

Unemployment Benefits in the District During the COVID-19 Emergency (Updated September 2, 2021)

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Eligibility

I lost my job (or significant income) because of COVID-19. Am I eligible for unemployment benefits?

You may be eligible for unemployment benefits through the District of Columbia if you lost a job that was located in the District (even if you are not a District resident) through no fault of your own **and** you are otherwise physically able and available to work (with some exceptions due to COVID-19). You may also be eligible if you are still working, but with significantly reduced income or hours.

Information on how to apply for unemployment benefits in another state is available [here](#).

You are not eligible for unemployment benefits if you: (1) are not authorized to work in the United States; (2) lost your job due to your own fault; or (3) you are not physically able and available to work.

I am not a U.S. citizen or a permanent resident. Am I eligible for unemployment benefits?

Maybe. To be eligible for standard unemployment benefits in the District as an immigrant, you must be authorized to work during the following periods of time:

1. when you file an initial claim for unemployment benefits,
2. when you file "weekly claim cards" in order to receive unemployment

- benefits; and
3. the 12 to 18 month period BEFORE filing an initial claim, which is known as the “base period.”

The following groups of immigrants could therefore be eligible for unemployment benefits -- those with Temporary Protective Status, Deferred Action for Childhood Arrival (DACA) approval, asylees, or applicants for asylees, among many others -- ***as long as these individuals have proof of work authorization for the relevant time periods.***

[Public charge](#) rules do not apply to unemployment benefits.

Applications

How do I apply?

There are two different processes for applying, depending on what type of employment you have had over the past 15 to 18 months.

Standard unemployment benefits are for traditional “employees” -- people who worked for employers and received W-2s -- who earned enough wages over the past 15-18 months to qualify. You can apply [online](#) (website available in English or Spanish) or call (202) 724-7000. You can email any requested supporting documentation to fact.finding@dc.gov, or drop it off in person at posted dropboxes at DOES headquarters, located at 4058 Minnesota Ave. NE, Washington, DC 20019.

If you have access to a computer or smartphone, we recommend applying online, because callers are experiencing very long wait times.

DOES has published a [Quick Guide](#) with more information on how to apply for standard unemployment benefits.

For non-traditional employees, there is a temporary federal program called Pandemic Unemployment Assistance, or PUA.

This program is intended to provide benefits for independent contractors, people who are self-employed, gig workers and others who are otherwise not eligible for standard unemployment benefits (including workers who

have not earned enough wages or those who are unavailable to work because they are caring for children who are at home due to COVID-19-related school or daycare closures). You can only apply [online](#) (website available in English, Spanish, French, Korean, Vietnamese, and "simplified" Chinese; and a translated PDF of the application available in Amharic) or over the phone at (202) 724-7000. This program expires on September 4, 2021, but applications can be filed until October 6, 2021.

The first step in the application is to apply for and be denied standard unemployment. You should upload all supporting documentation with your application. For any additional requested documentation, you can email it to fact.finding@dc.gov, or drop it off in person at posted dropboxes at DOES headquarters, located at 4058 Minnesota Ave. NE, Washington, DC 20019.

When you apply for PUA, be sure to fill-out a weekly claim card (a/k/a continuing claim) for each week of unemployment. PUA is retroactive and benefits may be granted all the way back to your job loss (although it can only be granted back to December 1, 2020, for people who applied after December 27, 2020), but only if you complete weekly claim cards for those weeks.

DOES has published an FAQ in [English](#) and [Spanish](#) with more information on PUA.

I don't have access to a computer. Can I still apply?

For standard unemployment benefits, you can apply over the phone at (202) 724-7000. If you do not have access to a computer, and are unable to get through on the phone, please contact Legal Aid at (202) 628-1161 or [online](#) to apply for free legal help.

The best way to apply for PUA is online. You will need to "upload" documentation (including proof of past income, if any, and proof of COVID-19 related job loss or income loss) as part of the application process. You will also have to provide DOES with documentation showing that you were employed, self-employed, or set to start employment or self-employment during or after you apply for benefits. You can try applying on a mobile device or calling (202) 724-7000 if you do not have access to a computer. If you are unable to complete the application, please contact Legal Aid.

I filed my initial unemployment claim, but I haven't been approved yet. Are there any steps I should take while I am waiting to be approved?

It is very important for workers who have applied for benefits to file what is called a “**weekly claim card**” or “**continued claim form**” every week after submitting an application for benefits, either through the standard program or PUA.

