

Frequently Asked Questions for Individuals

1. Can I receive benefits if my employer sent me home because of COVID-19?

If your employer sent you home due to a lack of work because of COVID-19 and is not paying you for your time off, you are eligible to receive unemployment benefits. Only workers who are not being paid or who are being paid for reduced hours due to COVID-19 are eligible to receive benefits. You must report gross wages earned and any leave pay as earnings for each week claimed for benefits.

2. I am still working, but my employer reduced my hours. Can I receive benefits?

If you are working less than 30 hours a week, your employer may file a partial claim for you. The employer is required to report your gross earnings each week (the amount of your pay before deductions) for any work you performed during the week for which the employer files a partial claim. Your employer must report any vacation pay, holiday pay, and/or earnings during the week in which it was earned, NOT the week it was paid. The employer must also report any additional income you are receiving to the GDOL, **except** Social Security benefits, jury duty income, and pay for weekend military reserve duty.

All weekly earnings over \$50.00 are deducted dollar for dollar from the benefit payment.

3. If my employer is filing a partial claim for me, do I need to file too to make sure I receive benefits?

If you are not working because your employer told you not to come to work or your hours have been reduced due to COVID-19, **DO NOT FILE A CLAIM.**

If you quit your job or voluntarily chose to stay out of work due to COVID-19, **YOU MUST FILE YOUR OWN CLAIM.** Your employer cannot file for you.

4. I filed a claim and my employer filed a claim. What do I do?

Contact your local career center.

5. When will I receive my payments?

Unemployment benefits are paid on a weekly basis. Your payment will be released within 24 hours after your employer files a partial claim on your behalf. If you file your own claim, your payments will be released once a written determination to allow benefits is released.

6. How will I receive my payments?

You may receive benefit payments by debit card or direct deposit. A Georgia UI Way2Go Debit MasterCard® will be mailed to you. Your Social Security Number (SSN) and date of birth are required to activate the card. Once the card is activated, you may use it anywhere MasterCard is accepted to make purchases or withdraw funds.

If you wish to receive your payment by direct deposit, you must enter your direct deposit information on the Georgia Department of Labor (GDOL) website by selecting **UI Benefit Payments Method** under Individuals on the [Online Services](#) page. A PIN is required.

Frequently Asked Questions for Individuals

A letter (DOL-8475) will be mailed to you after the partial claim is filed notifying you of your PIN. If you do not receive your PIN notification or do not remember your PIN, follow these instructions to establish a PIN:

- A. Go to **dol.georgia.gov**.
- B. Select **Claim Weekly UI Benefits Payments**. **You will NOT claim benefits**. This online application allows you to establish a new PIN.
- C. Enter your Social Security Number.
- D. Leave the field labeled "If you have already set up a PIN, enter it here" blank.
- E. Enter a 4-digit PIN of your choice in the field labeled "If you need to set up a PIN, enter it here."
- F. Re-enter your 4-digit PIN in the field labeled "Reenter for verification."
- G. Click on the **Submit** button.

NOTE: If you do not have Internet access to set up direct deposit, you must receive your payments via debit card. The GDOL staff cannot set up direct deposit for you.

7. Will taxes be withheld from my payments?

You have the option of having federal and/or state income taxes withheld from your benefit payments. Tell your employer whether or not you want taxes withheld. If so, the GDOL will withhold 10% for federal and 6% for state taxes.

8. How much will I receive?

The GDOL must determine if you earned enough wages during the base period. The **regular base period** is the first four of the last five completed **calendar quarters** at the time you file your claim. If your claim cannot be established using the regular base period, the **alternative base period** will be used. The alternative base period is the last four completed calendar quarters at the time you file your claim.

After meeting the wage requirements, your **weekly benefit amount (WBA)** is calculated as follows:

Regular WBA Calculation

$$\frac{\text{Total Wages in 2 Highest Quarters}}{42} = \text{WBA (disregard cents)}$$

Alternate Calculation

$$\frac{\text{Total Wages in Highest Quarter}}{21} = \text{WBA (disregard cents)}$$

9. What do I do if I do not receive my debit card, or if I lose my card?

Call the Georgia UI Way2Go Debit MasterCard® at 1.888.929.2460 to report a card as lost or stolen card. One free replacement card may be issued in a 12-month period.

10. Am I required to search for work and report to GDOL while unemployed due to COVID-19?

All work search requirements mandated by O.C.G.A. Section 34-8-195(3)(A) are waived for all claims filed on or after March 14, 2020 per emergency rule.

Frequently Asked Questions for Individuals

11. Can educational workers receive benefits?

Individuals who perform services for, with, to, or on behalf of an educational institution and are out of work as a result of COVID-19 may be eligible to receive unemployment benefits. Individuals who are being paid or will be paid by their employer for the break period must report their gross earnings for each week claimed.

12. Are extended unemployment benefits available?

Not at this time. Only the President of the United States and the U.S. Congress can enact legislation to extend UI benefits. A bill has been proposed to provide additional benefits, but it has not been approved. If the bill is signed into law and an extension occurs, the GDOL will post this information on our website and notify individuals who are potentially eligible.

