

Coordination of Programs

Over time, an individual may establish eligibility for multiple unemployment insurance (UI) benefit programs, including multiple UI programs authorized in the Coronavirus Aid, Relief, and Economic Security (CARES) Act and the Continued Assistance for Unemployed Workers Act of 2020 (Continued Assistance Act). These programs were further extended and modified by the American Rescue Plan Act of 2021 (ARPA). With the exception of Federal Pandemic Unemployment Compensation (FPUC) and Mixed Earners Unemployment Compensation (MEUC), as discussed further in UIPL No. 15-20 and its Changes, individuals may only receive benefits under one program for any given week.

The information provided below regarding the order of payment is contingent on an individual meeting all eligibility criteria for the respective program(s). It is also contingent on the state having entered into an agreement with the Secretary of Labor (Secretary) to administer such program(s). A flowchart is included at the end of this narrative.

Track 1. For an individual who is eligible for regular Unemployment Compensation (UC) (which includes Unemployment Compensation for Federal Civilian Employees (UCFE) and Unemployment Compensation for Ex-servicemembers (UCX)), the following order of payment applies.

A. **Regular UC.** The individual must first apply for and receive regular UC.

- *Weekly Benefit Amount (WBA):* Dependent on state law
- *Duration of benefits:* Dependent on state law

B. **Pandemic Emergency Unemployment Compensation (PEUC).** If the individual exhausts regular UC, the individual may then be eligible to receive PEUC under section 2107 of the CARES Act.

- *WBA:* Based on the regular UC claim
- *Duration of benefits:* Initially limited to 13 times the individual's average WBA.
 - For weeks of unemployment beginning on or after December 27, 2020, the individual may receive an additional amount of PEUC equal to 11 times the individual's average WBA for an overall total equal to 24 times the individual's average WBA.
 - For weeks of unemployment ending after March 14, 2021, the individual may receive an additional amount of PEUC equal to 29 times the individual's average WBA for an overall total equal to 53 times the individual's average WBA.

Special Note on Program Coordination (PEUC and Regular UC). There are certain circumstances under which an individual who is collecting PEUC and becomes eligible for a new benefit year of regular UC may be able to continue collecting PEUC instead of filing the new regular UC claim. See Section 4.e. of UIPL No. 17-20, Change 2.

C. **Extended Benefits (EB).** If the individual exhausts PEUC and the state has triggered “on” to EB, the individual may then be eligible to receive EB during the applicable EB period.

- *WBA:* Based on the regular UC claim
- *Duration of benefits:* Up to 13 or 20 weeks (refer to Section 202(b) of the Federal-State Extended Unemployment Compensation Act of 1970 (EUCA)), depending on the state’s unemployment rate and whether the state UC law provides for the optional total unemployment rate (TUR) trigger, which may result in a high unemployment period (HUP)

Special Note on Program Coordination (EB and Regular UC). If at any time while the individual is collecting EB, the individual becomes eligible for regular UC, the individual must stop collecting EB and file a new regular UC claim.

Special Note on Program Coordination (EB and PEUC). If an individual previously exhausted the initial entitlement to PEUC under the CARES Act (13 times the individual’s average WBA) and was eligible to receive EB for the week ending December 26, 2020, the individual must have exhausted their existing EB entitlement before reverting back to collect the additional amount of PEUC made available under the Continued Assistance Act.

If an individual previously exhausted entitlement to PEUC under the Continued Assistance Act (for a total of 24 times the individual’s average WBA) and received EB for the week ending March 13, 2021, the individual must exhaust their existing EB entitlement before reverting back to collect the additional amount of PEUC made available under ARPA.

D. **Pandemic Unemployment Assistance (PUA).** If the state is not triggered “on” to EB or the individual exhausts EB after exhausting regular UC and PEUC, the individual may then be eligible to receive PUA under Section 2102 of the CARES Act. Note that the individual must be otherwise able to work and available for work within the meaning of applicable state law, except that the individual is unemployed, partially unemployed, or unable or unavailable to work because of at least one of the identified COVID-19 related reasons specified in UIPL No. 16-20, Change 5 in order to be eligible for PUA.

- *WBA:* Calculated per the regulations for Disaster Unemployment Assistance (DUA), which are applicable to PUA. See 20 C.F.R. Part 625.6(e) and Attachment II to UIPL No. 16-20, Change 1. For individuals who do not qualify for a higher WBA, the

minimum PUA WBA for each state is provided in UIPL No. 03-20 and applies to all PUA claims, regardless of filing date.

