

CARES ACT FAQs

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Pandemic Unemployment Assistance (PUA) FAQs

Does the CARES Act provide benefits to workers who have been ineligible for regular or extended benefits until now?

Yes. The CARES Act provides a program separate from traditional UI. The new program, Pandemic Unemployment Assistance (PUA), extends eligibility to individuals who:

- are self-employed, including gig workers, freelancers, and independent contractors;
- are seeking part-time employment; have an insufficient work history to qualify for benefits;
- have exhausted all rights to regular or extended benefits under state or federal law or to Pandemic Emergency Unemployment Compensation (PEUC);
- have been laid off from churches and religious institutions and are not eligible for benefits under state law;
- are otherwise not qualified for regular or extended benefits or Pandemic Emergency Unemployment Compensation (PEUC).

Can workers apply for the new Pandemic Unemployment Assistance (PUA) now?

Yes, please visit our [Pandemic Unemployment Assistance \(PUA\) page](#) to apply.

What must these workers establish to qualify for benefits?

Individuals must provide “self-certification” that they are otherwise able and available to work, but are prevented from doing so by one of the following circumstances relating to COVID-19:

- The individual has been diagnosed with COVID-19 or is experiencing symptoms of COVID-19 and is seeking a diagnosis; or
- A member of the individual’s household has been diagnosed; or
- The individual is providing care to a household or family member who has been diagnosed; or
- A child or other person for whom the individual has primary caregiving responsibility is unable to attend school or another facility as a result of COVID-19; or
- The individual is unable to reach the place of employment because of a quarantine imposed as a result of the COVID-19 public health emergency; or

- The individual is unable to reach the place of employment because the individual has been advised by a health care provider to self-quarantine; or
- The individual was scheduled to start work and does not have a job as a result of COVID-19; or
- The individual has become the breadwinner or major support for a household because the head of the household has died as a direct result of COVID-19; or
- The individual has to quit their job because of COVID-19; or
- The individual's place of employment is closed because of COVID-19; or
- The individual works as an independent contractor and the COVID-19 public health emergency has severely limited his or her ability to continue performing his or her usual work activities and has thereby forced the individual to stop performing those activities.

Under what circumstances will these workers not qualify for Pandemic Unemployment Assistance (PUA)?

Individuals able to telework with pay and individuals receiving paid sick or other leave will not qualify for PUA.

What weeks will Pandemic Unemployment Assistance (PUA) cover?

It will be effective for weeks of unemployment beginning on or after 1/27/20 and ending 12/31/20.

If a worker can't file a claim yet, how will the worker receive payment for prior weeks?

The worker will supply information regarding when the period of COVID-19 related unemployment began. Any retroactive weeks will include any entitlement to the additional \$600 in Federal Pandemic Emergency Compensation (FPUC).

What is the maximum number of weeks for which an individual qualifying for Pandemic Unemployment Assistance (PUA) can receive benefits?

An individual can receive benefits for a maximum of 39 weeks, including regular UI and extended benefits under any federal or state law, though additional extended benefit weeks could be added later. Also, there is no waiting week.

Can I apply for both regular unemployment benefits and Pandemic Unemployment Assistance at the same time

No. Individuals cannot have pending applications in both programs at the same time.

I am self-employed but I also had another job in 2019. Where should I apply?

If you earned more than \$5,100 in calendar year 2019 from an employer (or employers) who took taxes out of your paycheck, you must first [apply for regular unemployment](#).

I recently exhausted my unemployment benefits. What should I do?

You should apply for Pandemic Unemployment Assistance (PUA). Individuals who have exhausted their right to unemployment benefits may apply for PUA now by visiting www.mass.gov/pua.

The CARES Act authorized an extension of unemployment benefits for individuals who have exhausted benefits as far back as July 1, 2019. This program, Pandemic Emergency Unemployment Compensation (PEUC), provides up to 13 weeks of unemployment insurance benefits to individuals who have exhausted their previous unemployment benefits. The Department of Unemployment Assistance is currently updating the UI online system and PEUC benefits will be available soon.

If you have already exhausted your unemployment benefits and apply and get approved for PUA now, you will receive information on transferring to PEUC as soon as it is available.

In addition to my full-time job where I earned most of my income in 2019, I owned a business that has shut down due to a COVID-19 related reason. Am I considered self-employed for purposes of Pandemic Unemployment Assistance benefits?

No. Federal guidelines provide that an individual is considered “self-employed” for purposes of PUA only where their **primary reliance for income** is on the performance of services in the individual’s own business, or on the individual’s own farm. Any individual that earned more than \$5,100 in 2019 working for an employer who took taxes out of their paycheck is not eligible for PUA but may be eligible for regular unemployment benefits.

I was denied unemployment benefits, and I have appealed. Should I wait for my hearing, board decision, or decision from the Massachusetts courts?

Claimants have the right to withdraw an appeal at any time prior to a decision being issued on the appeal, and claimants should decide what is best for them in the circumstances. For example, if you already have a hearing scheduled you may prefer to wait for the hearing and the decision. If no hearing is scheduled in your case yet and/or you feel that your appeal is unlikely to be successful, on the other hand, you might prefer to withdraw the appeal and then [file a PUA application](#). Beyond that, DUA cannot advise claimants on this decision.

If you have a claim pending, and you have not yet received a decision regarding initial eligibility, you must wait to receive that decision.

I applied for regular unemployment benefits, but I have not gotten a decision regarding whether I am eligible. Can I withdraw my unemployment claim, and apply for Pandemic Unemployment Assistance?

No. You cannot withdraw an unemployment claim in order to file for PUA. You must wait until you have been denied unemployment benefits before you can apply for PUA. If your claim for regular unemployment is approved, you must exhaust all of those benefits, including extensions before you can apply for PUA.