13. Am I eligible to receive unemployment benefits if my employer has not laid me off, but I decided to stay home for fear of exposure to COVID-19?

Eligibility in such cases must be determined on a case-by-case basis. If you voluntarily chose not to go to work, you must file your own claim. Your employer cannot file for you. GDOL will review your claim and determine your eligibility.

14. I am a claimant trainee. How do I submit my weekly certifications since the career centers are closed to the public?

Mail or fax your certification to your career center. The mailing address and fax number are located on the GDOL website at dol.georgia.gov under Find a Career Center.

15. As a claimant trainee, how am I supposed to meet the requirement of having a school official sign my form every four weeks since my school is closed?

The requirement for the registrar to sign the form every four (4) weeks is waived until further notice. Write "<Name of School> closed due to COVID-19" in the blank for the registrar's signature.



DISASTER UNEMPLOYMENT ASSISTANCE (DUA)

CLAIMANT HANDBOOK

MARK BUTLER, COMMISSIONER
dol.georgia.gov

Interpreter Services

The Georgia Department of Labor (GDOL) will provide an interpreter for the hearing or voice impaired and for those individuals with limited English proficiency. Individuals with hearing or voice impairment may contact the Georgia Relay Center at 1.800.255.0056 to access GDOL services. Should you require assistance interpreting documents you received, you may take them to your local career center for translation. These services are provided at no cost to you.

Equal Opportunity Employer/Program

Auxiliary aids and services are available upon request to individuals with disabilities.

TABLE OF CONTENTS

Introduction	1
DUA Qualifications.....	2
Application Process	3
Ways to Apply	4
DUA Claim Determinations.....	4
Duration of Benefits	5
Computation of Weekly DUA Amount.....	5
Appeal Rights and Process.....	6
What Do I Do After I File?.....	7
Request your payments	7
Reporting Income	7
Weekly Earnings.....	8
Retirement Income	8
Severance/Separation Pay/Wages in Lieu of Notice	8
Workers' Compensation	8
Benefit Payment Deductions	9
Payment Methods.....	10
Direct Deposit.....	10
Way2Go Debit MasterCard®.....	10
Checking the Status of Your Payments.....	11
State and Federal Tax Withholdings	11
Availability and Work Search Requirements.....	12
Work Search Requirements.....	12
Job Referrals and Offers of Suitable Work	14
Register with Employ Georgia	14
Overpayments.....	15
Non-Fraud Overpayments.....	15
Fraud Overpayments.....	15

Disclosure of Private and Confidential Information.....	16
Frequently Asked Questions	16
Applying for DUA.....	16
Eligibility Requirements.....	18
DUA Payments.....	19
Work Search Requirements.....	20

Introduction

Disaster Unemployment Assistance (DUA) is a federally-funded program administered by the United States Department of Labor and State Workforce Agencies under the Disaster Relief and Emergency Assistance Act of 1974, as amended by the Robert T. Stafford Disaster Relief and Emergency Act of 1988.

DUA provides temporary financial assistance and employment services to jobless workers and self-employed individuals when they are unemployed as a direct result of a major disaster and are not eligible for any other type of state or federal unemployment assistance, e.g., regular unemployment insurance, Trade Readjustment Allowance or Extended Benefits, when payable.

A “major disaster” means any natural catastrophe (including hurricane, tornado, storm, flood, high water, wind-driven water or tidal wave, earthquake, snowstorm, drought, fire, or other catastrophe) that results in a Presidential Disaster Declaration.

When a major disaster occurs, the Governor of a state may request a Presidential Disaster Declaration which defines the areas affected and makes U.S. federal funding available for emergency relief, including DUA if warranted.

There are two types of federal assistance:

Public Assistance (PA) is money available to state and local governments and certain non-profit organizations for recovery from a major disaster.

Individual Assistance (IA) is money or direct assistance to individuals, families, and businesses that were directly affected by the disaster. **Disaster Unemployment Assistance is a type of IA.**

If the Presidential Disaster Declaration includes DUA, the Georgia Department of Labor (GDOL) issues an announcement in a newspaper of general circulation or other news and social media platforms. The announcement includes the counties affected by the disaster, the DUA filing deadline date, and instructions for filing DUA claims.

The GDOL is responsible for receiving DUA claim applications, determining eligibility, and paying DUA benefits. **Applications for DUA benefits must be filed within 30 days of the public announcement issued by the Department.**

The information in this booklet is provided to help you understand the requirements of the DUA program. **Please take time to read this booklet and make sure you understand its content. Do not risk losing your benefits because you do not know your rights and responsibilities.**

If you have any questions about the information in this handbook, contact Unemployment Insurance Customer Service at 404.232.3001 (in Metro Atlanta) or 1.877.709.8185 (in all other areas) or ask a representative at your local GDOL career center.

DUA Qualifications

To qualify for DUA, your unemployment or inability to perform services must be a direct result of a major disaster declared by the President of the United States. You must have experienced one of the following conditions of unemployment as a direct result of the disaster:

- Reside in, work in, or have to travel through the major disaster area to get to or from work
- Unemployed for at least a week following the date the major disaster occurred
- Unable to reach your place of employment
- Scheduled to start work and the job no longer exists, or you were unable to reach the job
- Became the major support because the head of household died as a result of the major disaster
- Lost the majority of income or revenue because the employer or self-employed business was damaged, destroyed, or closed by the federal government
- Unable to work due to injury suffered as a direct result of the disaster

Application Process

You are required to provide truthful and complete information to the GDOL when claiming benefits.