Once you successfully submit an application for benefits, you should begin to receive these cards in the mail. We recommend filling them out [online](#) if you have access to a computer or smartphone. You can also submit the information over the phone at (202) 724-7000, drop them off at the drop boxes at DOES (4058 Minnesota Ave. NE, Washington, DC 20019), or return the cards by mail (least preferred). You will continue to file these cards after being approved for benefits, for as long as you would like to continue receiving benefits. Generally, DOES will not pay benefits for any week in which they do not receive a claims card.

Detailed instructions from DOES for completing the claims card are available [here](#) (Spanish version [here](#)).

I filed my initial unemployment claim weeks ago, but I haven't been paid yet. What do I do?

It takes approximately 21 days from the date you apply to begin to receive benefits, but you should begin to receive paperwork in the mail regarding your claim 7 to 10 days after applying.

If either of these timelines have passed, you can call DOES at (202) 724-7000 and ask to speak to a claims examiner about your application. You can also try emailing DOES at does@dc.gov, covid19.ui@dc.gov, or fact.finding@dc.gov. If you cannot reach DOES by phone or email, please contact Legal Aid at (202) 628-1161 or [online](#) to apply for free legal help.

I got a form in the mail that says “monetary determination.” What does it mean?

A “Notice of Monetary Determination” is a form that DOES sends that will provide your weekly benefit amount, your maximum benefit amount, the wages used to calculate your claim, and other information about your claim for unemployment benefits.

It will also have a box checked saying whether you are eligible or not eligible for benefits. If it says that you are not eligible, please review the information it provides about why you are not eligible, because it may be incorrect. Please see the next question (“**What if my initial claim is denied?**”) for what to do next.

There is another section of the form where there will be a box checked saying whether or not there is a “potential eligibility and/or disqualification issue.” Even if the form says that you are eligible for benefits, it may also say that there is a potential eligibility problem, so please review the form very carefully. Having a potential eligibility issue does not mean that you will not be found eligible for benefits, but DOES may contact you to get more information they need to complete your application.

What if my initial claim is denied?

Claimants receive many documents in the mail from DOES after filing an initial unemployment claim. However, only two documents can deny benefits -- either a **Monetary Determination** (which finds a worker eligible or ineligible due to past wages) or a **Determination by Claims Examiner** (which explains the results of a claims examiner’s investigation).

If your **Monetary Determination** states that you are “ineligible” for standard unemployment benefits, you should first determine whether you might be eligible to apply for Pandemic Unemployment Assistance, or PUA. To be eligible for PUA, you must first apply for unemployment benefits and receive a Monetary Determination denying you benefits. Please see the [“How do I apply?”](#) section above.

However, if you are not likely eligible for PUA and believe the Monetary Determination is wrong, you should request reconsideration with DOES within 15 days of the date on the notice by emailing pua@dc.gov. In order to request more than the minimum of \$179/week in PUA benefits, you must also submit proof of your earnings from 2019.

You may also file an appeal with the Office of Administrative Hearings, as described in the next paragraph.

If you receive a **Determination by Claims Examiner** stating that your

unemployment claim is denied, you should file an appeal with the Office of Administrative Hearings [online](#) or by phone at (202) 442-9094.

The office is closed to in-person business until at least March 31, 2021.

The deadline to file an appeal is 15 days. However, OAH has [tolled](#) the deadline to file an appeal in cases involving unemployment benefits until 30 days after the public health emergency ends.

If you have any questions about whether you should appeal a Monetary Determination that finds you ineligible for benefits or apply for PUA, please contact Legal Aid at (202) 628-1161 or [online](#) to apply for free legal help.

Benefit Amounts

How many weeks will I receive of Traditional Unemployment Insurance (UI)?

Traditional UI provides workers with 26 weeks of benefits. Workers who receive traditional UI are also eligible to receive up to 53 weeks through the Pandemic Emergency Unemployment Compensation (PEUC), with the last possible week of eligibility ending September 4, 2021. Workers may also be eligible for another additional 13 weeks of Extended Benefits (EB).

Traditional UI is not retroactive back to when you lose your job; you can only get benefits starting when you submit your application. You also must file weekly claim cards with DOES to receive traditional UI for weeks you are unemployed/working reduced hours. If you have not submitted any past weekly claim cards, you should submit them to DOES immediately.

If I get Traditional UI, what do I need to do to get PEUC?

Workers who received UI must have applied for the additional weeks of PEUC once they exhausted their UI weeks. You generally cannot receive PEUC if you have not exhausted all of your UI benefits, including any you may be eligible for in other states. You also cannot receive PEUC if you did not apply before September 2, 2021. However, you may still be paid for any weeks you are missing from before the program expires if you have already applied and filed claims cards for those weeks or otherwise told DOES that you are missing payment before the program expiration.