- *Duration of benefits:* Under the CARES Act, initially limited to 39 weeks, minus any weeks of benefits that the individual received during the Pandemic Assistance Period from regular UC and EB.
 - For weeks of unemployment beginning on or after December 27, 2020, under the Continued Assistance Act, the individual may receive an additional 11 weeks of PUA for an overall total equal to 50 weeks, minus any weeks that the individual received regular UC and EB during the Pandemic Assistance Period.
 - For weeks of unemployment ending after March 14, 2021, under ARPA, the individual may receive an additional 29 weeks of PUA for an overall total equal to 79 weeks, minus any weeks that the individual received regular UC and EB during the Pandemic Assistance Period.

During the period in which a state is triggered “on” to a HUP under EB law, the PUA duration is extended for up to an additional 7 weeks.

Special Note on Program Coordination (PUA and Regular UC). If at any time while the individual is collecting PUA, the individual becomes eligible for regular UC, the individual must stop collecting PUA and file a new regular UC claim.

Special Note on Program Coordination (PUA and PEUC). If an individual previously exhausted their entitlement to PEUC (24 times the individual’s average WBA) and is currently collecting PUA at the time the additional PEUC amount under Section 9016, ARPA (29 weeks times the individual’s average WBA), becomes available, the state must stop the PUA claim and have the individual revert to collecting the additional amounts of PEUC. The Secretary will determine the appropriate period of time for a state to take such actions, during which time the individual’s continued receipt of PUA will not be considered improper.

Special Note on Program Coordination (PUA and EB). If a state triggers “on” to EB during the period in which an individual is collecting PUA and the individual has not previously exhausted entitlement to EB for the respective benefit year, then the individual must stop collecting PUA and file for EB.

Track 2. For an individual who is self-employed, seeking part-time employment, does not have sufficient work history, or is otherwise not eligible for regular UC, EB, or PEUC, and who is otherwise able to work and available for work within the meaning of applicable state law, except that the individual is unemployed, partially unemployed, or unable or unavailable to work because of COVID-19 related reason(s) identified in UIPL No. 16-20, Change 5, the individual may collect PUA under section 2102 of the CARES Act.

- *WBA*: Calculated per the DUA regulations, which are applicable to PUA.
- *Duration of benefits*: Under the CARES Act, initially limited to 39 weeks, minus any weeks that the individual received during the Pandemic Assistance Period from regular UC and EB.
 - For weeks of unemployment beginning on or after December 27, 2020, under the Continued Assistance Act, the individual may receive an additional 11 weeks of PUA for an overall total equal to 50 weeks, minus any weeks that the individual received regular UC and EB during the Pandemic Assistance Period.
 - For weeks of unemployment ending after March 14, 2021, under ARPA, the individual may receive an additional 29 weeks of PUA for an overall total equal to 79 weeks, minus any weeks that the individual received regular UC and EB during the Pandemic Assistance Period.

During the period in which a state is triggered “on” to a HUP under EB law, the PUA duration is extended for up to an additional 7 weeks.

Other Considerations

- **Federal Pandemic Unemployment Compensation (FPUC)**. The FPUC program under the CARES Act originally provided an additional \$600 per week to an individual collecting regular UC, PEUC, PUA, EB, STC, TRA, DUA, and Self-Employment Assistance (SEA). Individuals received FPUC payments concurrently with payments under these programs. Upon execution of an agreement between the state and Department, FPUC applied to all weeks of unemployment ending on or before July 31, 2020.

Under the Continued Assistance Act, for weeks of unemployment beginning after December 26, 2020 and ending on or before March 14, 2021, an individual collecting regular UC, PEUC, PUA, EB, STC, TRA, DUA, and SEA may collect a \$300 FPUC payment per week.

Under ARPA, this program is extended at the \$300 per week amount for weeks of unemployment ending on or before September 6, 2021.

- **Mixed Earners Unemployment Compensation (MEUC)**. The MEUC program provides an additional \$100 per week to certain individuals collecting regular UC, PEUC, EB, STC, TRA, DUA, and SEA (excluding PUA). Eligible individuals receive MEUC payments concurrently with payments under these programs and in addition to FPUC. This is an optional program for states to administer. Under the Continued Assistance Act, MEUC was payable beginning with weeks of unemployment no earlier than the week ending January 2, 2021 through the week of

unemployment ending on or before March 14, 2021. Under ARPA, this program is extended to weeks of unemployment ending on or before September 6, 2021.

