

Basic Description of the Disaster Unemployment Assistance Program and Who is Eligible to Receive Benefits

What Is Disaster Unemployment Assistance? Disaster Unemployment Assistance (DUA), also referred to as Disaster Relief and Emergency Assistance, is a federal program that provides temporary financial assistance to some individuals impacted by major disasters.

What Are the Basic Eligibility Requirements for DUA? There are four basic requirements for DUA eligibility: 1) the individual must have worked in or was scheduled to begin work in a county declared as a federal disaster county; 2) the individual is out of work as a direct result of a major disaster; 3) the individual's lost work was the primary source of income and livelihood; and 4) the individual does not qualify for regular unemployment insurance benefits from any state. Once found to be eligible, the claimants must actively look for work and accept suitable work offered them, not unlike UI recipients. However, special exceptions apply for individuals injured and unable to perform services as a result of a disaster.

How Much Are DUA Benefit Payments? DUA benefits are paid in weekly checks, once an application is completed, filed and processed. DUA recipients receive the same weekly benefits that they would have been entitled to had they qualified for Unemployment Insurance (UI) in the state where the disaster was declared. In addition, under the federal DUA, no one can collect less in DUA than one-half of the state's average weekly UI benefit (e.g., in New York, where DUA is now operating, the minimum DUA benefit is \$126 a week, and the minimum in Arlington County, Virginia, the site of the tragedy at the Pentagon, is \$105 a week). Note: DUA benefits are reduced by any other wage loss compensation, including private insurance or Supplemental Unemployment Benefits (SUB) payments, received by the unemployed individual.

How Long Will DUA Benefits Last? The maximum duration of DUA benefits is the shorter of 26 weeks, or until the disaster period ends, or until the recipient returns to work or self-employment. In the case of the disaster related to the recent tragedies at the World Trade Center and the Pentagon, the disaster assistance period is September 17, 2001 until March 17, 2002.

What Are Some Common Examples of Individuals Who Can Get DUA? Those who may be eligible for DUA (and typically could not get regular UI benefits) include: 1) self-employed individuals and business proprietors, including in-home day care providers, who lost or suffered a substantial reduction or interruption of self-employment activities as a direct result of a major disaster, 2) unemployed individuals who have become the breadwinner or major supporter of their households due to the death of the head of their household directly related to the disaster, 3) individuals unemployed because of an injury caused as a direct result of a disaster, 4) individuals who cannot reach their employment because of the disaster; 5) individuals who were scheduled to start work but become unemployed because they can't reach work or no longer have a job as a direct result of the disaster. DUA covers self-employed farmers as well as agricultural workers out of work due to a disaster. To see the federal DUA regulations, click on http://www.dol.gov/dol/allcfr/ETA/Title_20/Part_625/toc.htm.

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What Steps Should an Individual Take to Apply for DUA? Individuals affected by major disasters must apply within 30 days after the official announcement of the disaster declaration. In the case of the recent tragedies at the World Trade Center and the Pentagon, this date is September 11, 2001. Later applications can be accepted if good cause for the later filing is shown, but applications can be accepted no later than the end of any disaster period. The DUA application and instructions require proof of employment and earnings. This proof is due no more than 21 days after the filing of the application. For self-employed applicants, copies of tax returns are required as proof of income and self-employment. Proof of employment for persons working for others requires signed verification by the employer or prospective employer. If verification of employment or other documents requested as part of the DUA application are unavailable, a sworn statement including other forms of verification can be submitted. Interim DUA payments can take place while documentation is gathered, but the failure to submit documentation will result in a benefit overpayment.

Where Can I Apply for DUA? Each state may process DUA somewhat differently. Most states will process DUA applications by telephone, as part of their UI automated telephone claims taking process. Written applications will also generally be available at state department of labor locations, and in-person assistance and processing may be available as an option to the telephone claims process. To apply for DUA in New York, call the automated phone system at 1-888-209-8124. Applications are also available at designated Labor Department offices around the City. For more information about the application process in New York, access the material available on-line <http://www.labor.state.ny.us/html/wtc2.htm>.