Am I eligible for Extended Benefits (EB) after PEUC and how do I apply?

Workers who remain unemployed/partially unemployed and have exhausted traditional UI may be eligible for up to 13 weeks of Extended Benefits (EB). As soon as you have used all of your traditional UI and all available PEUC, you must apply for EB via DOES's website or call 202-724-7000. You cannot receive EB if you have not exhausted all of your UI benefits, **including benefits you may be eligible for in other states.**

For workers who exhausted their first 13 weeks of PEUC before the week ending 12/26/2020, and had already applied for Extended Benefits before 12/31/2020, should exhaust Extended Benefits before applying for the additional weeks of PEUC extended by the Continued Assistance Act and American Rescue Plan.

Some workers may be eligible for another year of regular UI after the PEUC program expires. If you think you might be eligible, please call DOES at 202-724-7000.

What will my Traditional UI weekly benefit amount (WBA) be?

DOES looks at a worker's gross earnings in the last 12-18 months before they applied for UI to determine the WBA. Gross income is your pay before taxes are taken out. Your WBA will be reduced if you are working part-time/reduced hours. If your gross income is high enough, you can receive up to \$444/week.

To determine your WBA, DOES breaks the year up into four quarters. DOES will look at your highest gross earnings quarter and divide those earnings by 26 to calculate your WBA.

Example:

Q1 (Jan. – Mar.)	Q2 (Apr. – Jun.)	Q3 (Jul. – Aug.)	Q4 (Sep. – Dec.)	Total	WBA
\$500	\$500	\$7,000	\$10,000	\$18,000	\$384 (\$10,000÷26)

Since the worker in example had their highest earnings in Quarter 4, DOES will use those earnings (\$10,000) and divide \$10,000 by 26 to get the

WBA. If you have the same earnings each quarter -- for example, if your earnings are \$8,000 in each quarter -- DOES will divide \$8,000 by 26 to get your WBA ($\$8,000 \div 26 = \307)

How many weeks will I receive Pandemic Unemployment Assistance (PUA)?

PUA provides workers who are not eligible for traditional UI and who lost a job or income due to COVID with up to 79 weeks of unemployment benefits.

You must file weekly claim cards with DOES to receive PUA for all weeks you are unemployed/working reduced hours. For workers who applied for PUA before December 27, 2020, it is retroactive back to the date you lost a job or income due to COVID-19, as long as you submit claims cards for those weeks. For workers who apply for PUA after December 27, 2020, it is retroactive back to December 1, 2020. If you have not submitted claim cards for any past weeks, you should submit them to DOES immediately. Currently, the PUA program expires on September 4, 2021. You will not receive PUA for weeks after this date, even if you have not used up your 79 weeks. However, you may still be paid for any weeks you are missing from before September 4, 2021, if you have already filed claims cards for those weeks or otherwise told DOES that you are missing payment before the program expiration.

If I get PUA, am I eligible for Extended Benefits (EB) and how do I apply?

Workers who receive PUA are not eligible for the additional 13 weeks of EB.

Unfortunately, there are no other programs available for workers who received PUA after it expires on September 4, 2021.

What will my PUA weekly benefit amount (WBA) be?

If you applied for PUA in 2020, your PUA WBA is based on your 2019 net earnings/income. If you applied for PUA in 2021, your PUA WBA is based on your 2020 net earnings/income. Net income is your gross income minus

expenses. Your WBA will be reduced if you are working part-time/reduced hours.

If you are approved for PUA, you will automatically get \$179/week regardless of your earnings. If your net income in your base period is high enough, you can receive up to \$444/week.

To determine if you are eligible for more than \$179/week, DOES breaks your base period into four quarters and will look at your highest net earnings quarter and divide them by 26 to calculate your WBA.

Example:

Q1 (Jan. – Mar.)	Q2 (Apr. – Jun.)	Q3 (Jul. – Aug.)	Q4 (Sep. – Dec.)	Total	WBA
\$500	\$500	\$7,000	\$10,000	\$18,000	\$384 (\$10,000÷26)

Since the worker in the above example had their highest net earnings in Quarter 4, DOES will use the Quarter 4 net earnings (\$10,000) and divide \$10,000 by 26 to get the WBA. If you have the same net earnings each quarter -- for example, net earnings of \$8,000 each quarter -- DOES will divide \$8,000 by 26 to get your WBA ($\$8,000 \div 26 = \307 WBA).

What if I think I am entitled to a higher PUA amount (more than \$179/week)?

You can request reconsideration of your weekly benefit amount by emailing PUA@dc.gov. Your email must include proof of your net wages/income from your base period.