- All information may be verified.
- If you willingly make a false statement or conceal information regarding your right to receive assistance, you are subject to any applicable criminal prosecution and penalties under state and/or federal law.
- You may be disqualified from receiving DUA benefits and will be liable for repayment of any benefits you were not eligible to receive.

Follow these steps to apply for DUA benefits:

- 1. File a regular unemployment insurance claim and receive a determination of eligibility.**
 - DUA benefits are for people who do not have the option of receiving another form of unemployment insurance. It is not a substitute for regular UI.
 - Your eligibility for DUA will only be determined if you exhaust or otherwise become ineligible for regular UI during the disaster period.
- 2. File an *Initial Application for DUA (DUA-1)* within 30 days of the date the GDOL announces the availability of DUA.**
- 3. Present documented proof of employment and wages within 21 calendar days from the date of filing a DUA claim.** Check stubs and/or W-2s are proof of employment. Self-employed individuals must provide their tax return for the most recently completed tax year.
 - If proof is not submitted timely, DUA will be denied unless the necessary documentation is provided.
 - Wages used to calculate your weekly DUA amount must meet the requirements of the Official Code of Georgia Annotated (O.C.G.A.) and other laws governing the DUA program.
 - Provide proof such as a letter from the potential employer or a contract or agreement showing self-employment if prospective employment or self-employment was affected by the disaster.

Ways to Apply

You can apply for regular UI through the GDOL website at dol.georgia.gov or in person at your local career center. You may locate your local career center by going to our website at dol.georgia.gov and clicking on the **Find a Career Center** link located in the Career Centers section on our homepage or by calling the Interactive Voice Response (IVR) system at 1.866.598.4164. If your reason for separation is disaster related, then additional forms must be completed. The following forms will be provided to you by your local career center:

FORM/DOCUMENT	PURPOSE
DUA-1 Initial Application for Disaster Unemployment Assistance	Initiates the application process for determining disaster related unemployment eligibility.
DUA-1A Supplement to Application for DUA Self-Employed Individuals	Used as a supplement to provide self-employment information at the time of the disaster.
DUA-1B Wage Information Supplement to Initial Application for DUA	Used as a supplement where there is insufficient space on the DUA-1 to list all wage information.
DUA-11 Earnings Affidavit for Self-Employed Individuals	Used to acknowledge responsibility to provide proof of self-employment and wage information.
DUA-3 Weekly Request for Assistance	Used to request weekly DUA payments.

DUA Claim Determinations

The GDOL will review your application for DUA benefits and make a determination regarding your benefit amount and eligibility. You will receive a *Notice of Determination of Entitlement (DUA-2)* advising you of your weekly benefit amount (WBA). If you are determined to not be eligible for DUA, you will receive a *Notice of Determination of Entitlement (DUA-2A)* advising of the reason.

Duration of Benefits

DUA is only payable during the disaster assistance period, which begins with the first Sunday following the date the major disaster is declared by the President. The effective date of your eligibility will determine the number of weeks you are eligible to receive. Your continued eligibility for benefits is determined on a week-by-week basis. This information will be provided on your *Notice of Determination of Entitlement (DUA-2)*.

Computation of Weekly DUA Amount

The WBA will be based on the gross wages you earned in the last completed tax year. Benefits are calculated using the same formula used for regular UI. However, if you qualify for less than 50 percent of the state average UI WBA, the DUA WBA will be increased to 50 percent of the state's average WBA (with certain exceptions for part-time workers).

Employment, wages, and self-employment normally covered by UI will be treated in the same manner and with the same effect as employment and wages usually covered by UI. Employment and wages prohibited by law will not be included in the calculation of your WBA.

If you have no proof of wages and/or employment/self-employment because the documents were destroyed as a direct result of a major disaster, your DUA weekly benefit amount will be established at 50% of the average weekly payment of regular UI benefits. If the required documentation or partial documentation is submitted within the 21 calendar days, any necessary adjustment to your WBA will be made. You will receive a written redetermination of your adjusted DUA WBA. This information will be provided on your *Notice of Determination of Entitlement (DUA-2)*.

NOTE: An adjustment to your WBA could result in additional payments or an overpayment on any benefits you have already received. An overpayment is established when the GDOL determines you were paid benefits you were not eligible to receive. You will be required to repay the overpayment (see **Overpayments** for more information).

Appeal Rights and Process

If you do not agree with a decision made by the GDOL regarding your DUA claim, you have the right to file a timely appeal within 60 days from the release date of the *Notice of Determination of Entitlement (DUA-2)* or *Notice of Determination of Entitlement (DUA-2A)*. The DUA appeal process consists of different levels.

First Level Appeal

- If you disagree with the Notice of Determination of Entitlement, you may file an appeal to the GDOL Appeals Tribunal within sixty (60) days of the release date of the Notice of Determination of Entitlement.
- After a hearing is conducted, the Administrative Hearing Officer (AHO) will release a decision within thirty (30) days from the date the appeal is filed.

