UNEMPLOYMENT INSURANCE

Pandemic Unemployment Assistance FAQ

S.C. DEPARTMENT OF EMPLOYMENT & WORKFORCE

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What is Pandemic Unemployment Assistance?

Pandemic Unemployment Assistance (PUA) is a federal program that provides unemployment payments to the self-employed, gig economy workers, or those individuals who otherwise would not qualify for regular state unemployment insurance (UI) or any other state or federal UI benefit program, and who are unemployed, unable to work, or unavailable to work as a direct result of the COVID-19 pandemic.

Who is eligible to receive PUA?

To be eligible for PUA, you must be ineligible to receive state or federal UI benefits. If you are eligible to receive state or federal UI benefits, you must exhaust those benefits before receiving PUA. Additionally, you must be unemployed, unable to work, or unavailable to work due to one of the following 10 criteria:

1. You have been diagnosed with COVID-19 or are experiencing symptoms of COVID-19 and are seeking a medical diagnosis;
2. A member of your household has been diagnosed with COVID-19;
3. You are providing care for a family member or a member of your household who has been diagnosed with COVID-19;
4. You are the primary caregiver for a child who is unable to attend school or another facility because the school or facility has closed due to COVID-19, and the school or facility is necessary for you to work;
5. You are unable to reach your place of employment because of a quarantine imposed as a direct result of COVID-19;
6. You are unable to reach the place of employment because a healthcare provider has advised you to self-quarantine due to COVID-19 concerns;
7. You were scheduled to start employment and could not or are unable to reach the new job as a direct result of COVID-19;
8. You have become the breadwinner or major support for your household because the head of the household has died as a direct result of COVID-19;
9. You quit your job as a direct result of COVID-19; or
10. Your place of employment is closed as a direct result of COVID-19.

Am I eligible for PUA if my work allows me to telework for pay?

No. If you have the ability to telework and be paid the same as you have customarily were prior to the COVID-19 pandemic, then you are not eligible for PUA. You may be eligible for partial PUA payments if you are able to telework with pay, but are receiving fewer hours or less pay than you ordinarily did.

Am I eligible for PUA if I am receiving paid sick leave or other paid leave?

No. You are considered to be employed if you are receiving paid leave.

My employer has remained open because it is essential. I am not sick, nor is anyone in my household sick. I do not have children or care for someone who cannot care for themselves. However, I am afraid of getting COVID-19 from customers coming to the store, so I quit and filed for PUA. Am I eligible?

No. Under the CARES Act, you may be eligible for benefits if you meet one of the COVID-19 related criteria listed above, but none include the scenario described. On these facts, you are not eligible for PUA because you do not meet any of the qualifying circumstances. Voluntarily deciding to quit your job out of a general concern about exposure to COVID-19 does not make you eligible for PUA.

Is employment exempt from regular unemployment coverage eligible for PUA?

Yes. Individuals engaged in employment that is exempt from unemployment coverage are potentially eligible for PUA payments, provided they meet all other eligibility requirements. This includes the self-employed, gig economy workers, and workers who are explicitly exempted from UI coverage under S.C. Code Ann. § 41-27-260

How long is PUA available?

PUA benefits are available for weeks of unemployment from the week ending February 8, 2020 through the week ending December 26, 2020. Individuals may receive up to 39 weeks of PUA benefits, minus any weeks of state UI benefits they receive prior to PUA. Eligible PUA claims will be retroactively paid from the first week of unemployment during the PUA period.

How do I apply for PUA benefits?

You must first file a claim for state UI benefits by visiting dew.sc.gov and clicking on MyBenefits Login. This is the first step to determining what benefit program you are eligible for. If you do not have access to a computer and need assistance filing a claim, please call 1-866-831-1724.

If you are eligible for state UI benefits, you must first exhaust those benefits before receiving PUA.

If you are ineligible for state UI benefits, DEW will contact you directly to provide information on how to file for PUA.

What information do I need to apply for PUA benefits?

