

EMPLOYMENT AND TRAINING ADMINISTRATION ADVISORY SYSTEM U.S. DEPARTMENT OF LABOR Washington, D.C. 20210	CLASSIFICATION UI
	CORRESPONDENCE SYMBOL OWS/ DUIO
	DATE July 2, 2008

ADVISORY: UNEMPLOYMENT INSURANCE PROGRAM LETTER 22-08

TO: STATE WORKFORCE AGENCIES

FROM: BRENT R. ORRELL /s/
Deputy Assistant Secretary

SUBJECT: Disaster Unemployment Assistance – Questions and Answers

- I. Purpose. To respond to questions from states concerning eligibility determinations related to Disaster Unemployment Assistance (DUA).
- II. References. ETA Handbook No. 356, 2nd Edition, Disaster Unemployment Assistance; DUA Regulations at 20 CFR Part 625; and Unemployment Insurance Program Letter (UIPL) 26-07.
- III. Background. DUA provides temporary income replacement to eligible individuals who are unemployed as a direct result of a major disaster declared by the President of the United States. To qualify for DUA, individuals must first be determined ineligible for unemployment compensation (UC) under any other state or Federal law. State UC agencies administer the DUA program on behalf of the U.S. Department of Labor, acting as agents of the Federal government.

The Department of Homeland Security, Federal Emergency Management Agency (FEMA), provides the funding for DUA benefits and the states' DUA program administrative costs.

- IV. Eligibility Determinations for Receipt of DUA. This advisory includes information concerning DUA eligibility requirements. State UC agencies are responsible for obtaining information and conducting the necessary fact-finding to make eligibility determinations for DUA, including contacting employers and/or others, as necessary. State UC agencies must also provide DUA applicants with information concerning their rights and responsibilities related to DUA. Individuals filing for DUA are required to submit proof of employment and wages and other such information needed to establish their DUA entitlement. The DUA regulations at 20 CFR Part 625 govern eligibility for DUA, but also provide specific instances where state law applies.

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This UIPL is being issued because states have requested guidance in addressing issues that require adjudication. These issues include but are not limited to whether: 1) good cause exists for late filing of a DUA claim; 2) an individual's unemployment is a direct result of a major disaster; 3) an individual provided sufficient proof of employment/wages documentation; 4) an individual is able to work and available for work; and 5) good cause exists for refusal of suitable work. The attachment to this UIPL contains a set of questions and answers addressing the above issues.

- V. Action. State Administrators are requested to provide this guidance to appropriate staff.
- VI. Attachment. Disaster Unemployment Assistance (DUA) – Questions and Answers.