

Disaster Unemployment Assistance

Benefit Rights and Responsibilities

Eligibility

Disaster Unemployment Assistance (DUA) is a federal unemployment program, funded by FEMA and guided by the Stafford Act. DUA is not for individuals who are eligible for regular state unemployment insurance (UI) benefits. Individuals may be eligible for DUA if they file a timely application for DUA benefits as indicated in the press announcement and have experienced a loss of employment or self-employment because of the major disaster. For unemployment to be caused by a major disaster, individuals must experience one of the following:

1. The work location has been closed, damaged, or destroyed because of the major disaster.
2. The work location is not accessible due to road closures or transportation issues directly resulting from the disaster.
3. The employer or business is experiencing a lack of work or loss of income because the majority of its business came from an entity that was damaged, destroyed, or closed in response to the disaster.
4. Work is available but the individual has been injured and can no longer work as a direct result of the disaster.
5. Work was scheduled to begin but work is no longer available because of the disaster-related reasons listed above.
6. The household breadwinner/major financial supporter has died as a direct result of the disaster.

DUA benefits are payable during the authorized Disaster Assistance Period (DAP). The DAP begins the week following the disaster and ends twenty-six (26) weeks after the presidential disaster declaration date. This information along with the DUA weekly benefit amount can be found in your DUA benefit amount letter. Your eligibility for DUA may end if your circumstances change, therefore it is critical that you review your responsibilities outlined below.

Your Responsibilities

Accurate Claim Information: You are responsible for providing correct information and answers to questions on both your application for DUA benefits and your weekly payment requests. The state may verify the accuracy of all information provided at any time. Failure to provide accurate information or omission of information to obtain benefits during your initial application, including employment information, and during your weekly requests for payments can result in an overpayment of benefits and penalties under state and federal law.

UI Online: You can access individualized claim information and self-service tools through the Department's secure online unemployment insurance portal. **Do not share your username or password with anyone.** Visit <https://dlt.ri.gov/individuals/unemployment-insurance> to create your account today.

Weekly Payments: You are required to request a payment using the automated payment system through UI Online or by phone at (401) 415-6772. If you continue to be unemployed, you must do this once EVERY WEEK. If you are eligible for prior weeks and are sent payment forms to complete by mail, they must be returned by the deadline indicated on the forms.

Personal Identification Number (PIN): If you request your weekly payments by phone, you must establish a PIN. You will be prompted to create a PIN when you certify by phone during the first week you are eligible to request a payment; you will not be able to create a PIN before that. You are responsible for the security of your PIN and for any payments authorized utilizing this number. **Do not share your PIN with anyone.**

Work Search: It is your responsibility to read and understand your work search requirements which have been mailed to you and are also available on the Department's website. As outlined in the requirements, you must apply for 3 full-time jobs per week and keep a written record including:

1. Name and address of each company
2. Date you applied for each position.
3. How you applied for each position: in person, by mail, online, etc.
4. Each specific position title and shift you applied for

Save all work search records, confirmation emails, or documentation for one year to prove your work search. The Department may exempt you from the work search requirements if you have a definite return to work date within 12 weeks from your last day of work, are enrolled in approved training, are a member in good standing of a union with a hiring hall, have been injured as a direct result of the disaster, or are performing activities to resume self-employment.

Re-employment Registration: The state registers all applicants with reemployment services. However, if you do not live in RI and are not looking for work in RI, you must register for work with your state's reemployment office within 10 days of filing your claim.

Refusal of Work: To remain eligible for benefits, if you are offered to return or begin suitable work, you must not refuse. Refusal of suitable work must be reported to the Department.

Able & Available: You must be able to go to work each day and available for work each day. In other words, if you are sick or unable to work, you must notify the Department. You also are required to be available for full-time work. If offered a job today, you must be able to start immediately. If you are not a U.S. citizen, you shall have a valid work authorization. For DUA benefits, under federal law, there are two exemptions to these requirements. Individuals who have been injured directly from the disaster are exempt from the able requirement. Individuals who are self-employed and actively performing activities to resume self-employment are exempt from the available requirement.

