

# Indiana Legal Services, Inc



Using the law to fight poverty, empower clients, and improve access to justice.

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## COVID-19: Unemployment Compensation Information

**\*\*\*\*Applications for Pandemic Unemployment Assistance are available from DWD as of April 24, 2020\*\*\*\* You must first be denied traditional unemployment--if you applied already, go to your UpLink account and look for a message to apply for PUA benefits.**

If you are having any problems applying for benefits, or if you are denied the new PUA benefit, you may contact Indiana Legal Services for help. [Click here](#) to find out how to apply for legal help.

Before the COVID-19 crisis began and still today, Indiana offers unemployment compensation to workers who are unemployed or underemployed through no fault of their own. That system (which we refer to here as “traditional state unemployment benefits”) is run by Indiana’s Department of Workforce Development. (“DWD”) and it is still operational as before. However, as a result of the state and federal response to the COVID-19 crisis, there have been several changes to the benefits now available or soon to be available to unemployed Hoosiers. In summary, those changes are as follows:

1. You may be eligible for traditional state unemployment benefits if you have lost your work or have had to leave your work for reasons related to the COVID-19 crisis;
2. If you qualify for traditional state unemployment benefits, your eligibility for those benefits may be extended from 26 weeks to 39 weeks;
3. If you qualify for traditional state unemployment benefits, the amount of your benefits will be increased by \$600.00 per week;
4. If you do not qualify for traditional state unemployment benefit but are out of work due to the COVID-19 crisis, even if you were self-employed before the crisis, you may be eligible for all the same benefits as stated above.

More details will be explained below.

### **Should I apply for Unemployment Compensation?**

- If you answer **yes** to any of the following questions, **you should apply**:
  - Were you laid off (even temporarily) due to a reason related to COVID-19?
  - Are you unable to find work for reasons related to COVID-19?
  - Are you in quarantine under the direction of a medical professional?
  - Have you been diagnosed with COVID-19 or seeking a diagnosis due to symptoms?

- Are you “self-employed” or a “gig worker” unable to work for COVID-19 related reasons?
- Do you have to stay home to take care of a sick person related to COVID-19?
- Do you have to stay home to care for a child whose school or day care is closed due to COVID-19?
- Are your hours reduced, but you are still employed?
- Were you scheduled to start work but could not due to COVID-19?
- Are you now the sole breadwinner because the head of your household has died as a direct result of COVID-19?
- Were you terminated from your employment without just cause or did you leave your employment for good cause related to the work, even if the COVID-19 crisis was not an issue?
- **The bottom line, you should apply.** If you are unemployed or cannot find work for a variety of reasons related to COVID-19, you SHOULD apply for unemployment benefits as you are more likely to get unemployment because of changes in the law. [Apply for benefits here with the Indiana Department of Workforce Development.](#)

### **What if I am denied Unemployment Compensation?**

- If you are denied Unemployment Compensation, **you should appeal immediately.** There are strict time deadlines for filing your appeal. You should receive appeal instructions in your denial notice. You have the right to representation in an appeal hearing. **Indiana Legal Services may be able to represent you in this appeal free of charge.** [Click here to learn how to apply for legal help.](#)

### **Can I get Unemployment Compensation if I am receiving sick or other leave pay from my employer?**

- If you are receiving sick pay or other leave-related pay from your employer, you probably cannot get Unemployment Compensation. However, you may wish to apply anyway to have DWD evaluate your claim. For more information on work leave and pay protections, [click here.](#)

### **What is the difference between “regular” Unemployment and Pandemic Unemployment Assistance?**

- Regular Unemployment Compensation (referred to above as “traditional state unemployment compensation”) is the benefit you receive if (1) you were terminated from your employment without just cause or left your employment for good cause related to the work and (2) have sufficient earnings over the year which ended two calendar quarters before the week in which you file for benefits. Pandemic Unemployment Assistance (“PUA”) is a new federal benefit available, distributed through the state, if you don’t qualify for traditional state unemployment compensation but are unemployed for COVID-19 related reasons. It is also available for individuals who have exhausted or “run-out” of their traditional state unemployment compensation.

## **I'm a "gig-worker"/ "self-employed"/"contractor" and I can't work for reasons related to COVID-19. Can I still get Unemployment Compensation?**

- Yes, the new PUA benefit should apply to you once Indiana implements the provisions of the new federal law. For updates on when it will be available, go to [DWD's website](#).
- **What should I do right now?** Although the PUA benefits are not yet available, you should go ahead and apply. You will **likely receive a denial notice until PUA has been implemented by the state**. According to DWD, receiving a denial on a "state claim" is a necessary step for getting approved for the new benefit. **As of April 24th**, if you receive a denial, you should receive a message allowing you to apply PUA. These benefits are retroactive meaning you can get paid for weeks before you were approved--from the time you first became unemployed for COVID-19 reasons. You should be able to file weekly vouchers for the weeks before you applied to get retroactive benefits.

## **What about the additional \$600 in benefits I've heard about? Will I get that?**

- As part of the new federal law, DWD will be adding an additional \$600 to everyone's weekly unemployment benefit. This program is still being rolled out. Individuals should start receiving "regular" unemployment will April 20, 2020. For those who qualify for PUA, the additional money should be available once the state implements the new program.

## **My bills/rent are coming due, what should I do while I wait for my Unemployment Compensation to be approved?**

- This is a tough situation. You should be in contact with your landlord or your mortgage company to let them know you are waiting for your benefits. **PUA money should start to go out on or before May 9, 2020**. For additional information on mortgages, [click here](#). For additional information on rent, [click here](#).

## **I just got my stimulus payment from the federal government, will that affect my Unemployment Compensation?**

- According to DWD, your stimulus payment will NOT affect your weekly benefits. For more information on stimulus payments, [click here](#).

## **Okay, now that I've applied for unemployment benefits, do I need to do anything else?**

- Yes, you need to file "vouchers" each week--even if you are waiting to be approved or you are appealing a denial. This helps DWD determine if you are still eligible each week. For more information, [click here](#).
- For PUA benefits, DWD will make vouchers available for past weeks as well. You should be able to file a voucher to claim benefits from the time you were first unemployed.

## **How long can I get Unemployment Compensation?**

- Unemployment Compensation will be extended to 39 weeks, or through the end of 2020. In Indiana, unemployed workers are entitled to 26 weeks of benefits. The new federal law

adds another 13 weeks of benefits.

**My employer contacted me to go back to work. Am I required to do this even if I am afraid of getting COVID-19?**

- It depends on your circumstances. DWD has frequently asked questions that address this topic. Although a "general fear" of COVID-19 may not be grounds for keeping unemployment compensation eligibility, there are circumstances (substantial changes in job duties, unsafe work environment, caring for someone who is quarantined due to COVID-19, etc.) that may mean you are still qualified. If DWD says you are no longer eligible, you may appeal that determination. If you appeal, we may be able to assist you in your hearing. **[Click here to learn how to apply for legal help.](#)**

For additional information, [see the Frequently Asked Questions at the Indiana DWD Website](#)

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