Within twenty-one (21) calendar days of applying for PUA benefits, you must provide DEW with proof that you were either:

1. Working or self-employed at the time of the disaster; or
2. Scheduled to start work on or after the date of the disaster.

If you do not provide proof of employment or self-employment by the deadline, DEW will stop paying you PUA and you will have to repay any benefits you received.

Additionally, you must provide DEW proof of your wages and/or income for the most recently completed tax year. In some cases, DEW will already have this information and no further information will be necessary. Please note that your potential weekly benefit amount may be reduced if you fail to provide DEW with proof of all your wages.

You can upload in the MyBenefits Portal, mail, email or fax proof of employment and wages to DEW at:

South Carolina Department of Employment and Workforce
Attn: PUA
PO Box 1477
Columbia, SC 29202

Fax: 803-737-0621

Email: UI_Documents@dew.sc.gov

What is acceptable proof of employment?

Acceptable documents to prove employment at the time of the COVID-19 pandemic include, but are not limited to:

1. Pay stub or voucher;
2. Earnings statement; or
3. Written statement from your employer.

What is acceptable proof of self-employment?

Acceptable documents to prove self-employment at the time of the COVID-19 pandemic include:

1. Federal income tax form 1040;
2. Schedule C, F, or SE federal income tax returns for the most recent tax year;
3. Property titles, deeds, or rental agreement for the place of business;
4. Recent business bank, phone, utility statement, or insurance bill; or
5. Recent sales tax return.

What is acceptable proof of prospective employment?

1. Name and address of the employer;
2. Employer contact name and number;
3. Employer federal FEIN and DEW UI Account number;
4. Start date of the job;
5. Hours of the job;
6. Duration of the job; and
7. Reason why you did not start work.

What is acceptable proof of prospective self-employment?

To prove prospective self-employment, you must provide DEW with one of the following:

1. Property titles or deeds for the place of business;
2. A contract showing that you were about to begin self-employment work;
3. Rental agreement or letter from a property owner showing you planned to open a business at the time of the disaster; or

4. Other evidence that you were preparing to open a business, such as advertising or state tax registration.

How much money can I receive each week under PUA?

Your weekly benefit amount for PUA benefits is based on the wages you earned during the most recently completed tax year, January 1 through December 31, 2019. The weekly benefit amount is computed in the same manner as it is under state unemployment compensation, except that the minimum weekly benefit amount under PUA is $131.00. Eligible PUA claimants will also receive an additional $600 federal payment each week for weeks of unemployment from the week ending April 4, 2020 through the week ending July 25, 2020.

Your weekly benefit amount may be reduced if you receive any of the following during a week that you file for PUA benefits:

1. Earnings from employment or self-employment;
2. Benefits or insurance for loss of wages due to illness or disability;
3. Supplemental unemployment benefits paid pursuant to a collective bargaining agreement;
4. Private income protection insurance;
5. Workers' Compensation or survivor's benefits if you become the major support of the family as a result of the death of the head of the household because of the disaster;
6. Retirement pension or annuity;
7. Subsidy or price support payments, crop insurance payments, and farm disaster relief payments; or
8. A court order to pay child support.

How long will it take to receive PUA benefits after I first apply?

If you are found eligible for benefits, you may receive your payment within 7-14 days, but for more complex claims it could take up to 21 days to process and receive payment.

How do I file for PUA each week?

You must sign into your MyBenefits Portal Account and certify your weekly PUA claim.

What are the ongoing eligibility requirements?

Your eligibility for PUA benefits will be evaluated each week. You must be able and available for work within the meaning of S.C. Code Ann. § 41-35-110 during each week that you file a claim for PUA, except that you are unemployed, unable to work, or unavailable to work due to one of the 10 COVID-19 related criteria listed above.

Under what circumstances could my PUA benefits be reduced?

PUA benefits may be reduced or denied if you receive one or more of the following:

1. Earnings/income from employment or self-employment;
2. Benefits or insurance for loss of wages due to illness or disability;
3. Supplemental unemployment benefits paid pursuant to a collective bargaining agreement;
4. Private income protection insurance;

5. Worker's compensation or survivor's benefits if you become the major support of a family as a result of the death of the head of the household because of COVID-19;
6. Retirement, pension, or annuity;
7. A court order to pay child support; or
8. Subsidy/price support payments, crop insurance, and farm disaster payments.

