

TRAINING AND EMPLOYMENT NOTICE	NO. 5-21
	DATE August 23, 2021

TO: STATE WORKFORCE AGENCIES
STATE WORKFORCE DIRECTORS

FROM: LENITA JACOBS-SIMMONS
Acting Assistant Secretary



SUBJECT: Mixed Earners Unemployment Compensation (MEUC) – Operations Checklist

Purpose. The purpose of this Training and Employment Notice (TEN) is to advise States of the availability of an Operations Checklist, developed by the Employment and Training Administration (ETA), for use by States to ensure they have systems and procedures in place to properly administer the Mixed Earners Unemployment Compensation (MEUC) program enacted in Section 261 of the Continued Assistance for Unemployed Workers Act (Continued Assistance Act).

1. **Action Requested.** ETA requests that State Workforce Administrators review this TEN and the attached Operations Checklist and provide it to the state’s Unemployment Insurance (UI) Director and other appropriate state workforce system staff to use as a self-assessment tool and to prepare for upcoming ETA Regional Office assessments and monitoring of the states’ implementation and operational efforts under the provisions of MEUC, as provided for in the Continued Assistance Act.

2. **Summary and Background.**

- a. Summary – This TEN provides information to states regarding systems and procedures necessary to ensure proper administration of the MEUC program as it relates to the UI program.
- b. Background – The Department of Labor’s (Department) ETA is actively working with states to ensure they have the resources necessary to successfully administer the provisions of the Continued Assistance Act, including MEUC. In addition, as with Federal Pandemic Unemployment Compensation (FPUC), states will be reimbursed for 100 percent of MEUC benefits and any additional administrative expenses. The attached checklist provides a means for states to ensure that their administration of the MEUC program meets statutory requirements under both the Continued Assistance Act and the UI provisions of the Social Security Act.

3. **Content.** The attached MEUC Program Operations Checklist provides a list of systems and procedures for proper administration of the MEUC program within the context of the UI program. The state program areas covered by this checklist include:

- a. Administrative guidance and processes, including initial claims and weekly or bi-weekly eligibility certification;
- b. Publicity and program announcements, including the program website and outreach efforts;
- c. Program integration, including eligibility, internal controls, and security;
- d. IT systems checks, including availability, and identification and resolution of defects;
- e. Program interfaces;
- f. Assessment of documentation of net earnings;
- g. Adjudication and appeals;
- h. Reporting; and
- i. Federal funds administration.

4. **Inquiries.** For further information, please contact the appropriate ETA Regional Office.

5. **References.**

- American Rescue Plan Act of 2021 (ARPA), including Title IX, Subtitle A, Crisis Support for Unemployed Workers (Pub. L. 117-2);
- Consolidated Appropriations Act, 2021 (Pub. L. 116-260) including Division N, Title II, Subtitle A, the Continued Assistance for Unemployed Workers Act of 2020;
- Coronavirus Aid, Relief, and Economic Security (CARES) Act (Pub. L. 116-136), including Title II Subtitle A Relief for Workers Affected by Coronavirus Act;
- UIPL No. 15-20, Change 3, *Continued Assistance for Unemployed Workers (Continued Assistance) Act of 2020 — Federal Pandemic Unemployment Compensation (FPUC) Program Reauthorization and Modification and Mixed Earners Unemployment Compensation (MEUC) Program Operating, Reporting, and Financial Instructions*, issued January 5, 2021, https://wdr.doleta.gov/directives/corr_doc.cfm?DOCN=6122;
- 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 4, 2020, https://wdr.doleta.gov/directives/corr_doc.cfm?DOCN=9297;
- 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; and
- ETA Handbook No. 401, *UI Report Handbook*, https://wdr.doleta.gov/directives/corr_doc.cfm?DOCN=7774.

6. **Attachment(s).**

- **Attachment I:** Continued Assistance Act MEUC Operations Checklist

**State Workforce Agency (SWA) Operations Checklist for
Continued Assistance for Unemployed Workers Act Program Operations**

Mixed Earners Unemployment Compensation (MEUC) Program Operations Checklist

State:		Name and title of agency representative completing the checklist:			
		Date Completed:			
MEUC Operations Checklist		Yes	No	N/A	Comments
1.	Appropriate staff has copies of the law, Section 261 of the Continued Assistance to Unemployed Workers Act of 2020, and copies of the ETA guidance for MEUC (UIPL No. 15-20, change 3 and any subsequent changes).				
2.	State has correct beginning period (week ending January 2, 2021 (if the week of unemployment ends on Saturday) or January 3, 2021 (if Sunday week ending date)) and correct ending period (week ending September 4, 2021 (if Saturday week ending date) or September 5, 2021 (if Sunday week ending date)) for the MEUC program as identified in guidance.				
3.	<p>State identified all appropriate eligible programs to add MEUC (regular UC, UCFE, UCX, PEUC, EB, STC, TRA, DUA, and SEA; <u>excludes Additional Benefits and PUA</u>) and has operational processes to ensure MEUC is properly paid with respect to these programs.</p> <p>State ensured MEUC was issued to:</p> <ul style="list-style-type: none"> • individuals <u>eligible</u> for at least \$1 for the underlying benefit payment(s); • individuals who have \$5,000 in self-employment <u>net earnings</u> in the prior tax year (tax year prior to the parent claims date); and • individuals <u>eligible</u> for an underlying benefit payment(s) that was intercepted (e.g., overpayment offset or other intercept) even if it reduces the underlying benefit payment(s) to \$0. 				
4.	State has procedures to require, analyze, and issue determinations based on the claimant's submission of documentary evidence of their self-employment income or documentation submitted by a third party pursuant to the claimant's direction.				

5.	<p>The state issues notices of entitlement to potentially eligible claimants regarding MEUC, including:</p> <ul style="list-style-type: none"> <input type="checkbox"/> Amount of supplemental MEUC payment available each week (\$100); <input type="checkbox"/> Beginning and ending dates for the MEUC program; <input type="checkbox"/> Information about the possible consequences of MEUC receipt for purposes of Medicaid and CHIP eligibility; <input type="checkbox"/> Instructions on how to apply for MEUC, which includes information on how and when to submit documentation to verify that the individual meets the self-employment threshold; <input type="checkbox"/> Information about the consequences of committing fraud in connection with an application for MEUC; and <input type="checkbox"/> Information that, if the individual is found eligible, this will be paid automatically (with no extra action required of the individual) if the individual is eligible to receive the underlying unemployment benefit for the week in question. 				
6.	State identified all individuals potentially eligible for retroactive MEUC payments, as needed (i.e., where the program was implemented by the state after the beginning date of the claim).				
7.	State has operational processes to ensure MEUC is properly paid during the continued claims series/duration (e.g., MEUC paid to eligible individuals as supplemental payment to underlying program benefit(s), and not paid when individual is determined ineligible for the underlying benefits (e.g., lack of documentation showing \$5,000 in net income from self-employment, deductible and disqualifying income, nonmonetary and/or fraud determinations)).				
8.	State uses its regular payment process (batch/real-time) for issuing MEUC payments and its normal payment method (check, debit card, direct deposit, etc.).				
9.	State has methods in place to detect and recover both fraud and non- fraud MEUC overpayments.				
10.	State has capability to withhold Federal taxes and child support.				
11.	Separate accounting of MEUC is in place whether MEUC payments are issued as one payment with underlying payment or as a separate payment.				
12.	MEUC required reports have been established and submitted in accord with guidance.				