



High Level Summary of
UI Provisions in the Continued Assistance for Unemployed Workers Act of 2020
Signed by President on December 27, 2020

Secs. 201, 241, 242, and 263 Pandemic Unemployment Assistance (PUA)

- extends PUA through March 14, 2021 and increases weeks available to 50 (appears that new weeks are only available for weeks after enactment)
- soft phase out through “week beginning after April 5, 2021.”
- clarifies appeals to be consistent with current USDOL guidance
- adds overpayment waiver authority for states if claimant “was without fault” and “repayment would be contrary to equity and good conscience.”
- Under section 241, after January 31, 2021 claimants must provide documentation of employment, self-employment, or planned commencement of employment or self-employment within 21 days; 90 days for certain claimants. Exception for good cause.
- Under section 263 adds weekly certification requirement for continued eligibility, but limits need for retroactive recertification in certain circumstances
- For new PUA applications filed after enactment date PUA will cover periods of unemployment after December 1, 2020 (no backdating before December 1, 2020).
- Section 242 requires identity verification for claims beginning 30 days after enactment.

Sec. 202. Reimbursing governmental entities and nonprofit organizations

- extends 50% federal funding for reimbursers to March 14, 2021

Sec. 203. Federal Pandemic Unemployment Compensation (FPUC)

- provides \$300 weekly **FPUC** benefit for weeks of unemployment beginning after the week of December 26th and ending on March 14, 2021

Sec. 204. Temporary 50% federal funding of the first week of compensable regular unemployment for States with no waiting week for weeks of unemployment after December 31, 2020 until March 14, 2021 (had been 100% under CARES Act).

Sec. 205. Emergency state staffing flexibility extended to March 14, 2021.

Sec. 206. Pandemic emergency unemployment compensation (PEUC)

- extends **PEUC** to March 14, 2021 and increases weeks available to 24 (appears that new weeks are only available for weeks after enactment)
- soft phase out through “week beginning after April 5, 2021.”

- adds coordination rule for PEUC and regular UI similar to EUC rules in 2010 for claimants upon end of benefit year.
 - For any benefit year ending after enactment, states must determine eligibility for individuals with remaining PEUC eligibility if the individual would qualify for regular UI benefits with a benefit amount reduction of \$25 or more. States can choose methods similar to coordination rules in 2010. See UIPL 04-10, Change 3 https://wdr.doleta.gov/directives/corr_doc.cfm?DOCN=2927 and UIPL 04-10, Change 4 https://wdr.doleta.gov/directives/corr_doc.cfm?DOCN=2935 (provides additional information including which states did which options).
 - Four options:
 - Establish a new benefit year but defer payment of regular compensation until exhaustion of all PEUC in the prior benefit year;
 - Defer the establishment of the new benefit year until exhaustion of PEUC;
 - Pay regular compensation as established by the new benefit year plus the difference between that weekly benefit amount and the weekly benefit amount for the expired benefit year; or
 - Determine rights to PEUC without regard to any rights to regular compensation if the individual elects to not file a claim for regular compensation under the new benefit year.
- For individuals receiving EB on date of enactment, such individual shall receive the additional PEUC weeks after exhausting EB.
- For weeks of unemployment after the date of enactment, state has option to have eligibility period for EB begin after exhaustion of PEUC, assuming there is an “on” EB period.

Secs. 207 and 208. Temporary financing of short-time compensation payments extended to March 14, 2021.

Sec. 221 **extends waiver of interest for trust fund loans to March 14, 2021.**

Sec. 222 extends full federal funding of **EB** until March 14, 2021.

Sec. 251 requires return to work reporting for CARES Act programs including a reporting method for employers to notify the state when an individual refuses an offer of employment and notice to claimants about return to work laws and rights. Effective 30 days after enactment.

Section 261 Mixed Earner Unemployment Compensation

States may **opt** to provides an extra benefit of \$100 per week for up to 11 weeks through March 14, 2021, for certain workers who have both wage and at least \$5,000 of self-employment income in most recent taxable year ending prior to application.

Section 262 Lost Wages Assistance Recoupment Fairness

Provides waiver for LWA overpayments if the individual was “without fault” and “such repayment would be contrary to equity and good conscience.”

Section 266. Waiver to Preserve Access to Extended Benefits in High Unemployment States

Eliminates the rule requiring a wait of 14 weeks between EB periods from November 1, 2020 to December 31, 2021 (fix for EB gap/freeze).

This material is information only and is not legal advice. While we try to maintain accuracy, UI law is subject to interpretation and this document may not constitute the most up to date information.