

The Worker Relief and Security Act

Policy goal: Extend unemployment insurance provisions from the Coronavirus Aid, Relief, and Economic Security Act (CARES) Act as long as national and state labor markets are weak.

Extreme Social Distancing Period

- The country will be considered to be in an Extreme Social Distancing Period until 30 days have passed since the President has lifted the emergency for COVID-19 under section 501(b) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act. The Extreme Social Distancing Period cannot terminate before July 31st, 2020.
- Should the President declare a new emergency for COVID-19, SARS-CoV-2, or any related strains under section 501(b) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act, a new Extreme Social Distancing Period will begin and the extensions of the Pandemic Emergency Unemployment Compensation (PEUC), Federal Pandemic Unemployment Compensation (FPUC), and Pandemic Unemployment Assistance (PUA) provisions will automatically reset and begin again. Previous weeks of Pandemic Unemployment Assistance and Pandemic Emergency Unemployment Compensation already received will not count toward the number of weeks a worker can collect those benefits after a new Extreme Social Distancing Period begins.
- If a national emergency for COVID-19, SARS-CoV-2, or any related strains under section 501(b) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act is not in force, a governor can declare an Extreme Social Distancing period at the state level. A state cannot be in its own Extreme Social Distancing period for more than 120 days in any 12-month period. A state-level Extreme Social Distancing period will be suspended upon the declaration of a national emergency for COVID-19, SARS-CoV-2, or any related strains under section 501(b) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act.

State tiers

Establish tiers of states based on their unemployment rate:

- Tier I: States where the total unemployment rate (TUR) is below 5.5%.
- Tier II: States where the TUR is at least 5.5% but below 6.5%.
- Tier III: States where the TUR is at least 6.5% but below 7.5%.
- Tier IV: States where the TUR is at least 7.5% but below 8.5%.
- Tier V: States where the TUR is at least 8.5% but below 9.5%.

- Tier VI: States where the TUR is at least 9.5%.

The TUR will be measured using the three-month average of a state's seasonally adjusted unemployment rate. If the Extreme Social Distancing Period ends before August 30, 2020, a state's tier will be calculated based on the higher of the two-month or three-month average of a state's seasonally adjusted unemployment rate.

National Unemployment Emergency

The country will be in a "National Unemployment Emergency" when the Extreme Social Distancing Period ends until the 3-month average of the national seasonally adjusted unemployment rate has fallen for two straight months and is below 5.5%. If a National Unemployment Emergency terminates, it will be restarted if there is a new Extreme Social Distancing period.

Pandemic Emergency Unemployment Compensation and Extended Benefits

Workers in all states (including the District of Columbia and territories) who have exhausted their regular unemployment benefits will receive Pandemic Emergency Unemployment Compensation (PEUC) fully financed by the federal government to ensure they receive benefits during the Extreme Social Distancing Period as well as for 26 subsequent weeks.

After that:

- Workers in states in Tier I will be eligible for 13 weeks of extended benefits during the duration of the National Unemployment Emergency. These will be fully financed by the federal government.
- Workers in states in Tier II will be eligible for 13 weeks of extended benefits. These will be fully financed by the federal government.
- Workers receiving benefits in states in Tier III will be eligible for 26 weeks of extended benefits. These will be fully financed by the federal government.
- Workers receiving benefits in states in Tier IV will be eligible for 39 weeks of extended benefits. These will be fully financed by the federal government.
- Workers receiving benefits in states in Tier V will be eligible for 52 weeks of extended benefits. These will be fully financed by the federal government.

- Workers receiving benefits in states in Tier VI will be eligible for 65 weeks of extended benefits. These will be fully financed by the federal government.
- The number of weeks of extended benefits a worker can claim will depend on the tier of their state when they first file for benefits or, if —they were receiving benefits during the Extreme Social Distancing Period— their state’s tier when the National Unemployment Emergency begins. If a worker’s state moves to a higher tier, they will be able to claim the appropriate number of additional weeks of benefits. If a worker’s state moves to a lower tier, the number of additional weeks they can claim will not change.

Extension of Federal Pandemic Unemployment Compensation (FPUC)

- Workers will continue to receive the \$600 in weekly FPUC on top of their regular unemployment compensation and PUA for the duration of the Extreme Social Distancing Period.
- Workers in states in Tiers I, II, and III will receive \$350 in weekly FPUC on top of their regular unemployment compensation or PUA for the 13 weeks following the end of the Extreme Social Distancing Period. After that, they will continue to receive \$200 in weekly FPUC for the duration of the National Unemployment Emergency.
- Workers in states in Tiers IV, V, and VI will receive \$450 in weekly FPUC on top of either their regular unemployment compensation or PUA for the 13 weeks following the end of the Extreme Social Distancing Period. After that, they will continue to receive \$300 in weekly FPUC as long as their states remain in Tiers IV, V, or VI.
- States’ FPUC benefits will be reset every thirteen weeks based on the tier the state is in from the latest estimate of the three-month average of its TUR. The first readjustment will occur 26 weeks after the end of the Extreme Social Distancing period. States will be required to issue notice of when FPUC will change.