Higher Level Appeal

- If you disagree with the decision released by the AHO, you can submit your request for review by the USDOL Regional Administrator (RA) within fifteen (15) days of the release date of the AHO decision.
- The RA will release a decision no later than the earlier of forty-five (45) days from the date the appeal was received by the USDOL or ninety (90) days from the date the original appeal was filed to the Appeals Tribunal.
- The decision of the RA will be considered final unless a review is requested by the U.S. Department of Labor's Assistant Secretary of the Employment and Training Administration.

You may submit your written appeal request by email to appeals@gdol.ga.gov, fax to 404.232.3901, or mail to the Appeals Tribunal, 148 Andrew Young International Boulevard, NE, Suite 525, Atlanta, GA 30303-1734.

You must file your appeal timely. Be sure to include your first name, last name, and the last four digits of your social security number on all correspondence related to your appeal.

Continue filing your weekly claims each week throughout the appeal process. If the appeal decision is in your favor, you will receive payment for every week you are eligible and have claimed your weekly benefits.

What Do I Do After I File?

After you file your regular UI claim and complete your DUA application, you must do the following:

- Request payments
- Report work search
- Register with Employ Georgia

Requesting Your Payments

You must start claiming your benefits every week you wish to receive benefit payments. When you claim your weekly benefits, you are certifying for that week you:

- were able, available, and actively looking for work; and
- did not refuse suitable work; and
- did or did not earn wages from any work.

Once your DUA application has been processed, you will be provided *Weekly Request for Assistance (DUA-3)* certification forms. Mail or fax your completed DUA-3 form each week to:

Georgia Department of Labor
Claims Administration/DUA Unit
P.O. Box 3433
Atlanta, GA 30302-3433
Fax: 404.232.3029

Additional *Weekly Request for Assistance (DUA-3)* certification forms can be obtained online at dol.georgia.gov or at your local career center.

Reporting Income

When filing for unemployment benefits, you must report all forms of income to the GDOL including weekly earnings (see **Weekly Earnings**), retirement, severance, separation pay, wages in lieu of notice, and workers' compensation. **Failure to report income may be considered fraud and will result in your having to repay any overpayment of benefits.** Additionally, any income you receive while collecting unemployment benefits must be reported to the GDOL immediately except social security, vacation pay, jury duty income, any benefits or insurance payable due to illness or disabilities, and pay for weekend military reserve duty.

Weekly Earnings

You must report all earnings for the week you actually earned them, even if you did not receive the pay during that week. You must report your gross earnings (the amount you earned before taxes and other deductions). Earnings over \$50 per week are deducted dollar for dollar from your weekly benefit payment. The GDOL will make the necessary calculations to determine how much, if any, will be deducted from your weekly benefit payment.

Retirement Income

Retirement income includes pension, retirement, or similar payment from any employer whose wages are being used to establish the claim. Report all retirement income to the GDOL when filing your initial claim. If you begin receiving retirement income after filing your initial claim, contact your local career center to report this income.

A Notice of Determination of Entitlement (DUA-2A) will be mailed to you showing how your retirement income will affect your unemployment benefits. Notify your career center immediately if your retirement payment changes. Failure to report retirement income may result in an overpayment.

Severance/Separation Pay/Wages in Lieu of Notice

Any type of payments you received (or will receive) as a result of your separation such as severance, separation pay, or wages in lieu of notice must be reported to the GDOL. If you begin receiving such income after filing your initial claim, contact your local career center to report this income. Failure to report such income may result in an overpayment.

If the weekly amount of the payment is more than your weekly benefit amount, DUA benefits may not be payable for the period of time the payment covers. If these types of payments are paid in a lump sum, they will be prorated using your average gross weekly earnings. You will receive a *Notice of Determination of Entitlement (DUA-2A)* from the GDOL informing you of how the severance, separation pay, or wages in lieu of notice will affect your unemployment benefits.

Workers' Compensation

You must report that you have applied for or are receiving Workers' Compensation. This includes payments received by virtue of death of head of household. If you apply for or begin receiving workers' compensation after filing your initial claim, contact your local career center to report this income. You will receive a *Notice of Determination of Entitlement (DUA-2A)* from the GDOL informing you if the workers' compensation will affect your unemployment benefits.

Benefit Payment Deductions

The following payments must be reported to the GDOL and will be deducted from your unemployment benefit payments:

- **Earnings:** Earnings over \$50 per week are deducted from your weekly payment dollar for dollar. See **Weekly Earnings** for more information.
- **Retirement Income:** If you are receiving a monthly pension from an employer whose wages were used to establish your claim, your benefit payment may be reduced. See **Retirement Income** for more information.
- **Child Support Obligations:** If you are required (or volunteer) to make child support payments to a court, district attorney's office, or other child support enforcement agency, a deduction from your weekly benefit payment up to 50 percent may be required.
- **Repayment of an Overpayment:** If you have an overpayment of unemployment benefits, one-half of your weekly benefit payment will be applied toward your overpayment.
- **Certain Types of Insurance Payments:** Any compensation or insurance from any source for loss of wages due to illness or disability such as private income protection insurance, etc.
- **Supplemental Unemployment Benefits (SUB):** Payments from a SUB plan pursuant to a collective bargaining agreement are deducted from your DUA weekly benefit payment.

