mailing and Home Addresses
- Telephone Number
- Amount and length of vacation or severance pay
- Valid Driver's License or state issued ID Number
- Banking information for Direct Deposit of the unemployment check

# Required Information – About Employers



- For each employer in the past 18 months:
- Complete name and address
- Payroll address (if different from employer address)
- Employer telephone number
- Beginning and ending dates of employment
- Reason for separation

If any information is missing, still apply!

# How Do I Help Someone Apply?



- If your “worker” does not have an email address, help them get an email address, as they will need it for the application
- The Department of Labor has said that you can fill out the online forms for your “worker” while you are on the phone with them
- At the end of the online forms, you will need to “attest” to the fact that you were talking with the “worker” and they told you the information is correct.

# Eligibility



- laid off, let go or furloughed
- had hours cut
- were hired but couldn't start due to COVID-19
- had to leave work to care for a child whose school or childcare center closed due to COVID-19
- had to leave work to care for a household member diagnosed with COVID-19
- had to quarantine under doctor's orders
- had to leave work due being identified as "high-risk" for COVID exposure
- were diagnosed with COVID-19 or have symptoms and need diagnosis
- cannot work due to stay-at-home orders
- left work because employer was not following "stay safe" CDC guidelines
- asked employer to work remotely for health reasons and employer said "no".

# “Able and Available to Work”



- In order to be eligible for UC, the “worker” must be “able and available to work”. This means that if a job is offered to them, they could take it.
- People who need accommodations to work are still “able and available to work!”
- If someone is in the hospital for back surgery, they are not “able and available to work.”
  - However, if they are sick or quarantined with COVID they are considered “able and available” to work under the special COVID rules.

# How Much are Benefits



- The ‘regular’ unemployment amount will range between \$191 - \$513/week based on wages previously earned
- The federal extra unemployment will add an extra \$600 of “pandemic unemployment compensation” every week until July 31, 2020.
- The extra \$600 is also for:
  - people receiving partial unemployment.
  - workers who worked very few hours
  - Self-employed

# Filing a Weekly Claim



- [Keep filing a claim every week](#) that claimant is not able to work or hours were cut.
- Even if the application is just getting filed now, if the worker's job ended earlier, weekly claims can be retroactively filed and can go back to as early as March 15<sup>th</sup>.

# How Long Do Unemployment Insurance Benefits Last?



- If the “worker” is eligible, they can get unemployment benefits for up to 39 weeks or until December 31, 2020 — whichever comes first.
- The \$600 extra COVID benefits ends July 31, 2020.
- Regular unemployment benefits could last even longer if there is a deep recession
  - Too depressing to think about

# Work Search



- Until the Department of Labor says otherwise, **people do not need to prove that they are searching for work.**
- We don't know when this will change, but when "work search" requirements return, they will be widely publicized. This will probably be linked to the Governor opening up businesses.
- When "work search" requirements are reinstated, a UC applicant can keep getting benefits but they will need to do a **job search** and file reports that they made **3 job contacts a week.**

# How Does this Affect Benefits



- All UC benefits **must be reported** to public assistance such as 3SquaresVT (food stamps), fuel assistance, General Assistance, Reach-Up and SSI. Generally this should happen within 10 days of getting the unemployment.
- Most benefits **may be reduced or stopped**, depending on the amount of the UC.
- For subsidized housing, [report the unemployment benefits](#) to:
  - the landlord (if a subsidized building), or
  - The housing authority (if rental assistance such as a Section 8 voucher).
  - HUD counts regular unemployment benefits as income. But HUD will not count the extra \$600/week as income. The share of the rent may go up during UC benefits.
- **Report back** to each of these programs **when the “worker” is no longer eligible** for UC. That way 3SquaresVT, fuel assistance, General Assistance, Reach-Up and SSI will be **increased or reinstated**.

# What About SSI and Medicaid?????



- Generally speaking, the \$600 weekly extra payment will not count as income for Medicaid and Food Stamps. The “worker” can get the \$600 weekly benefit and still be eligible.
- The recipient will get less SSI money, and it may even temporarily stop as long as the \$600/week extra Unemployment benefits last.
- If the SSI stops, the “worker” will likely have to give Medicaid income information to keep the Medicaid, but the person should keep Medicaid. **Call Legal Aid if there are problems**
- For SSI there can't be more than \$2,000 in the bank account or other resources, unless the account is an ABLE account.

# What About Medicaid for People Who Only Get SSDI?



- For people who only get SSDI, staying on Medicaid may be tricky.
- Some of these people get SSDI based on their parents' earnings. They should keep Medicaid.
- Some people get “Medicaid for the Working Disabled”. They may eventually lose that eligibility if they aren’t working. This may happen when Medicaid has to re-determine financial eligibility. VT Medicaid said this will likely be the end of this year or early next year.
  - We are working with Vermont Medicaid to try and keep people on Medicaid, perhaps by a spenddown. To be determined!
  - If someone gets a notice from Medicaid late this year that they may lose Medicaid eligibility, they could possibly stop collecting UC and stay eligible for Medicaid. They could say that they have "good cause" to stop collecting the UC . You should call the Legal Aid's Health Care Advocates if you get a notice.

# Not Really Denials = “An Issue on the Claim”



- An adjudicator from the Department of Labor may contact the worker and/or the employer if:
  - information is missing, or
  - The worker and the employer disagree about any of the facts.
- This will be called a “fact finding interview.”
- Once “the facts” are cleared up, UC benefits will start unless the separation from employment was for disqualifying reasons

# Really a Denial: Determination Letter



- Keep a copy of the determination letter.
- Appeals must be mailed/emailed/ or faxed to the Department of Labor within 30 days of the date on the "determination letter."
- See the Department of Labor's website for [details on what to include in the appeal letter](#). There is also an [UI Claimant Appeal form](#). But you don't have to use the form.
- Save a copy of what is filed.
- An Administrative Law Judge (ALJ) will review the claim and the denial and there will be a phone hearing. See the back of your Notice of Hearing or the Department of Labor's website for [details on the appeals process](#).

# Help With Appeals



- Vermont Legal Aid may be able to help. [Fill out our form](#) and we will call you back. The information will go to Legal Services Vermont, which screens requests for help for both Vermont Legal Aid and Legal Services Vermont. You can also call us at 1-800-889-2047.
- We have an excellent website with lots of COVID-related information – [vtlawhelp.org](http://vtlawhelp.org)

# Questions