Extension of Pandemic Unemployment Assistance (PUA)

- Workers in all states (including the District of Columbia and territories) who are eligible for PUA will receive sufficient PUA to ensure they receive benefits during the Extreme Social Distancing Period as well as for 26 subsequent weeks.

After that:

- Workers in states in Tier I will be eligible for 13 weeks of PUA for the duration of the National Unemployment Emergency. PUA that they already received will not count toward these 13 weeks.

- Workers in states in Tier II will be eligible for 13 weeks of PUA. PUA that they already received will not count toward these 13 weeks.
 - Workers receiving benefits in states in Tier III will be eligible for 26 weeks of PUA. PUA that they already received will not count toward these 26 weeks.
 - Workers receiving benefits in states in Tier IV will be eligible for 39 weeks of PUA. PUA that they already received will not count toward these 39 weeks.
 - Workers receiving benefits in states in Tier V will be eligible for 52 weeks of PUA. PUA that they already received will not count toward these 52 weeks.
 - Workers receiving benefits in states in Tier VI will be eligible for 65 weeks of PUA. PUA that they already received will not count toward these 65 weeks.
- The number of weeks of benefits a worker can claim will depend on the tier of their state when they first file for benefits or, if— they were receiving benefits during the Extreme Social Distancing Period— their state’s tier when the National Unemployment Emergency begins. If a worker’s state moves to a higher tier, they will be able to claim the appropriate number of additional weeks of benefits. If a worker’s state moves to a lower tier, the number of additional weeks they can claim will not change.
 - After the end of the Extreme Social Distancing Period, workers who were receiving PUA can continue to receive it if they are available to work, searching for work, and unemployed subject to the limits on the number of weeks described above.

PUA Eligibility Changes

Make all of the following changes to PUA eligibility:

- All employees and independent contractors of educational institutions who are temporarily without work and compensation even if they have “reasonable assurance” of work and compensation when their educational institution restarts will be eligible for PUA if they are otherwise ineligible for regular or extended unemployment compensation. This includes those paid under federal work study and workers who do not work directly for an educational institution but their employment and compensation is tied to be an educational institution’s operations.
- Clarify that coverage includes those who have instructions by a medical professional (including that of the at-risk person) to self-quarantine because they live with a person who has a risk factor for higher illness for COVID-19 identified by the Centers for Disease Control and Prevention (CDC).

- Provide coverage for full-time students who had jobs but had to abandon the job because campuses have shut down; for students with campus jobs who are disqualified as educational employees; for college and high school students who would work during the summer but cannot do so this year because of COVID-19 or the period of high unemployment that it caused; for adults finishing high school or college (who are new entrants to the workforce and don't have any work history; and for individuals under the age of 25 who have completed approved training programs;
- Provide PUA coverage for people who are staying home to care for family members because of the closure of long-term care facilities or because home-care workers are not available for work.
- Specify the following legislative changes to 29 CFR 625, the regulations for Disaster Unemployment Assistance (DUA):
 - Mandate that 29 CFR 625.5(c) does not apply to PUA claims. Instead, provide PUA coverage for anyone who loses their job or income and isn't eligible for UI as a result of COVID-19 or the period of high unemployment that has been caused by the pandemic crisis.
 - Allow PUA recipients to show alternate documentation of recent weekly earnings, rather than relying on last year's tax filings, when a worker does not have self-employment earnings in them.
 - Authorize waivers of overpayments of PUA, consistent with waivers for PUC and PEUC.
 - Clarify that someone working part-time but scheduled to commence employment full-time can transition to full-time benefits.
 - DOL must issue guidelines allowing workers to keep benefits if they have any reason to believe a workplace jeopardizes their health due to lack of appropriate protection, protocols, or other practices to limit infection.

Work Sharing and Short-Time Compensation

- All states will be required to establish Short-Time Compensation (STC) programs within 36 months of enactment.
- Shared work plans will be allowed to cut their workers' hours from 10 to 80 percent (as opposed to the current 60 percent).
- The CARES Act's temporary federal financing for Short-Term Compensation will be made permanent.

Income Disregards

- Disregard UI and PUA benefits from eligibility and benefit calculations in federal programs or state and local programs financed in whole or part by the federal government such as ACA exchange subsidies, SNAP, SSI, and TANF.

Immigration Status

- Anyone who would otherwise be qualified for UI, PUA, or STC will not be denied benefits under any of these programs because of their immigration status or authorization to work in the United States and its territories permanently.

Funds for State Administration

- Provide \$10 billion in appropriations for state agencies immediately to help with the administration of unemployment benefits as well as outreach and support activities. The funds will be distributed to states according to the same formula the Employment and Training Administration distributes base funds.
- Provide \$40 billion in Reed Act dollars for state agencies over three years for administration including modernization of technology and outreach and support activities. The funds will be distributed to states according to the same formula the Employment and Training Administration distributes base funds.

State Trust Funds

- The timeframe states have to payback trust fund loans will be extended from one to three years before the employer FUTA is raised.
- Provide a one-time federal grant to cover the difference between COVID level of UI claims and the state's average high cost rate.