Social security, vacation pay, severance pay, jury duty income, and pay for weekend National Guard duty/reserve duty are not earnings. Such income should be reported when filing your initial DUA claim, but does not have to be reported on a weekly basis.

Payment Methods

All unemployment payments are made electronically. You may choose either direct deposit into your checking or savings account or a Georgia UI Way2Go Debit MasterCard® account that will be established for you.

Direct Deposit

The preferred method of payment for benefits is direct deposit into your checking or savings account and is strongly encouraged. With direct deposit, your benefits can be in your account within three days after you have claimed benefits. You may request direct deposit when filing your claim or at any time during the claim year. Direct deposit can be requested or updated on our secure website at dol.georgia.gov, or you can visit your local career center.

To establish direct deposit, you must provide your bank's routing number and your savings or checking account number. The following illustration shows you how to locate the bank routing number and account number for your checking account.

The illustration shows a check with the following fields: "Your Name" (with "6214" to its right), "Your Street Address", "City, State Zip", "Date" (with a blank line), "Pay to the Order of:" (with a blank line and a "\$" symbol), and "For:" (with a blank line). At the bottom of the check, the routing and account numbers are printed: ".073921938: 2000202145:6214". Three arrows point from labels below to these numbers: "Bank Routing Number" points to ".073921938", "Account Number" points to "2000202145", and "Check Number (Do NOT enter)" points to "6214".

If your account information changes, be sure to update your banking information on our secure website immediately.

Way2Go Debit MasterCard®

The Georgia UI Way2Go Debit MasterCard® is issued by Comerica Bank and works much like a standard debit card. With this option, your benefit payments are deposited into a separate account created for you by the card issuer. You access your money by making purchases or withdrawing cash using the card. No credit check or bank account is required. Your Georgia UI Way2Go Debit MasterCard® will be accepted everywhere MasterCard debit cards are accepted. The Georgia UI Way2Go Debit MasterCard® will be valid for any claim you file for the next three years. Keep it in a safe place since you will be able to use it again if you file during that time.

You are responsible for securing the Georgia UI Way2Go Debit MasterCard®. Securing the card means the card and the PIN are never kept together, the card is kept in a secure location, and the PIN is not known by anyone but you.

If the card is lost or stolen, you must immediately notify UI Way2Go Debit MasterCard® Customer Service at 1.888.929.2460. If your card security is compromised, you must also change your unemployment insurance claim PIN immediately even if you are not currently filing weekly claims for benefits. If you fail to report the loss of the card and change the PIN immediately or fail to secure the card, you will be liable for claims made and money removed from the card. **One free replacement card may be issued each 12-month period for lost or stolen cards.** Additional replacement cards may be purchased.

Checking the Status of Your Payments

You may contact Customer Service at 404.232.3001 or 1.877.709.8185 or visit your local career center to verify the payment of your weekly DUA claim. **You should not write any checks, authorize any debits, or schedule automatic withdrawals against the deposit until you have verified that the funds have been credited to your account by your bank.**

State and Federal Tax Withholdings

DUA benefits must be reported on your federal and state income tax returns. Federal taxes are deducted at 10 percent and state taxes at 6 percent. You can have both or either deducted from your benefits. (**EXAMPLE:** Weekly benefit amount = \$274, federal taxes would be \$27 and state taxes would be \$16.)

When filing for DUA or while receiving DUA benefits, you may:

- Request the GDOL withhold state and federal taxes from your benefit payments. Taxes will be calculated on the gross payment for the week being paid (weekly benefit amount minus any earnings and any regular retirement deduction). Since withholding of income taxes is voluntary, taxes are deducted only after any involuntary deductions are made (e.g., child support and repayment of an overpayment); or
- Make estimated tax payments to the Internal Revenue Service (IRS) if your taxable income withholding status meets the (IRS) estimated payment requirement.

At the end of January, you will be mailed Form 1099-G, which provides the amount of benefits paid to you and the taxes withheld during the previous calendar year, even if you repaid any benefit amounts to the GDOL. The same information will be provided to the IRS and the Georgia Department of Revenue.

To ensure you receive your Form 1099-G, report address changes immediately by logging into our website at dol.georgia.gov or reporting to your local career center with a valid government-issued picture identification.

Information regarding the amount of unemployment benefits paid and the taxes withheld for the prior calendar year is available on the GDOL website at dol.georgia.gov. The information is updated in January each year. You will need your PIN to access the information.

Questions about the taxation of UI benefits, making estimated tax payments, or other tax matters should be directed to the IRS or the Georgia Department of Revenue.

Availability and Work Search Requirements

Work Search Requirements

To receive DUA benefits, you must be able, available, and actively seeking work. You must show proof that you are looking for work on a weekly basis. You are required to seek and accept all suitable work. You must be willing to accept a job under the same working conditions in which you earned the wages used to establish your claim, provided there is a reasonable expectation of obtaining that type of work.

