

EMPLOYMENT AND TRAINING ADMINISTRATION ADVISORY SYSTEM U.S. DEPARTMENT OF LABOR Washington, D.C. 20210	CLASSIFICATION Unemployment Insurance
	CORRESPONDENCE SYMBOL OUI/DUIO
	DATE May 13, 2020

**ADVISORY: UNEMPLOYMENT INSURANCE PROGRAM LETTER NO. 17-20
Change 1**

TO: STATE WORKFORCE AGENCIES

FROM: JOHN PALLASCH /s/
Assistant Secretary

SUBJECT: Coronavirus Aid, Relief, and Economic Security (CARES) Act of 2020—
Pandemic Emergency Unemployment Compensation (PEUC) Program:
Questions and Answers, and Revised Reporting Instructions for the PEUC
ETA 227.

1. **Purpose.** As states have gained experience administering the PEUC program under the CARES Act, they have identified questions about aspects of the program’s operation. The purpose of this UIPL is to address those questions and provide further guidance about the PEUC program authorized by section 2107 of the CARES Act of 2020, Public Law (Pub. L.) 116-136.
2. **Action Requested.** The U.S. Department of Labor’s (Department) Employment and Training Administration (ETA) requests that State Workforce Administrators provide the information in this Unemployment Insurance Program Letter (UIPL) and all attachments to appropriate program and other staff in state workforce systems as they implement the Unemployment Insurance (UI)-related provisions in the CARES Act that respond to the economic effects of the Coronavirus Disease 2019 (COVID-19).
3. **Summary and Background.**
 - a. Summary - The PEUC program was authorized on March 27, 2020, and on April 10, 2020, ETA issued UIPL No. 17-20 to provide program implementation instructions to states. ETA issues this Change 1 to UIPL No. 17-20 to provide states with ongoing technical assistance in the administration of the PEUC program.
 - b. Background - On March 27, 2020, the President signed into law the CARES Act, which includes the Relief for Workers Affected by Coronavirus Act set out in Title II, Subtitle A. Section 2107 of the CARES Act creates a temporary Federal PEUC Program that provides up to 13 additional weeks of benefits to an individual who has exhausted his or her regular unemployment compensation (UC) and provides funding to states for the administration of the program. An individual receiving PEUC benefits may also receive the \$600 weekly benefit amount (WBA) under the Federal Pandemic Unemployment

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Compensation (FPUC) program for weeks of unemployment beginning after the state signs the FPUC agreement and ending before July 31, 2020.

The PEUC program provisions operate in tandem with the fundamental eligibility requirements of the Federal-state UI program, which remain in place. These requirements include that an individual is only entitled to benefits if the individual is no longer working through no fault of the individual and that the individual must be able and available to work. The PEUC program also includes specific work search requirements and requires states to provide flexibility with respect to those work search requirements in cases where an individual is unable to search for work because of COVID-19, including because of illness, quarantine, or movement restriction. Also available are the flexibilities discussed in UIPL Nos. 10-20 and 13-20. States must ensure that PEUC is only paid to an individual in accordance with the statutory provisions and ETA's guidance.

4. Guidance.

- a. Questions and Answers. The Department hosted a webinar with states on April 14, 2020, to discuss UIPL No. 17-20 and key provisions of the PEUC program. A recording is available under the "Events" section on the Unemployment Insurance Community of Practice on WorkforceGPS (<https://ui.workforcegps.org/>). Attachment I contains answers to certain questions received during the webinar and through the Department's designated e-mail on all COVID-19 related inquiries (covid-19@dol.gov).
- b. Revised Reporting Instructions for the PEUC ETA 227 Report. The Department provided reporting instructions for the PEUC program, ETA 227 Overpayment Detection and Recovery Activities report, in UIPL No. 17-20. The following guidance replaces the information in UIPL No. 17-20, Attachment I, Section G, 2.c. (at p. I-14):

Data Items to be Reported - ETA 227.

- Report Section A, Overpayments Established - Causes, lines 101 through 113 for columns 2 through 5, excluding columns 20 and 21.
- Report all of Section B, Overpayments Established – Methods of Detection, lines 201 through 210 for columns 6 through 10.
- Report all of Section C, Recovery/Reconciliation, lines 301 through 314, and 321 for columns 11 through 14, excluding columns 22 and 23.
- Report all of Section D, Criminal/Civil Actions, lines 401 through 408 for columns 15 through 17 excluding column 24.
- Report all of Section E, Aging of Benefit Overpayment Accounts, lines 501 through 507 for columns 18 and 19, excluding column 25.

