Division of Unemployment Insurance
Office of the Assistant Secretary
1100 North Eutaw Street
Baltimore, MD 21201

A Guide to Disaster Unemployment Assistance Benefits

This guide provides important information about receiving Disaster Unemployment Assistance (DUA) benefits in Maryland.

Maryland
DEPARTMENT OF LABOR

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1. What is Disaster Unemployment Assistance (DUA)?

DUA is an unemployment insurance (UI) program which provides temporary benefits to an eligible individual:

- whose employment or self-employment was **lost or interrupted as a direct result of a major disaster** that resulted in a presidential declaration of a disaster; **or**

  NOTE: Direct result of a major disaster means the unemployment is an immediate result of the major disaster, and not due to a longer chain of events caused or worsened by the disaster.

- who became the **major financial supporter** for the household because the head of the household died as a direct result of the disaster; **and,**

- who is **not eligible for regular UI benefits.**

  NOTE: A DUA claim **may also be filed on behalf of an individual who died or became incapacitated** as a direct result of the disaster. To learn more, see question 7 (Who Qualifies for DUA?).

2. How Does DUA Operate?

The Robert T. Stafford Disaster Relief and Emergency Assistance Act of 1974 authorizes the president to provide benefits to individuals who are unemployed as a direct result of a major disaster.

The president may declare a major disaster (by issuing a presidential disaster declaration) following a request from a state governor or tribal governor/chief. The declaration authorizes DUA and defines the areas affected by the disaster.

The U.S. Department of Labor (USDOL) oversees DUA, and DUA benefits are funded by the Federal Emergency Management Agency (FEMA). While DUA is federally-funded, **state UI agencies administer the DUA program.** USDOL coordinates with FEMA to provide funds for DUA benefits and administrative costs to state agencies.

3. What is Considered a Major Disaster?

For DUA purposes, a major disaster is any natural catastrophe or other type of disaster (e.g., a hurricane, tornado, earthquake, flood, explosion, natural gas leak, etc.) that results in a presidential disaster declaration.

4. How Will I Know When DUA is Available?

When DUA is available, the affected state is required to make a public announcement. The announcement will include the areas affected by the disaster and when DUA benefits are payable.

If DUA is available in Maryland, additional information will be available on the **Maryland Division of Unemployment Insurance (the Division)** **website**.

5. What is the Disaster Assistance Period (DAP)?

A state agency can only pay DUA benefits for weeks of unemployment that occurred within the DAP. The DAP begins the Sunday after the date the major disaster began and ends 26 weeks after the date the major disaster is declared (by the presidential declaration).

NOTE: The DAP can be more than 26 weeks if it is extended by legislation or the disaster declaration is delayed.

6. How Many Weeks of Benefits Can I Receive Under DUA?

Eligible claimants may receive **up to 26 weeks** of DUA benefits during the **DAP**.

7. What are the Eligibility Requirements for DUA?

You may be eligible for DUA if you meet the following requirements:

- your **employment or self-employment was lost or interrupted as a direct result of a major disaster** (that results in a presidential disaster declaration);
- you are **not eligible for regular UI** benefits.
- you are **able and available for work**, unless:
  - you were injured as a direct result of the disaster, or
  - you are performing activities to resume self-employment;
- you **applied for DUA on time** (within 30 days of the public announcement that DUA is available); and,
- you **have not refused an offer of employment for a suitable position.**

NOTE: You can be partially or totally unemployed due to the disaster to be eligible for DUA. However, the employment/self-employment impacted by the disaster must be your principal source of income. If you have multiple streams of income, the Division will determine whether you are eligible for DUA.

8. Who Qualifies for DUA?

In addition to the requirements listed above, **to qualify for DUA**, **one of the following circumstances must apply to you:**

- you have had **at least one week of unemployment** (or loss of self-employment) since the major disaster began;
- you are **unable to reach your place of employment or place where services are performed**, if self-employed;
- you were **scheduled to begin employment,** but you are unable to reach the job or the job no longer exists; **or you were scheduled to begin self-employment,** but you do not have a place or you are unable to reach the area where your self-employment services were to be performed;
- you **became the major financial supporter** for the household because the head of the household died as a direct result of the disaster; or
- you **cannot work or perform self-employment services because of an injury** caused as a direct result of the disaster.