If you have a definite, verifiable return to work date within six (6) weeks of the date the Presidential Disaster Declaration was issued, you do not need to perform a work search for DUA benefits. **If you do not return to work within the definite return to work date, you will be required to actively search for employment and show proof you are looking for work each week.**

To meet the DUA work availability and work search requirements, you must:

- register for Employment Services, unless exempt by law.
 - If you are a Georgia resident, register through Employ Georgia at employgeorgia.com (see **Register with Employ Georgia**).

- o If you are filing an interstate claim, register with the State Workforce Agency in the state where you reside. However, you must follow Georgia's laws and rules regarding your availability to work and your work search.
- be physically able to perform some type of work (even if it is not your regular field of work).
- be available to work and have no unreasonable restrictions that would keep you from working.
- be actively looking for suitable work each week.
- make at least three new, verifiable job contacts each week.
- keep a detailed record of your work search activities and submit this information to the GDOL weekly on the GDOL website at dol.georgia.gov or by faxing a *Weekly Work Search Record (DOL-2798)* form. The instructions for submitting your work search are included on the form.
- accept all referrals from the GDOL for suitable work.
- accept all offers of suitable work from employers.
- report any failure to seek or accept work (even if you feel the work was not suitable) to the GDOL during the week in which it occurs.
- report to the career center when instructed by the GDOL.

To receive benefits, you must meet all availability and work search requirements each week. Your work search record is subject to random audit by the GDOL at any time. You will be denied benefits for any week(s) you do not meet these requirements, make a false statement, or misrepresent facts. You will be responsible for repaying benefits you received during the denial period.

Job Referrals and Offers of Suitable Work

You are required to seek and accept all suitable work. You must be willing to accept a job under the same working conditions in which you earned the wages used to establish your claim provided there is a reasonable expectation of obtaining that type of work.

When you are referred to a job by the GDOL, you must apply for the job, as instructed. **Failure to apply for suitable work will result in a loss of benefits and/or repayment of benefits you have already received.** If you refuse to accept a job, you must report your refusal of work to the GDOL.

You are not required to accept work if:

- the position is available because of a strike.
- the job pays less than minimum wage.
- the wages are substantially less than prevailing wages for similar work in the area.
- you are required to join a company union or resign from or refrain from joining any bona fide labor organization as a condition of hire.

You must report any failure to seek or accept work to the GDOL for the week in which it occurred, even if you felt the work was not suitable. Improper reporting constitutes fraud.

Register with Employ Georgia

You are required to register for employment services (ES) with Employ Georgia (EG). Registration requires the establishment of an Employ Georgia account and at least one résumé with a searchable status. Please visit employgeorgia.com to create an account and résumé. If you have already completed registration, please login to your account to ensure the following:

- Your social security number must be on your EG account.
- Your EG account must be in “active” status.
- At least one résumé must be complete and searchable.

Failure to register with EG will result in a loss of benefits and/or repayment of benefits you have already received.

Overpayments

If the GDOL determines you were paid unemployment benefits you should not have received, it is considered an overpayment, and you will be required to repay the money including any income taxes that were withheld. A written notice will be mailed to you advising you of the overpayment. Timely repayment of an overpayment is required to avoid collection efforts, including legal action.

There are two types of overpayments:

- Non-fraud
- Fraud

Non-Fraud Overpayments

A non-fraud overpayment is the result of an unintentional act. That is, you did not knowingly make a false statement, misrepresent material facts, or fail to disclose a material fact to obtain or increase benefits.

The penalties for non-fraud overpayments are:

- You must pay back the overpaid amount.
- You may be subject to other civil penalties in a court of law, and you may have to pay certain court or filing fees.

Fraud Overpayments

Fraud overpayments occur when you knowingly make a false statement, fail to disclose a material fact, or misrepresent material facts to obtain or increase benefits.

The penalties for fraud overpayments are:

- You must pay back the overpaid amount.
- You must pay a 15 percent penalty on the amount of the overpayment plus interest.

- You will not be able to collect benefits for the remainder of the calendar quarter in which the fraud determination is released plus for one year after that quarter.
- You may be subject to other civil or criminal penalties in a court of law, and you may have to pay certain court costs or filing fees.

Disclosure of Private and Confidential Information

Confidential and private unemployment compensation information pertaining to you may be requested and utilized for other government purposes, including, but not limited to, verification of eligibility under other governmental programs. Georgia law protects information gathered, maintained, and required by the Georgia Department of Labor in the administration of the unemployment compensation program. The circumstances under which information may be released are provided in the Official Code of Georgia Annotated (O.C.G.A.) at Sections 34-8-120 through 34-8-129.

As provided by federal law, any information you provide the Georgia Department of Labor is subject to verification by various agencies through computer matching programs.

Frequently Asked Questions

Applying for DUA

- 1. Is the DUA claim based on the location of the company or where I live?**
Yes to both. You can file a DUA claim if you live in an affected county, or if your employer is located in an affected county.
- 2. Can I still complete an application for DUA benefits if I do not have a photo ID or social security card because it was lost in the disaster?**
Yes. You can still submit an application, but no benefits can be paid until your identity and citizenship status are verified. If you need a replacement driver's license, contact your local Georgia Department of Driver Services. If you need a replacement social security card, contact your local Social Security Administration office.
- 3. Do I have to file a regular UI claim even if I know I am not eligible?**
Yes. Your eligibility for regular UI must be determined prior to establishing a DUA claim.