What are the requirements for reporting wages?

If you are not self-employed and work during a week that you request PUA benefits, you must report your hours and earnings for each week you certify. Please note, you must report all your gross earnings from that week, even if you have not received payment. For instance, if you work in Week #1, but are not paid for that work until Week #2, you must report your gross income in Week #1, the week that you performed the services.

If you are self-employed you must report all wages during the week in which they were paid, not when you performed the work. For instance, if you performed services in Week #1, but did not receive payment until Week #2, you must report the gross income in Week #2, the week that you were paid.

Please note, failure to properly report all gross earnings may result in an overpayment that you will be required to repay. Additionally, knowingly giving false information or withholding information to obtain or increase PUA benefits is fraud, which can be prosecuted under state and federal laws. If you commit fraud, you will lose your remaining benefits, be disqualified from future benefits and may be subject to criminal or civil prosecution.

What does the personal injury insurance question mean?

The question is asking if you filed a personal injury insurance claim as a direct result of COVID-19.

Do I need to perform two job searches each week on the South Carolina Works Online Services (SCWOS) job bank?

No. DEW has waived the requirement to perform two job searches each week through SCWOS.

Under what circumstances could I be disqualified from PUA benefits?

You may be disqualified, or your PUA benefits terminated for the following reasons:

1. You become employed full time;
2. You quit your job without good cause. Quitting without good cause in order to collect PUA is fraud);
3. You refuse without good cause to accept suitable employment;
4. You are not able and available for work (unless it is because one of the COVID-19 criteria listed above);
5. It is determined that your unemployment is no longer a direct result of COVID-19 (e.g., your employer reopens or your child's school reopens).

I was furloughed or temporarily laid off by my employer, but they have now reopened and asked me to return to my job. Can I remain on unemployment or PUA?

No. As a general matter, individuals receiving regular state UI must act upon any referral to suitable employment and must accept any offer of suitable employment. Barring unusual circumstances, a request that a furloughed employee return to his or her job very likely constitutes an offer of suitable employment that the employee must accept.

While eligibility for PUA does not turn on whether an individual is actively seeking work, it does require that the individual be unemployed, partially employed, or unable or unavailable to work due to certain circumstances that are a direct result of COVID-19 or the COVID-19 public health emergency. In the situation outlined here, an employee who had been furloughed because his or her employer has closed the place of employment would potentially be eligible for PUA while the employer remained closed, assuming the closure was a direct result of the COVID-19 public health emergency and other qualifying conditions are satisfied. However, as soon as the business reopens and the employee is recalled for work, as in the example above, eligibility for PUA would cease unless the individual could identify some other qualifying circumstance outlined in the CARES Act.

Am I eligible for PUA if I quit employment because the PUA benefit amount is more than my regular wages?

No. Individuals who quit their jobs simply to access higher benefits, and are untruthful in their UI application about their reason for quitting, will be considered to have committed fraud. If DEW determines that you willfully misrepresented or concealed information in order to obtain or increase PUA benefits, you will be found to have engaged in fraud and may be subject to criminal or civil prosecution.

What happens if I receive PUA benefits I was not entitled to receive?

You will be required to repay any PUA benefits you received if DEW determines that you did not meet the eligibility requirements during the week(s) you received PUA benefits. If DEW determines that you willfully misrepresented or concealed information in order to obtain or increase PUA benefits, you will be found to have engaged in fraud and may be subject to criminal or civil prosecution.

How do I file an appeal?

Any determination or redetermination regarding your eligibility for PUA benefits may be appealed. You must file the appeal within 10 calendar days from the date of the determination or redetermination. Instructions on how to file your appeal are located on the determination.

