If Disaster Strikes…

You should know about

Disaster Unemployment Assistance

WHAT IS DUA?

Disaster Unemployment Assistance (DUA) Program provides temporary assistance to individuals whose employment or self employment has been lost or interrupted as a result of a major disaster and who are not eligible for regular unemployment insurance (UI).

DEFINITION OF A MAJOR DISASTER

A "major disaster" is defined as any natural catastrophy (such as a hurricane, tornado, earthquake, snowstorm, flood, etc.) or other types of disasters (such as explosion, natural gas leak, etc.) declared by the President to warrant government assistance to communities and individuals directly affected by the disaster. Based on a request from a state Governor, the President issues a disaster declaration and defines the disaster area.

HOW IS DUA FINANCED?

The U.S. Secretary of Labor is authorized to administer DUA, using the federal-state unemployment (UI) system to take applications, process them, and disburse payments. Funds are provided by the Federal Emergency Management Agency (FEMA) for DUA benefits. These funds are federally appropriated and are not derived from employer payroll taxes used to finance the regular UI program.

WHICH FEDERAL LAW GOVERNS DUA?

Sections 410 and 423 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (referred to as the Stafford Act) Title 20, Chapter V, Part 625, Code of the Federal Regulations (20 CFR 625), as amended.

WHO CAN QUALIFY FOR DUA?

One of the following conditions of unemployment must have occurred as a direct result of the disaster in order for the individual to qualify for DUA:

1. has had a week of unemployment following the date the major disaster began; or
2. is unable to reach his/her place of employment; or
3. was scheduled to start work and the job no longer exists or the individual was unable to reach the job; or
4. became the major support because the head of the household died as a direct result of the disaster; or
5. cannot work because of a disaster-incurred injury.

WHO IS ELIGIBLE FOR DUA?

In order to be eligible for DUA, an individual who meets one of the qualifying conditions above must also meet **all** of the following eligibility requirements:

1. is not eligible for regular UIA benefits; and
2. is unemployed as a direct result of the disaster; and
3. is able and available for work, unless injured as a direct result of the disaster; and
4. has filed an application for DUA within 30 days of the date of the public announcement of the availability of DUA; and
5. has not refused an offer of employment in a suitable position.

WHEN AND WHERE TO FILE

DUA Applications must be filed <u>within 30 days</u> of the date the UIA announces the availability of DUA in Michigan. Persons who believe they are entitled to DUA should immediately contact the UIA at 1-866-500-0017 (TTY customers use 1-866-366-0004) for an application package; or visit a Problem Resolution Office (PRO). A DUA application package will be available on our website at www.michigan.gov/uia, when a disaster affects Michigan workers whose employment has been interrupted as a result of a major disaster. DUA applicants should have proof of their Social Security number, proof of employment, and proof of income. Proof of employment is used to determine if the individual was employed or self employed or the planned commencement of employment or self-employment at the time the disaster occurred. Proof of income is used to establish the DUA Weekly Benefit Amount (WBA). Proof of income is used to verify wages earned during the last completed tax year, even

DUA

WHEN AND WHERE TO FILE *cont'd*

if a tax return has not been filed for that year. Individuals applying for DUA should submit their application package to:

UIA
P.O. Box 169
Grand Rapids, Michigan 49501-0169

or faxed to: 1-517-636-0427

WHAT PROOF OF EMPLOYMENT IS REQUIRED?

Proof such as an income tax return, bank statements, last pay stub, work order, etc. is required to substantiate employment or self-employment or to substantiate work that was to begin on or after the date of the disaster. If proof of employment cannot be provided at the time the claim is filed, individuals have 21 calendar days from the time the claim was filed to meet this requirement. Failure to submit this documentation within the 21 days will result in a denial of DUA and any benefits already paid will be considered overpaid. Individuals are required to repay any benefits that are overpaid.

HOW ARE PAYMENTS DETERMINED?

The WBA will be based on the gross wages of the individual. If the individual is self-employed, the WBA will be based on the net earnings (income) from self-employment. If the individual qualifies for less than 50 percent of the state's regular UI WBA, the WBA will be increased to 50 percent of the average WBA, with exceptions for part-time workers.

HOW MUCH ARE PAYMENTS?

The DUA weekly amount is computed in accordance with the unemployment formula used to compute weekly benefit amounts under the Michigan Employment Security (MES) Act. The weekly amount payable to an individual is reduced by wages earned (or by pension received for that week in accordance with Michigan law).

Reduction will also be made by the amount of private income protection (or replacement) insurance, or any other type of benefit for loss of wages due to illness or disability that an individual receives or would receive for that week by properly applying.

ARE FEDERAL TAXES WITHHELD?

DUA benefits are subject to Federal income tax. Individuals may elect to have Federal withholding deducted from their DUA payments. Individuals will receive Form 1099-G to file with their income tax return.

HOW LONG DOES THE PAYMENT PERIOD LAST?

A uniform disaster period will be established for all applicants with respect to each disaster. It will begin the first week after a major disaster occurs and will end 32 weeks after the President declares that an area was affected by a major disaster.

HOW OFTEN SHOULD I CERTIFY/REPORT?

The individual must continue to certify bi-weekly using Form UIA 1785, *Bi-Weekly Paper Certification for Disaster Unemployment Assistance* (DUA) benefits.

WHAT CAUSES BENEFITS TO BE TERMINATED?

An individual can be disqualified for DUA benefits or DUA benefits can be terminated if any of the following occur:

1. becomes employed and the earnings exceed the weekly benefit amount allowed;
2. refuses to accept suitable employment without good cause;
3. refuses to accept a referral to suitable employment without good cause;
4. is not able to work (unless the inability is due to an injury caused as a direct result of the disaster);
5. is not available for work, unless the unavailability is due to the individual's preparation to resume self-employment; or
6. is no longer unemployed as a direct result of the disaster.

EMPLOYMENT SERVICE

All persons in the State of Michigan are entitled to assistance from the Michigan Works! Agency in obtaining work. This applies to individuals unemployed due to a declared disaster as well as those unemployed for any other reason. DUA claimants must register for work with the Michigan Works! Agency and actively seek work to be eligible for benefits.

APPEALS

Any denial of DUA benefits may be appealed. Individuals must file the appeal within 60 days of the mail date on the determination.

FOR MORE DETAILS . . .

For more detailed information about the DUA Program, please call us toll-free at:

1-866-500-0017
TTY customers: 1-866-366-0004

The information contained in this pamphlet is general and does not have the force or effect of law.

State of Michigan
Rick Snyder, Governor

LARA
LICENSING AND REGULATORY AFFAIRS
CUSTOMER DRIVEN. BUSINESS MINDED.
Mike Zimmer, Acting Director

UIA
Unemployment Insurance Agency
Sharon Moffett-Massey, Director

LARA is an equal opportunity employer/program. Auxiliary aids, services and other reasonable accommodations are available upon request to individuals with disabilities. TTY services are available at 1-866-366-0004.

State of Michigan, Department of Licensing and Regulatory Affairs, Unemployment Insurance Agency, Authority: Wagner-Peyser Act; Quantity: 2,000; Cost: $120; Cost per copy: 6¢; Paid for with federal funds.

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