A DUA claim may be filed **on behalf of an individual who died or became incapacitated as a direct result of the disaster.**

To qualify in this circumstance, the following criteria must apply:

- the person (filing the DUA claim on an individual's behalf) is an **authorized legal representative** of the incapacitated or deceased individual (under the laws of the applicable state);
- the **death or incapacity was a direct result of the disaster;**
- **sufficient documentation is provided** to determine if the deceased or incapacitated individual was employed and the head of the household;
- **evidence of the deceased or incapacitated individual's employment** (at the time of the disaster) is provided.

9. What Information Do I Need to Apply for DUA?

To apply for DUA, you must provide:

- **your Social Security number and any identifying information** the Division requires to file a claim for UI benefits.
    - To learn more, see **Information and Documents Needed for Claims Filing**, **Claims Filing - Initial Claims FAQS**, and **Identity Verification Process FAQs**.
- **citizenship information;**
    - You must be a U.S. citizen, U.S. national, or a qualified alien to be eligible for DUA.
- the **FEMA Disaster Declaration Number** for the major disaster that resulted in your unemployment/loss of self-employment;
- the **reason you are unemployed/no longer self-employed**;
- **employment/self-employment information**; and,
    - You should include: the name and address of your employer(s); your income; first/last day of employment/self-employment; or the date you were scheduled to begin employment/self-employment.
- **proof of employment, self-employment, or work that was to begin** on/after the date of the disaster.

NOTE: You may be asked to provide additional information when you file an initial claim, such as information about child support owed and whether you choose to have taxes withheld from your benefits.

Proof of Employment/Self-Employment: If you **do not provide proof of employment or self-employment when you file your initial claim**, you will have 21 calendar days (from the day you file the initial claim) to provide this documentation. Please note that USDOL can extend the 21-day deadline.

See the question below (What Can I Use as Proof of Employment/Self-Employment?).

➢ **Fraud Warning:** It is **extremely important that you give accurate information** when you apply for DUA and file weekly claim certifications.

The Division may **verify the information you provide at any time,** including your employment information. If you do not give accurate information, you may be determined to have committed UI fraud.

- In Maryland, **penalties for UI fraud include** a $1,000 fine, imprisonment, or both. Additionally, individuals who commit UI fraud are disqualified from receiving UI benefits for one calendar year. Any overpayment(s) resulting from fraud will be assessed a 15% fraud penalty and a monthly 1.5% interest penalty (18% per year) on the unpaid overpayment balance. For more information, see the **Benefit Payment Control FAQs**.

10. What Can I Use as Proof of Employment/Self-Employment?

To show **proof of employment** and/or wages, you can submit:

- pay stub(s) or earning statements;
- state/federal income tax returns (to show proof of wages);
- employer name, address, and phone number; and/or
- a letter/response from your employer/future employer which may include an earning statement,
  - This letter may include the name and address of your employer/future employer, the start date of the job, the hours of the job, duration of the job, and the reason you did not start work.
- You may be asked to submit names and addresses of two people who can attest to the reason you are unemployed.

To show **proof of self-employment** and/or income, you can submit:

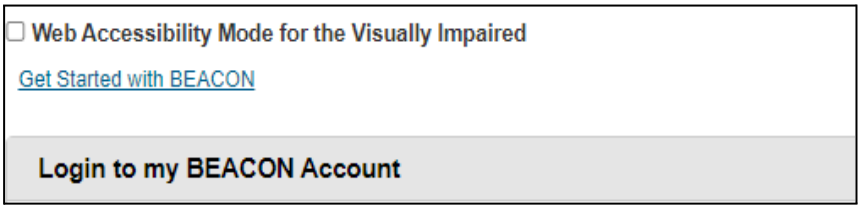
- property titles or deeds for the place of business;
- federal or state income tax returns for the most recent completed tax year (to show proof of income);
- a rental agreement/letter from a property owner showing the most recent occupancy dates or a scheduled occupancy date for a property you used/planned to use for your business (at the time of the disaster);
- a state tax registration, a recent sales tax return, phone and utility or insurance bill(s); and/or

- business records or other evidence to verify that you were self-employed.