What if I earned much more in 2019 from self-employment than I did from my W-2 job? Can I choose to apply for PUA if I think my benefit amount will be higher?

No. If you earned more than \$5,100 in calendar year 2019 from an employer (or employers) who took taxes out of your paycheck, you must first apply for regular unemployment.

I have not yet filed my 2019 tax return because the deadline was extended. What information can I use to calculate my income for 2019?

Individuals may use a variety of documents to calculate their income, including W-2s, 1099s, pay stubs, bank receipts and billing notices. Individuals should retain all documents establishing income for verification purposes.

Federal Pandemic Unemployment Compensation (FPUC) FAQs

I understand that the CARES Act will provide an emergency increase in unemployment benefits of \$600 per week. Is that correct?

Recipients of regular unemployment benefits, Extended Benefits (EB), Pandemic Unemployment Assistance (PUA), and Pandemic Emergency Unemployment Compensation (PEUC) will be eligible to receive an additional \$600 per week in Federal Pandemic Emergency Compensation (FPUC).

Will a unemployment benefits recipient who receives Federal Pandemic Unemployment Compensation (FPUC) get one payment per week or two?

Federal Pandemic Unemployment Compensation (FPUC) can be paid with unemployment benefits or separately, so long as both are paid weekly.

What weeks will Federal Pandemic Unemployment Compensation (FPUC) cover?

Federal Pandemic Emergency Compensation (FPUC) will apply to benefit weeks beginning March 29, 2020 and ending on or before July 31, 2020.

What penalties can an individual incur for receiving improper payments of Federal Pandemic Unemployment Compensation (FPUC)?

An individual receiving Federal Pandemic Unemployment Compensation (FPUC) as a result of intentionally providing information that the individual knows or should have known was false will be ineligible for future FPUC and subject to prosecution. The individual will also need to repay the amount received with interest and penalties.

An individual receiving an overpayment by unintentionally supplying incorrect information will also need to repay the overpayment.

Will receiving Federal Pandemic Unemployment Compensation (FPUC) make me ineligible for other programs?

The additional \$600 per week benefit will count as income when determining eligibility for means-tested programs, except for Medicaid and the Children's Health Insurance Program (CHIP).

Pandemic Emergency Unemployment Compensation (PEUC) FAQs

Can I qualify for benefits under the CARES Act if my benefit year has expired or I have exhausted my benefits in my current benefit year?

Individuals whose benefit year has expired or who have exhausted all rights to benefits under state or federal law in their current benefit year may qualify for Pandemic Emergency Unemployment Compensation (PEUC). PEUC is a 13-week extension of regular unemployment benefits.

What are the eligibility requirements for Pandemic Emergency Unemployment Compensation (PEUC)?

There are four major requirements:

1. The benefit year of the individual's claim for regular UI must have expired after July 1, 2019.
2. The individual seeking Pandemic Emergency Unemployment Compensation (PEUC) cannot otherwise have rights to benefits under state or federal law.
3. The individual cannot be receiving benefits from Canada.

4. The individual must be able to work, available to work, and actively seeking work, except that a state shall apply flexibility in meeting work search requirements for individuals unable to search for work because of COVID-19, including because of illness, quarantine, or movement restriction.

How much is the weekly benefit amount for Pandemic Emergency Unemployment Compensation (PEUC)?

The weekly benefit amount will be the same as the weekly benefit amount payable to the individual during the individual's benefit year, including dependency allowances, plus the \$600 FPUC weekly benefit. Again, the \$600 FPUC weekly benefit is available only for the period March 29-July 31, 2020.

What is the maximum number of weeks an individual can receive Pandemic Emergency Unemployment Compensation (PEUC)?

An individual will be able to receive Pandemic Emergency Unemployment Compensation (PEUC) for up to 13 weeks of additional unemployment benefits. The extension ends December 31, 2020, unless extended further by the federal government.

What penalties can an individual incur for receiving improper payments of Pandemic Emergency Unemployment Compensation (PEUC)?

An individual receiving Pandemic Emergency Unemployment Compensation (PEUC) as a result of intentionally providing information that the individual knows or should have known was false, will be ineligible for future PEUC and subject to prosecution. The individual will also need to repay the amount received with interest and penalties.

An individual receiving an overpayment by unintentionally supplying incorrect information will also need to repay the overpayment. But, no interest and penalties will be charged and the individual may be able to obtain a waiver if repayment "would be contrary to equity and good conscience."

Other FAQs

How will Pandemic Unemployment Assistance (PUA), Federal Pandemic Unemployment Compensation (FPUC), and Pandemic Emergency Unemployment Compensation (PEUC) be funded?

All benefits and administrative expenses of these programs will be 100% federally funded, so they will be paid for without additional contributions from employers who pay into the unemployment insurance fund. Employers who are self-insured will pay 50% of the cost of benefits.

What funding does the CARES Act provide for short-time compensation programs, also known as Work Share?

100% federal funding will be provided for short-time compensation paid to an individual up to 26 times the weekly benefit amount, including dependents' allowances, for weeks of unemployment beginning on or after the date of enactment of CARES and ending on or before 12/31/20. However, this provision will not apply to short-time compensation paid to employees hired on a seasonal, temporary, or intermittent basis.

Does the CARES Act provide any unemployment relief for governmental entities and non-profit organizations that ordinarily pay the full amount of benefits awarded to former employees?

50% federal funding will be provided for benefits paid by reimbursable nonprofit and governmental entities for weeks of unemployment ending between 3/13/20 and 12/31/20. In addition, USDOL will work with states to allow flexible interpretations of provisions of state law relating to timely payment and assessment of penalties and interest.