Additionally, states should continue to report PEUC overpayment information on the PEUC ETA 227 report until there is no longer any overpayment activity.

5. Inquiries. States should direct inquiries to the email account covid-19@dol.gov and copy the appropriate Regional Office.

6. References.

- Coronavirus Aid, Relief, and Economic Security (CARES) Act, 2020, Pub. L. 116-136, including Title II Subtitle A Relief for Workers Affected by Coronavirus Act;
- Section 4102, Families First Coronavirus Response Act, Pub. L. 116-127, Division D, Emergency Unemployment Insurance Stabilization and Access Act of 2020 (EUISSA), Pub. L. 116-127;
- Section 303 of the Social Security Act (SSA), codified at 42 U.S.C. §503;
- Section 3304 of the Federal Unemployment Tax Act (FUTA), codified at 26 U.S.C. §3304 ;
- Federal-State Extended Unemployment Compensation Act of 1970, 26 U.S.C. §3304 note;
- 18 U.S.C. §1001;
- 20 C.F.R. Part 615;
- UIPL No. 17-95, Change 1, *Priority of Withholding from Unemployment Compensation (UC)*, issued on September 28, 1995, http://www.ows.doleta.gov/dmstree/uipl/uipl95/uipl_1795c1.htm;
- UIPL No. 11-11, *The Claims Resolution Act of 2010 (P.L. 111-291) and the Tax Relief, Unemployment Insurance Reauthorization, and Job Creation Act of 2010 (P.L.111-312) – Provisions Affecting the Federal-State Unemployment Compensation Program*, issued on March 8, 2011, https://wdr.doleta.gov/directives/corr_doc.cfm?DOCN=2996;
- UIPL No. 12-14, *Required Use of the Treasury Offset Program to Collect Covered Unemployment Compensation Debt*, issued May 20, 2014, https://wdr.doleta.gov/directives/corr_doc.cfm?DOCN=9344;
- UIPL No. 02-19, *Recovery of Certain Unemployment Compensation Debts under the Treasury Offset Program*, issued December 12, 2018, https://wdr.doleta.gov/directives/corr_doc.cfm?DOCN=8457;
- UIPL No. 15-20, *Coronavirus Aid, Relief, and Economic Security (CARES) Act of 2020 – Federal Pandemic Unemployment Compensation (FPUC) Program Operating, Financial, and Reporting Instructions*, issued April 14, 2020, https://wdr.doleta.gov/directives/corr_doc.cfm?DOCN=9297;
- UIPL No. 17-20, *Coronavirus Aid, Relief, and Economic Security (CARES) Act of 2020 – Pandemic Emergency Unemployment Compensation (PEUC) Program Operating, Financial, and Reporting Instructions*, issued April 10, 2020, https://wdr.doleta.gov/directives/corr_doc.cfm?DOCN=8452;
- UIPL No. 16-20, *Coronavirus Aid, Relief, and Economic Security (CARES) Act of 2020 – Pandemic Unemployment Assistance (PUA) Program Operating, Financial, and Reporting Instructions*, issued April 05, 2020, https://wdr.doleta.gov/directives/corr_doc.cfm?DOCN=4628;
- UIPL No. 16-20, Change 1, *Coronavirus Aid, Relief, and Economic Security (CARES) Act of 2020 – Pandemic Unemployment Assistance (PUA) Program Reporting Instructions and Questions and Answers*, issued April 27, 2020, https://wdr.doleta.gov/directives/corr_doc.cfm?DOCN=5899;
- UIPL No. 14-20, *Coronavirus Aid, Relief, and Economic Security (CARES) Act of 2020 – Summary of Key Unemployment Insurance (UI) Provisions and Temporary Emergency State Staffing Flexibility*, issued April 2, 2020, https://wdr.doleta.gov/directives/corr_doc.cfm?DOCN=3390;

- UIPL No. 13-20, *Families First Coronavirus Response Act, Division D Emergency Unemployment Insurance Stabilization and Access Act of 2020*, issued March 22, 2020, https://wdr.doleta.gov/directives/corr_doc.cfm?DOCN=8634; and
- UIPL No. 10-20, *Unemployment Compensation (UC) for Individuals Affected by the Coronavirus Disease 2019 (COVID-19)*, issued March 12, 2020, https://wdr.doleta.gov/directives/corr_doc.cfm?DOCN=8893.

7. **Attachment(s)**.

Attachment I - Pandemic Emergency Unemployment Compensation (PEUC): Questions and Answers