11. How Do I Apply for DUA?

If DUA is available in Maryland, you can apply by filing an initial claim in the **BEACON 2.0 claimant portal** or by calling a live claims agent at **667-207-6520**. Please see the **Claimant Contact Information webpage** for claims agent hours.

- To apply in BEACON, navigate to the **BEACON claimant login page**, select the "Get Started with BEACON" link, and follow the prompts.



You are required to file an initial claim for DUA **within 30 days of the announcement that DUA is available**. An application may be accepted after the 30-day deadline if the Division determines you had good cause to file late. Good cause is determined on an individual basis.

NOTE: In some circumstances, a state agency can extend the 30-day deadline with federal approval.

After you file an initial DUA claim, the Division will:

- determine whether you are eligible for regular UI benefits (**you must be ineligible for regular UI to qualify for DUA**); and,
- send you a **Notice of Benefit Determination**, which will include whether you are eligible for benefits and, if eligible, your weekly benefit amount. To learn more, see the **Claims Filing - Initial Claims FAQS**.

12. I Was Approved for DUA. What Must I Do Each Week to be Eligible for Benefits?

To continue to be eligible for DUA benefits, you:

- **must be able and available for work**;

- You may be exempt from the able and available requirements if:
  - your inability to work is the result of an injury (caused as a direct result of the disaster) and you provide documentation proving the injury;
  - you were self-employed and are engaged in activities to resume self-employment; or
  - you are enrolled in state-approved training.

- **may not refuse an offer of suitable work;**
  - Employment in a temporary job designed to help the community recover from the disaster (such as clean-up activities) is not considered a suitable return to employment. In this case, you may be eligible for DUA after the temporary job ends.

- **must file timely weekly claim certifications** (also known as a request for payment).
  - If you do not file timely weekly claim certifications, your benefit payments may be delayed/denied. In Maryland, the benefit week runs from Sunday to Saturday, and you are required to file your claim certification after each benefit week ends.

Your weekly claim certification must be filed between 12:01 a.m. Sunday and 11:59 p.m. Saturday. On the claim certification, you will answer questions about the last completed benefit week. **You can file your weekly certification:**

- **online in BEACON 2.0**. To begin, log in to BEACON and select the Weekly Certification tab from your portal's left menu.

- by **calling the IVR** at 410-949-0022 (Baltimore area or out-of-state) or 800-827-4839 (Maryland, but outside of the Baltimore area); or
- through the **MD Unemployment for Claimants mobile app** (download from the **iOS App Store** or **Google Play Store**).

- **must report all funds** you have/will receive (e.g., earnings from employment/self-employment, severance pay, pension payments, etc.) when you file weekly claim certifications.
    - **NOTE:** You will be disqualified from receiving DUA benefits if you become reemployed/self-employed and your earnings exceed the maximum state weekly benefit amount (WBA). In Maryland, the maximum WBA is $430.

13. How Much am I Eligible to Receive in DUA Benefits?

Your WBA for DUA is based on your statement of employment and wages or self-employment income, state records, or documents you submitted when you applied for DUA.

- If **you are an employee**, your DUA WBA is based on the gross wages you earned in the most recent, completed tax year.
    - For DUA purposes, the most recent, completed tax year refers to the tax year which ended before the major disaster occurred.
- If **you are self-employed**, your WBA will be based on the net income you earned in the most recent, completed tax year.

The **maximum DUA WBA** is the same as the state's maximum WBA. In Maryland, the maximum WBA is $430.