If DOES approves you for a higher WBA, you are entitled to back benefits for the weeks DOES paid you \$179/week. If you disagree with DOES's reconsideration decision, you can appeal the decision to the DC Office of Administrative Hearings (OAH). DOES should include instructions for appealing with their decision.

What is FPUC and LWA?

From April 4, 2020 to July 25, 2020, workers were entitled to \$600/week on top of the regular PUA WBA through the Federal Pandemic Unemployment Compensation (FPUC) program. In addition, the FPUC

program is providing an extra \$300/week starting after December 26 and ending September 4, 2021. You are eligible for the FPUC even if you have not received it yet as long as you successfully submitted your weekly claim cards for those weeks.

Through the Lost Wages Assistance (LWA) program, workers whose WBA is at least \$100 were entitled to an additional \$300 between August 1, 2020 to September 5, 2020 (6 weeks).

My workplace opened again, but I am only working part-time. Am I still eligible for unemployment benefits?

Maybe. You must report your gross wages (your earnings before taxes) to the Department of Employment Services in your weekly claim cards. You must report these wages for the week in which you earn them (you perform the work), and not for the week when you get paid.

The Department of Employment Services uses a statutory formula to calculate your eligibility for a reduced unemployment benefit that week:

Step One: add \$50 to your Weekly Benefit Amount.

Step Two: multiply your gross weekly wages (your earnings before taxes) by 0.66.

Step Three: compare to determine if 66% of your gross wages (in Step Two) is higher than your Weekly Benefit Amount plus \$50 (in Step One).

If your Step One calculation is higher than Step Two, then you are eligible for the difference between the amounts calculated in Step One and Step Two.

If your Step Two calculation is higher than Step One, you are not eligible for unemployment benefits.

Will receiving unemployment benefits affect how much I receive in other benefits, like SNAP, or whether I'll be able to keep my Medicaid?

Standard unemployment benefits and some of the pandemic-related temporary benefits are counted as income for several other common public benefits programs used by DC workers.

For **SNAP** (commonly known as food stamps), standard unemployment benefits and PUA benefits **will** count as income, but the FPUC payments will not. This means that receiving regular UI or PUA will lower your SNAP amount, maybe to zero.

For **TANF** (cash assistance for low-income families), standard unemployment benefits, PUA benefits and the FPUC payments **will** count as income. This means that receiving unemployment benefits will likely make you ineligible for TANF.

For **Medicaid and DC Health Alliance**, standard unemployment benefits and PUA benefits count as income, but the extra FPUC payments does **not** count as income. However, DC has waived requirements for Medicaid and Alliance recipients to report household changes and extended eligibility until 60 days after the end of the public health emergency. So if you are already receiving Medicaid or Alliance, you do not have to report any changes in income and you should remain eligible.

For **Social Security benefits**, neither standard unemployment benefits nor the extra \$600 weekly FPUC payments should affect or reduce Social Security retirement benefits or SSDI.

For **Supplemental Security Income (SSI)**, all unemployment insurance benefits, including the extra \$600 weekly payments, will not count as income during the public health emergency. Please contact the Social Security Administration if you have had your payments reduced or ended during the PHE because of your unemployment benefits.

For more information on public benefits, see [Public Benefits FAQs](#).

For **public housing programs administered through the DC Housing Authority**, standard unemployment benefits are treated as income, and will affect rent calculations. However, the extra \$600 weekly FPUC payments do not count as income, and will not affect rent calculations.

Overpayments

My unemployment benefits are being withheld to pay back an old overpayment. What can I do?

If your unemployment benefits are being recouped to pay back an old overpayment debt, the Department of Employment Services must notify you in writing. This notice is called a **Notice of Recoupment**. You have a right to appeal this notice to the Office of Administrative Hearings within 15 days if: (1) the old overpayment was not your fault, and (2) you cannot afford to have the District recoup your current unemployment benefits.

The District is only allowed to recoup up to 50% of your current unemployment benefits -- and in some cases, they are required to collect less.

If you receive an **Offset Notice** or a **Notice of Determination of Overpayment**, you can contact Legal Aid at (202) 628-1161 or [online](#) to apply for free legal help.

Public Charge

If I apply for unemployment benefits, will it count against me under the [public charge](#) rule?

No. Applications for [unemployment benefits are not reviewed during public charge determinations](#) when an immigrant requests an adjustment of status.

If you would like legal advice about your situation, you can contact Legal Aid. Our Northwest and Southeast offices are closed to the public, but we are open for telephone and online intake. You can apply for our services by calling (202) 628-1161 or [online](#).