

EMPLOYMENT AND TRAINING ADMINISTRATION ADVISORY SYSTEM U.S. DEPARTMENT OF LABOR Washington, D.C. 20210	CLASSIFICATION Unemployment Insurance
	CORRESPONDENCE SYMBOL OUI/DFAS
	DATE November 16, 2020

ADVISORY: UNEMPLOYMENT INSURANCE PROGRAM LETTER NO. 27-20, Change 2

TO: STATE WORKFORCE AGENCIES

FROM: JOHN PALLASCH /s/ Assistant Secretary

SUBJECT: Presidential Memorandum on Authorizing the Other Needs Assistance Program for Major Disaster Declarations Related to Coronavirus Disease 2019 (COVID-19)—Unemployment Insurance (UI) Related Technical Assistance for States Administering Lost Wages Assistance (LWA)

1. **Purpose.** The purpose of this Unemployment Insurance Program Letter (UIPL) is to provide states access to the Federal Emergency Management Agency (FEMA) guidance about the LWA program, which may be found at <https://www.fema.gov/disasters/coronavirus/governments/supplemental-payments-lost-wages>. With regard to Question 11 in the attachment to UIPL 27-20, Change 1, this UIPL provides a correction to and supersedes UIPL 27-20, Change 1.
2. **Action Requested.** The U.S. Department of Labor’s (Department) Employment and Training Administration (ETA) requests State Workforce Administrators to provide the information contained in this UIPL to appropriate program and other staff in state workforce systems.
3. **Summary and Background.**
 - a. Summary – On August 8, 2020, the President signed a Presidential Memorandum (PM) instructing the Secretary of Homeland Security, acting through FEMA, to make available other needs assistance (ONA) for lost wages in accordance with Section 408(e)(2) of the Stafford Act (42 U.S.C. § 5174(e)(2)). The Department issued UIPL No. 27-20 on August 12, 2020 to provide UI-related technical assistance to states on the implementation of LWA program, and UIPL No. 27-20, Change 1 on August 17, 2020 to respond to questions from states about the LWA program. This UIPL responds to additional questions received from states about the LWA program. Answers were developed in coordination with FEMA.
 - b. Background – LWA is administered by states and territories through a grant agreement with FEMA. FEMA does not administer these payments directly to

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individuals. The states and territories distribute the funds through their UI system, as a supplemental payment.

The PM requires the Secretary of Labor to provide, as appropriate, and consistent with applicable law, technical assistance to FEMA and state governors in the implementation of LWA programs. As noted above, the Department issued UIPL No. 27-20 and UIPL No. 27-20, Change 1 to provide such assistance.

4. **Guidance.** This UIPL provides states with the link to access the FEMA website for information about the LWA program, including Frequently Asked Questions. In addition, with regard to the answer to Question 11 in the attachment to UIPL 27-20, Change 1, this UIPL provides a correction to and supersedes UIPL 27-20, Change 1. States/territories may, consistent with FEMA guidance, continue to issue LWA payments to claimants for the weeks they were eligible within the Period of Assistance and in which they submitted timely claims during the Period of Assistance, where funding is available. Specifically, states may issue these payments after the program is terminated, provided they have funding available within the total obligation awarded by FEMA. In addition, with regard to appeals, states/territories may pay applicants for weeks within the Period of Assistance following appeals that are decided in the applicants' favor during the Period of Performance if funding is available within the total obligation awarded by FEMA.

For additional information on FEMA's guidance and Frequently Asked Questions, please see <https://www.fema.gov/disasters/coronavirus/governments/supplemental-payments-lost-wages-guidelines#grant-closeout>.

5. **Inquiries.** States should direct inquiries regarding LWA to fema-ihphelpdesk@fema.dhs.gov. States may direct inquiries regarding the intersection of LWA with unemployment benefit programs to covid-19@dol.gov.

6. **References.**

- Coronavirus Aid, Relief, and Economic Security (CARES) Act (Pub. L. 116-136), including Title II Subtitle A Relief for Workers Affected by Coronavirus Act;
- Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.);
- Presidential Memorandum, *Authorizing the Other Needs Assistance Program for Major Disaster Declarations Related to Coronavirus Disease 2019*, issued August 8, 2020;
- UIPL 27-20, *Presidential Memorandum on Authorizing the Other Needs Assistance Program for Major Disaster Declarations Related to Coronavirus Disease 2019 (COVID19)—Unemployment Insurance (UI)-Related Technical Assistance for States Administering Lost Wages Assistance (LWA)*, issued August 12, 2020, https://wdr.doleta.gov/directives/corr_doc.cfm?DOCN=7859;
- UIPL No. 27-20, Change 1, *Presidential Memorandum on Authorizing the Other Needs Assistance Program for Major Disaster Declarations Related to Coronavirus Disease 2019 (COVID19)—Unemployment Insurance (UI) Related Technical Assistance for*

States Administering Lost Wages Assistance (LWA) Questions and Answers, issued August 17, 2020, https://wdr.doleta.gov/directives/corr_doc.cfm?DOCN=4387;

- Grants.gov Application at <https://www.grants.gov/web/grants/view-opportunity.html?oppId=328611>; and
- FEMA Website at <https://www.fema.gov/disasters/coronavirus/supplemental-payments-lost-wages>.

7. **Attachment(s)**. None