4. What is the base period for a DUA claim?

The base period is the most recent tax year that ended prior to your unemployment which is a direct result of a presidentially declared major disaster.

5. Which address should I put on my application for my employer if the business was completely destroyed?

If you work for a large company with multiple locations, then use the address of their corporate headquarters. However, if the company is a local company with only one location, then provide the mailing address for the location where you worked.

6. Can people who are self-employed or work in jobs not covered by unemployment insurance apply for DUA?

Yes. However, you will need to provide proof of income within 21 calendar days from the date you file your claim. Self-employed individuals will need to complete the *Supplement to Application for DUA Self-Employed Individuals (Form DUA-1A)*.

7. Can farmers apply for DUA?

Yes. Farmers can apply, but additional information is required. The GDOL must determine what percentage of your farming income was lost as a result of the presidentially declared disaster. You will need to complete the *Supplement to Application for DUA Self-Employed Individuals (Form DUA-1A)*.

8. How long do I have to file a DUA claim?

The claim must be filed within 30 days from the date the GDOL issues a public announcement of the DUA filing period and filing instructions.

9. What if I miss the 30-day deadline?

You should still apply for DUA benefits. A *Notice of Determination of Entitlement (DUA-2)* and *Notice of Determination of Entitlement (DUA-2A)* must be issued with appeal rights on all claims filed after the deadline.

10. If I will not exhaust my regular UI benefits until after the deadline to file for DUA, can I still file for DUA?

Yes. File your DUA claim following the instructions in this handbook.

11. What address should I list on my application if my residence was destroyed, and I am not able to receive mail?

If you are unable to receive mail at your home address, set up a general delivery address with the U.S. Postal Service or arrange to receive mail at a relative or friend's home. If using someone else's address, include an "in care of" line along with their name and address.

Eligibility Requirements

1. How do I prove my injury was a direct result of the major disaster?

The GDOL will request documentation to verify the date and cause of the injury in order to make a determination.

2. Am I eligible for DUA if I was injured while cleaning up or repairing my home during the major disaster period?

No. You must have been hurt as a direct result of the major disaster. Being injured during cleanup and repairs is considered an indirect result of the disaster.

3. I was already drawing another form of unemployment insurance, but became ineligible for those benefits because I was unable to look for work during the major disaster. Am I eligible for DUA benefits?

The GDOL evaluates such situations on a case-by-case basis. Individuals receiving DUA must be able and available to seek and accept full-time work. However, there are situations where a person may be eligible for DUA if their availability issue is a direct result of the major disaster

4. Can I receive DUA benefits if I am a temporary or seasonal worker?

Temporary and seasonal workers are only potentially eligible to receive DUA benefits for the weeks they would have been employed if the disaster had not occurred. If a seasonal worker was scheduled to work for a set number of weeks after the disaster and then would have been terminated under normal circumstances, the worker would only be eligible to collect DUA for the number of weeks originally scheduled to work.

5. How long can I receive DUA benefits?

DUA benefits are payable for up to 26 weeks after the major disaster is declared as long as the unemployment caused by the disaster continues or until you are reemployed in a suitable position.

6. Can I file an extension on DUA benefits?

No. Extensions are not available for DUA claims.

7. Can I continue to collect DUA benefits if I work a temporary job?

If you find temporary employment not designated to assist in clean-up efforts after the disaster, you are considered employed and will no longer be eligible for DUA benefits. You are required to report all employment to the GDOL upon being hired.

However, if you work a federal, state, or locally funded temporary job to assist in clean up or other activities to aid the community in recovering from the disaster, you are not considered employed in a suitable position. You may be eligible to resume DUA benefits once the temporary job ends if you meet all other requirements. You must report your gross earnings to the GDOL on your *Weekly Request for Assistance (DUA-3)* form during the week the work was performed.

8. I was unemployed when the disaster occurred and was scheduled to start a new job, but my employer's business was destroyed in the disaster. Can I receive DUA?

If you do not have a current UI claim on file and you were scheduled to start work, file a regular UI claim online or report in person to your local career center then complete your application for DUA benefits. You will need to get a statement from the employer that shows the date you were to begin employment or return to work.

If you are currently collecting UI benefits or have an active claim on file and you were scheduled to start work, reopen your regular UI claim indicating you were separated from your new job but never started work as a result of the major disaster. After reopening your regular UI claim, complete an application for DUA benefits. You will need to get a statement from the employer that shows the date you were to begin employment or return to work.

The GDOL will process and review your claim to determine if you are eligible to receive DUA benefits.

DUA Payments

1. How do I request my payment?

Mail or fax your *Weekly Request for Assistance (DUA-3)* form to the DUA Unit for processing. (See **Request Your Payments** for the address and fax number.)

2. I want my DUA benefits direct deposited, but the bank is no longer physically there. What should I do?

If a specific bank location closed, but the banking institution is still in business, your direct deposit should be processed by your bank as usual. All GDOL direct deposit payments will be processed as normal. If the funds are returned as undeliverable, a Georgia UI Way2Go Debit MasterCard® will be mailed to the mailing address in our system.