- **Trade Readjustment Allowances (TRA).** As stated in Question 7 of Attachment I to UIPL No. 14-20, Change 1, if the individual exhausts regular UC, PEUC, and EB and meets the eligibility criteria, the individual must collect TRA before continuing on to PUA.
- **Relationship between PUA and Disaster Unemployment Assistance (DUA).** As stated in Question 16 of Attachment I to UIPL No. 14-20, Change 1, eligibility for both PUA and DUA are based on the reason for an individual's unemployment. If an individual's unemployment is directly caused by a major disaster, then the individual's unemployment is not due to a COVID-19 reason and the individual would not qualify for PUA. Conversely, if the reason for the individual's unemployment, partial unemployment, or inability or unavailability to work is because of COVID-19 related reason(s) identified in UIPL No. 16-20, Change 5, the individual may qualify for PUA, but would not qualify for DUA.
- **State Additional Benefits (AB).** A number of states also have provisions in state law for extending the potential duration of benefits during periods of high unemployment for individuals in approved training who exhaust benefits, or for a variety of other reasons. Although some state laws call these programs "extended benefits," the Department uses the term "additional benefits" (AB) to avoid confusion with the federal-state EB program. FPUC and MEUC are not payable to individuals receiving AB payments. The order of payment for AB within the context of the multiple programs described above is dependent on state law.

Program Progression Chart

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Federal Pandemic Unemployment Compensation (FPUC)

- Additional amount each week for regular UC (including UCFE and UCX), PEUC, EB, PUA, STC, TRA, DUA, and SEA
- \$600 available for weeks of unemployment beginning after state signs Agreement through weeks ending on or before July 31, 2020
- \$300 available for weeks of unemployment beginning after December 26, 2020 and ending on or before September 6, 2021

Mixed Earners Unemployment Compensation (MEUC)

- Optional program for states
- Additional amount each week for individuals with at least \$5,000 in self-employment income during specified timeframe
- Applies to claims for regular UC (including UCFE and UCX), PEUC, EB, STC, TRA, DUA, and SEA (excluding PUA)
- Additional \$100 available for weeks of unemployment no earlier than week ending January 2, 2021 through weeks ending on or before September 6, 2021

TRACK 2. Individual who is self-employed, seeking part-time employment, does not have sufficient work history, or is otherwise not eligible for regular UC, PEUC, or EB.

Individual must be unemployed, partially unemployed, or unable or unavailable to work because of a listed COVID-19 related reason in UIPL No. 16-20, Change 5, to qualify for PUA.

TRACK 1. Individual is eligible for regular UC, including UCFE and UCX

Regular Unemployment Compensation (UC)

Individual exhausts regular UC

Pandemic Emergency Unemployment Compensation (PEUC)

- For an individual whose regular UC benefit year expires after December 27, 2020, if the individual qualifies for new regular UC claim and meets criteria under the Continued Assistance Act, the state may provide an option for the individual to continue collecting PEUC

Individual exhausts PEUC

Extended Benefits (EB)

- If an individual qualifies for new regular UC claim, the individual must stop collecting EB and file new regular UC claim
- If an individual is collecting EB when additional PEUC weeks become available under the Continued Assistance Act, the individual must exhaust existing EB claim before reverting to PEUC claim
- If an individual is collecting EB when additional PEUC weeks become available under ARPA, the individual must exhaust existing EB claim before reverting to PEUC claim

Individual exhausts EB or state is not triggered "on" AND Individual must be unemployed, partially unemployed, or unable or unavailable to work because of a listed COVID-19 related reason in UIPL No. 16-20, Change 5, to qualify for PUA.

Pandemic Unemployment Assistance (PUA)

- If an individual qualifies for new regular UC claim, the individual must stop collecting PUA and file new regular UC claim
- If an individual is collecting PUA when additional PEUC weeks become available under the Continued Assistance Act, the individual must stop collecting PUA and revert to PEUC claim
- If an individual is collecting PUA when additional PEUC weeks become available under ARPA, the individual must stop collecting PUA and revert to PEUC claim
- If state triggers "on" to EB and an individual is eligible for EB, the individual must stop collecting PUA and file EB claim