Report Earnings and Income: When requesting UI benefits, report all your earnings. If you are an employee, you must report your gross income, before taxes are deducted, even if you have not yet been paid by your employer. To calculate your gross income, multiply the number of hours worked by your hourly wage. If you are self-employed, you must report your net income. When requesting payments, earnings and income must be reported for the week in question which always begins on a Sunday and ends on a Saturday. Earnings should be reported for the week when the services were performed. Tips, bonuses, commission, or vacation payments must be reported to the week you receive them.

When you filed your claim, you were asked to provide information regarding other insurance claims that had been filed, including Unemployment Insurance (UI) in another state, Temporary Disability (TDI), and/or Temporary Caregiver (TCI) claims. You were also asked to provide information regarding severance, dismissal, sick, pension, and/or retirement pay as well as workers' compensation applied for or received.

Federal law requires that in addition to the above, DUA applicants must notify the Department when and if they apply for or receive private insurance payments for loss of wages due to disability or illness, supplemental unemployment benefits pursuant to a collective bargaining agreement, and private income protection insurance.

If you apply for or begin to receive any of the programs or benefits listed above, you must report them to the payment system. Failure to properly report this information, including your part-time earnings is considered Unemployment Insurance fraud.

Overpayments & Fraud: Intentional failure to provide accurate information or knowingly providing false or fraudulent information is considered unemployment fraud. This can result in felony prosecution, imprisonment, criminal record, and potential financial penalties. The Department uses several methods to detect fraud and abuse including requesting or receiving information from employers.

If an overpayment is made and you are determined to be at fault, the Department may recoup overpayments by deducting the amount from your future UI benefits, including benefits from another state or through other means, including but not limited to actions related to your federal or state income tax refund or lottery winnings.

Pension: Notify the Department if you are receiving a pension or retirement pay from an employer you have worked for in the past 18 months. Pensions that you have contributed to will be deducted from your UI benefits at 50%. Pensions that only your employer contributed to will be deducted from your UI benefits at 100%. The Department does not deduct Social Security retirement payments.

Severance & Dismissal Pay: Employees who have been separated from their jobs must notify the Department of any severance or dismissal pay they are receiving or are going to receive. These payments may be deducted from your claim entitlement for a maximum of 26 weeks. You will receive an official, appealable decision outlining any deductions related to this type of pay.

Contact Information: The Department requires your current contact information. Please notify the department of any changes to your home address, email, or telephone number.

Report When Called: The Department may call you for an appointment to be scheduled by phone or in person for matters related to your claim. You must report when called. Failure to participate in any appointment may result in a denial of benefits.

Income Tax: DUA benefits are taxable income. If you do not withhold state or federal taxes from your benefits you will be responsible for paying them when you file your tax return. Everyone who collects DUA will receive a 1099 detailing the total payments received and any taxes paid on that income. You may request changes to your claim's tax deductions anytime.

Your Rights

Weekly Benefit Amount: DUA claims use the wages from employment or self-employment earned during the tax year immediately preceding the disaster event. You were asked to provide information regarding your wages at the time your claim was filed. You were also asked to provide proof of those wages within 21 days of filing your claim. Your benefit amount for DUA may not exceed the state's maximum UI benefit amount.

Dependency Allowance: You may be eligible for additional benefits if you have children who depend on you to provide for them. They do not have to live with you or be claimed on your income tax return, but they must be natural, step, legally adopted, or court-appointed. Generally, only children under the age of 18 qualify as dependents. However, if your child is 18 or older but medically incapable of earning wages to support themselves, they may also qualify. If you did not request or include your dependents when initially filing, you may contact UI at (401) 415-6772 for reconsideration.

Partial Payment: If you work less than full-time hours and earn less than 150% of your weekly benefit rate, you are still eligible to receive a partial benefit. For example, if your weekly benefit amount is \$100, you can earn up to \$149 working part-time. You can also earn up to 50% of your weekly benefit rate before any earnings are subtracted from your benefits. This means with a weekly benefit rate of \$100, you can earn \$50, and those earnings will not reduce your benefit payment.

School/Educational Employees: If you are a school/educational employee and are collecting between academic terms, years, or during vacation periods, a decision regarding your right to use your educational wages is needed. If you are denied the use of your school wages, you may still be eligible if you have other non-school/non-educational wages in the base period.

Denial of Benefits & Appeals: If you are denied DUA benefits, you will receive a written decision. You have the right to appeal that decision within sixty (60) calendar days of the mail date on the decision.