Work Search Requirements

1. What are the work search requirements for individuals receiving DUA benefits?

If you have a definite return-to-work date within six (6) weeks of the Presidential Disaster Declaration, you do not need to perform a work search. If you do not have a scheduled return-to-work date, you must actively search for work and submit proof of at least three (3) new, verifiable job contacts to the GDOL for each week thereafter. (See **Availability and Work Search Requirements** for more information.)

2. How many job contacts are required for the work search?

The requirement for DUA is three (3) new, verifiable job contacts per week.

3. Can I contact my current employer and use them as a job contact?

No. You must contact other companies.

4. Can I duplicate a job contact?

The GDOL prefers you do not contact the same employers each week. However, we understand there may be situations where it is necessary to contact an employer more than once due to a lack of employers in the area, the length of time you are unemployed, etc. If the GDOL detects a duplication of job contacts, the Department will investigate to determine if you are conducting a valid work search and actively seeking reemployment.

5. Do I have to perform a work search if I am self-employed?

If you were self-employed prior to the disaster, you are considered available for work as long as you are engaged in activities solely for the purpose of resuming your self-employment.

6. How can I meet the work search requirement if I was injured in the disaster and cannot look for work?

If you have a verifiable injury as a direct result of the disaster, you are not required to perform a work search. You must notify the GDOL at which time your injury no longer affects your ability and availability to seek and accept work.

WHILE YOU WAIT FOR A DECISION...

- 1. Start claiming your weekly benefits immediately, even before a decision is made on your claim.** You must claim at least one week of benefits for a decision to be made on your claim.
- 2. Mail or fax your *Weekly Request for Assistance (DUA-3)* to:**

Georgia Department of Labor
Claims Administration/DUA Unit
P.O. Box 3433
Atlanta, GA 30302-3433
Fax 404.232.3029

UI CUSTOMER SERVICE

Monday-Friday, 8:00 a.m. – 4:30 p.m.

Call 404.232.3001 (in Metro Atlanta) or
1.877.709.8185 (in all other areas)

GDOL CAREER CENTERS

Monday-Friday, 8:00 a.m. – 4:30 p.m.

For a list of career center locations, visit our website at
dol.georgia.gov

VACATION

UNEMPLOYMENT INSURANCE IS NOT PAYABLE

WHEN YOU ARE ON

- LEAVE OF ABSENCE at your own request
- PAID VACATION
- UNPAID VACATION, up to two weeks in a

calendar year if provided by

EMPLOYMENT CONTRACT, or by

ESTABLISHED EMPLOYER CUSTOM, PRACTICE

OR POLICY

PARAGRAPH (a)(3) OF OCGA SECTION 34-8-195

GEORGIA DEPARTMENT OF LABOR



UNEMPLOYMENT INSURANCE FOR EMPLOYEES

Your job with this employer is covered by the Employment Security Law. You may be able to establish a claim for Unemployment Insurance if you become **TOTALLY** or **PARTIALLY** unemployed through no fault of your own and comply with all requirements.

IMPORTANT: YOU MAY FILE A CLAIM FOR UNEMPLOYMENT INSURANCE BENEFITS VIA THE INTERNET AT dol.georgia.gov. YOU MAY ALSO FILE A CLAIM IN PERSON AT ANY GEORGIA DEPARTMENT OF LABOR (GDOL) CAREER CENTER LISTED BELOW.

THE GEORGIA EMPLOYMENT SECURITY LAW STATES FOR EACH WEEK YOU CLAIM UNEMPLOYMENT BENEFITS YOU MUST:

- **Be UNEMPLOYED, ABLE to work, AVAILABLE for work, ACTIVELY SEEKING WORK, and be willing to immediately accept suitable work.**
- **Register for employment services with the Georgia Department of Labor.**
- **Report weekly work search contacts, all earnings each week, and any job refusal.**

NOTICE

Employers cannot deduct any money from employees' paychecks to pay unemployment insurance tax. The funding for unemployment insurance benefits comes from taxes paid by employers.

OFFICES WHERE UNEMPLOYMENT INSURANCE CLAIMS MAY BE FILED

ATLANTA	CARROLLTON	DUBLIN	LAFAYETTE	THOMSON
ALBANY	CARTERSVILLE	EASTMAN	LAGRANGE	TIFTON
AMERICUS	CLAYTON COUNTY	GAINESVILLE	MACON	TOCCOA
ATHENS	COBB/CHEROKEE	GRIFFIN	MILLEDGEVILLE	VALDOSTA
AUGUSTA	COLUMBUS	GWINNETT COUNTY	MOULTRIE	VIDALIA
BAINBRIDGE	COVINGTON	HABERSHAM AREA	ROME	WAYCROSS
BLUE RIDGE	DALTON	HINESVILLE	SAVANNAH	
BRUNSWICK	DEKALB	HOUSTON COUNTY	STATESBORO	
CAIRO	DOUGLAS	KINGS BAY	THOMASVILLE	

GEORGIA DEPARTMENT OF LABOR

Equal Opportunity Employer/Program • Auxiliary Aids & Services Are Available Upon Request To Individuals With Disabilities