However, the **minimum DUA WBA is half of the state's average WBA.** For 2023, the average Maryland WBA is $353. The **minimum DUA WBA for 2023 is $177.** The minimum DUA WBA may change each year (depending on the state's average WBA).

NOTE: DUA WBA calculations operate differently in Guam/Northern Mariana Islands and in American Samoa.

14. How Will My DUA Benefits be Paid?

In Maryland, claimants receive benefits via direct deposit or a check sent by mail. You will choose your payment method when you file an initial claim. If you choose direct deposit, you will be required to enter and, in some cases, verify your bank account information (through a micro deposit process) in **BEACON 2.0**. To enroll in check payments, you must verify your mailing address in BEACON or in the MD Unemployment for Claimants mobile app. You can change your payment method after you are determined eligible for UI benefits.

To learn more, see the **Direct Deposit of Benefit Payments FAQs**.

15. Can My DUA WBA be Reduced in Some Circumstances?

Yes. Your weekly DUA payment may be reduced due to payments from:

- benefits or insurance for loss of wages due to illness or disability;
- a supplemental unemployment benefit through a collective bargaining agreement (union contract);
- private income protection insurance;
- workers' compensation (paid to an individual who became the major financial supporter because the head of the household died as a direct result of the major disaster). Deductions are prorated by week;
- a pension or annuity (under a public or private retirement plan or system). These payments are reduced from the DUA WBA as they would be reduced from regular UI benefits under state law. Deductions are prorated, if necessary;
- primary benefits under **Title II of the Social Security Act** **(Social Security retirement, survivors, or disability insurance benefits).** These payments are reduced from the DUA WBA as they would be reduced from regular UI benefits under state law; and/or
- employment or self-employment earnings.

16. Can I be Disqualified from Receiving DUA Benefits?

You will be disqualified from receiving DUA benefits if you:

- become reemployed and your earnings exceed the maximum WBA;
- refuse to accept suitable employment without good cause;
- refuse to accept a referral to suitable employment without good cause;
- are not able to work (unless you are unable to work due to injury caused as direct result of the disaster);
- are not available for work (unless the reason you are not available is due to preparations to resume self-employment); or,
- are no longer unemployed as a direct result of the disaster.

17. Are DUA Benefits Taxable?

Yes, you are required to pay income tax on DUA benefits. When you file an initial claim, you can choose whether or not to have federal and/or state taxes withheld from your benefits. In Maryland, UI benefits are subject to federal, state, and in some areas, local income tax. Claimants who receive UI benefits are sent a 1099-G tax form to file their income taxes. To learn more, see the **Income Tax 1099-G FAQs**.

18. How Do I File an Appeal?

If you are determined to be ineligible for DUA benefits and you disagree with this determination, you have the right to file an appeal. Please note that the DUA appeals process operates differently than the appeals process for the regular UI program.

There are **two levels of DUA appeals**: the state lower authority appeal and the USDOL regional administrator.

After you receive the **Notice of Benefit Determination** for DUA, you will have **60 days** (from the date the determination or redetermination was issued) to file an appeal with the state agency (in this case, the **Division**). The state's lower appeals unit has 30 days (after the receipt or postmark date of the appeal) to issue a decision.

NOTE: The Division will accept an appeal filed after the deadline if the claimant had good cause to file late. The Division determines good cause on an individual basis.

If you disagree with the decision issued by the lower appeals unit, you may file an appeal with the **USDOL regional administrator within 15 days** (after the issuance or mailing of the decision). The regional administrator will mail the second appeal either:

- 45 days from the date the second appeal was received or
- 90 days from the date the claimant's original appeal was received by the state agency (whichever date is earlier).

19. What Should I Do if I am Overpaid DUA Benefits?

An overpayment occurs when a recipient (claimant) of UI benefits receives a benefit payment to which the claimant is not entitled. If the Division determines that you were overpaid, you will be sent an **Overpayment Determination** (via

your preferred communication method and via U.S. Mail). You have the right to file an appeal if you disagree with the Division's determination.