CHART: Unemployment Insurance *Guide to the CARES Act*

*Includes 1099's and gig workers

CURRENTLY RECEIVING UI BENEFITS

APPLIED BUT WAITING FOR DETERMINATION

SELF-EMPLOYED CONTRACTORS & OTHERS*

UNSURE IF YOU QUALIFY?

EXHAUSTED UI BENEFITS

Apply for UI Benefits Online at ***dew.sc.gov***

PANDEMIC UNEMPLOYMENT ASSISTANCE (PUA)
for Self-Employed Contractors & Others (39 Weeks)

PANDEMIC EMERGENCY UNEMPLOYMENT COMPENSATION (PEUC)
13 Weeks of Additional Benefits

FEDERAL PANDEMIC UNEMPLOYMENT COMPENSATION (FPUC)
Continue to certify your weekly benefits to collect benefits. The $600 per week additional will automatically be added to your state benefits, once approved for benefits. (Available week ending 04.04.2020 - 07.25.2020)

State UI Claim & FPUC
TBD Once Claim is Filed
PUA & FPUC
PEUC & FPUC

CHART: Comparison of BENEFIT PROGRAMS

	SC Unemployment Insurance	SC Extended Benefits	$600 (Federal Pandemic Unemployment Compensation - FPUC)	Pandemic Emergency Unemployment Compensation (PEUC)	Benefits for Self-Employed and those not Eligible for UI (Pandemic Unemployment Assistance - PUA)
WHO IS THIS FOR?	Unemployed workers who are unemployed through no fault of their own.	Individuals who have exhausted regular UI benefits during periods of high unemployment - triggered by SC law.	Individuals receiving regular UI, EB, PUA, or PEUC.	Individuals who remain unemployed after UI is no longer available.	Individuals whose employment or self-employment has been lost as a direct result of COVID-19 and are not eligible for regular UI, EB, or PEUC, including exhaustees.
WHO DOES THIS SPECIFICALLY EXCLUDE?	Individuals who are unable to work or those who do not have a recent earnings history.				Excludes individuals able to telework with pay or individuals receiving paid leave.
ELIGIBILITY REQUIREMENTS	1. Unemployed through no fault of their own; 2. Able, available, and actively seeking work; 3. Has registered for work with SCWOS; 4. Has not earned excess wages; and 5. Has not refused work.	If available, Extended Benefits may start after an individual exhausts other UI benefits.	Individuals must have an active benefit claim under state or federal law.	Individuals must have exhausted state benefits or the benefit year has ended, and the individual is not currently eligibile for UI.	Individuals must provide self-certification that the individual is otherwise able and available except that the individual is unable to work because of COVID-19.
MONETARY ELIGIBILITY REQUIREMENT	Must have earned at least $4,455 in covered employment during their base period. The base period is either the four oldest of the last five completed calendar quarters or the last four completed calendar quarters. Additionally, the total amount of wages in the base period must be at least 1.5 times the wages earned in the highest earning quarter.		Must meet state minimum monetary eligibility requirements to establish a claim.	Must meet state minimum monetary eligibility requirements to establish a claim.	Similar manner to regular state UI benefits. Self-employed must provide information to establish eligibility.
AMOUNT RECEIVED	Between $42 and $326.	Between $42 and $326.	$600 per week in addition to regular benefit amount.	Weekly benefit amount from the prior benefit year plus the $600 FPUC payment.	Weekly benefit amount under state UI law plus the $600 FPUC payment.
FUNDING	State (the UI trust fund is comprised of taxes SC employers pay on their payroll).	Federally funded (authorized under the Families First Coronavirus Response Act through 12/31/20).	100% federally funded.	100% federally funded.	100% federally funded.
DURATION	Up to 20 weeks of full UI benefits.	Additional 10 weeks of UI benefits.		Additional 13 weeks of benefits.	39 weeks of benefits total, including regular UI and EB weeks.
TIMEFRAME			Effective from the claim week ending April 4, 2020 through the claim week ending July 25, 2020.	Effective from the claim week ending April 4, 2020 through the claim week ending December 26, 2020.	Effective for the claim week ending February 8, 2020 through the claim week ending December 26, 2020.