The notice will include the reason you are overpaid, the weeks in which you were overpaid, applicable sections of the law, and the overpayment amount.

DUA overpayments can occur for several reasons, including, but not limited to:

- the claimant's weekly and/or maximum benefit amount changed because wages were incorrect when the initial claim was filed;
- the claimant failed to notify the agency that they returned to full-time work (employment or self-employment;
- the claimant failed to accurately report earnings and hours worked (in employment or self-employment);
- the claimant is found to have falsified information to receive or increase UI benefits;
- an appeal decision reversed eligibility; and/or
- agency error.

NOTE: Overpaid DUA benefits are **not eligible for an overpayment waiver.**

In Maryland, you can repay your overpaid benefits at one time or enroll in a payment plan. **You may repay your overpayment:**

- in **BEACON** via;
    - **Credit/debit card** - A convenience fee of 2.5% of payment amount or minimum of $1.00 applies;
    - **Bank account/electronic check** - No fee applies.
- **check or money order;**
    - **Checks or money orders should be made payable to:** Maryland Department of Labor.

      Mail to: P.O. Box 1931, Baltimore, MD 21203;

NOTE: DUA overpayments are final after the opportunity for a fair hearing passes. At that time, the Division can recover DUA overpayments with the

same methods used to recover regular UI overpayments. This may include offsetting future UI benefits or assistance/allowance (e.g., Self-Employment Assistance, Trade Readjustment Allowance) that you receive with respect to unemployment, and garnishing tax returns or wages.

20. Does the Maryland Department of Labor Offer Reemployment Resources?

Yes, the Maryland Department of Labor and its workforce development partners offer numerous resources to help you become reemployed.

Maryland Division of Workforce Development and Adult Learning (DWDAL) - DWDAL is Maryland's main workforce development entity. DWDAL oversees:

- Maryland's **American Job Centers** - AJCs offer comprehensive employment, training, and business services for job seekers and employers. For job-seekers, services include:
    - resource rooms equipped with computers, free internet access, phones, printers, and photocopiers;
    - workshops on topics including, but not limited to, interviewing skills, résumé writing, salary negotiation, and how to effectively leverage social media during a job search;
    - job fairs and recruitment events;
    - individualized employment guidance from experienced career specialists;
    - financial support to allow eligible customers to cover the cost of occupational training; and,
    - access to supportive services and referrals to partner programs.
- **Maryland Workforce Exchange** (MWE) - MWE is a powerful online job and career services system which offers the public a host of employment tools, including:
    - job listings;
    - résumé assistance;
    - labor market information;

  - apprenticeships;
  - training and educational programs;
  - skills assessments;
  - a virtual recruiter, and much more.

You can also use the **MWEJOBS Mobile App** (download from **Apple iTunes App Store** and **Google Play**) which allows users to search for jobs by location or keyword and apply for them instantly.

- The **Office of Adult Education and Literacy Services**, which offers opportunities for adult learners to earn a high school diploma.
- Workforce programs for **New Americans** and **veterans**; and,
- Federal and state hiring tax credits for employers.

DWDAL can also provide information and resources about apprenticeship and career development opportunities, reemployment programs for seniors, and programs for agricultural workers.

21. How Do I Contact the Division?

To reach the Division:

- call a live claims agent at **667-207-6520** during **normal business hours**;
- use the **Virtual Assistant** live chat feature. To use this feature, navigate to the **Division homepage**, select the blue **Chat With Us** tab in the lower right corner, and type **"speak with an agent."**
- call via **Maryland Relay** by dialing 711. This service allows individuals with certain disabilities (deafness, DeafBlindness, hearing loss, difficulty speaking, limited mobility, etc.) to communicate using a standard telephone. To reach the Division, provide the Relay operator with the following phone number, 1-667-401-4647.

For more options, see the **Claimant Contact Information webpage**. To learn more about UI in Maryland, see **www.MDunemployment.com**.