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Disaster Unemployment Assistance: How Workers Can Access the Program After Hurricane Florence

What is Disaster Unemployment Assistance (DUA)?

Disaster Unemployment Assistance (DUA), also referred to as Disaster Relief and Emergency Assistance, is a federal program that provides temporary financial assistance to individuals unemployed as a result of a “major disaster” declared by the president.

A major disaster declaration due to Hurricane Florence was issued by FEMA on September 14th for portions of **North Carolina**. On September 16th, a major disaster declaration was issued for portions of **South Carolina**.

North Carolina: On [September 14th](#), a major disaster declaration was issued by FEMA designating the following counties for individual disaster assistance: **Beaufort, Bladen, Brunswick, Carteret, Columbus, Craven, Cumberland, Duplin, Harnett, Jones, Lenoir, New Hanover, Onslow, Pamlico, Pender, Robeson, Sampson, and Wayne counties**. On September 18th, North Carolina’s Department of Employment Security [announced](#) the availability of DUA benefits in those designated counties.

On September 25th, North Carolina’s Department of Employment Security announced the availability of DUA benefits in nine more counties: **Hoke, Hyde, Johnston, Lee, Moore, Pitt, Richmond, Scotland, and Wilson counties**.

On September 26th, the department announced the availability of DUA benefits in **Greene County**.

As of October 18th, the [deadline for filing DUA applications in each of the 28 counties listed above is extended to October 31st](#).

On October 15th, the department announced the availability of DUA benefits in **Anson, Union, and Orange counties**, and that **DUA applications in those counties are due by November 14th**.

South Carolina: On [September 16th](#), a major disaster declaration was issued by FEMA designating the following counties for individual disaster assistance: **Dillon, Horry, Marion, and Marlboro counties**. On September 24th, South Carolina’s Department of Employment

and Workforce [announced](#) the availability of DUA benefits in the designated counties, and that **DUA applications in those counties are due by October 24th**.

On September 25th, South Carolina's Department of Employment and Workforce announced the availability of DUA benefits in **Chesterfield County**, and that **DUA applications in that county are due by October 25th**.

On September 26th, the department announced the availability of DUA benefits in **Georgetown County**, where **DUA applications are due by October 26th**.

On October 3rd, the department announced the availability of DUA benefits in **Darlington and Florence counties**, where **DUA applications are due by November 2nd**.

(See more information below about DUA eligibility and the application process.)

For a current list of the states and counties covered by disaster declarations, see FEMA's website (<http://www.fema.gov/disasters>).

North Carolina Counties in Hurricane Florence Disaster Declaration

Anson, Beaufort, Bladen, Brunswick, Carteret, Columbus, Craven, Cumberland, Duplin, Greene, Harnett, Hoke, Hyde, Johnston, Jones, Lee, Lenoir, Moore, New Hanover, Onslow, Orange, Pamlico, Pender, Pitt, Richmond, Robeson, Sampson, Scotland, Union, Wayne, Wilson

South Carolina Counties in Hurricane Florence Disaster Declaration

Chesterfield, Darlington, Dillon, Florence, Georgetown, Horry, Marion, Marlboro

What are the Basic Eligibility Requirements for DUA?

There are two major requirements for an individual to qualify for DUA: 1) The individual must be out of work as a "direct result" of a major disaster; and 2) The individual does not qualify for regular unemployment insurance (UI) from any state or U.S. territory. Once found to be eligible for DUA, workers must actively look for work and accept suitable work offered them, not unlike UI recipients. In addition, the individual must show that for every week he or she is collecting DUA, his or her unemployment continues to be the direct result of the disaster, not other factors.

How Much Are DUA Benefit Payments?

Like regular state unemployment insurance (UI) benefits, federal DUA benefits are paid weekly, once an application is completed, filed and processed. Generally, DUA recipients receive the same weekly benefits that they would have been entitled to had they qualified for UI in the state where they were employed. However, at a minimum, DUA benefits cannot be less than one-half of the state's average weekly UI benefits (see the state maximum and minimum DUA benefit levels below).

The DUA benefits for part-time workers are pro-rated based on the hours they worked as a percent of a 40-hour work week. Note that DUA benefits are reduced by any other wage-loss

compensation, including private insurance, Supplemental Unemployment Benefits, worker's compensation, and a pro-rated amount of a retirement pension or annuity.

North Carolina	\$130 Minimum Weekly DUA Benefit/\$350 Maximum
South Carolina	\$130 Minimum Weekly DUA Benefit/\$326 Maximum

How Long Will an Individual's DUA Benefits Last?

The maximum duration of DUA benefits is 26 weeks. However, an individual's benefits cannot extend beyond the period when the disaster officially ends, which is six months from the date of the federal major disaster declaration (unless the deadline is extended by Congress). In addition, the DUA benefits cannot extend beyond when the recipient returns to work or self-employment or beyond the period when the individual's unemployment is no longer directly related to the disaster.

What are Some Major Examples of Individuals Who Can Collect DUA?

Those who may be eligible for DUA and typically could not collect regular state UI benefits include:

- Self-employed people who lost their business or suffered a substantial interruption of activities as a direct result of a major disaster;
- Workers whose place of employment was damaged due to the disaster and work is not available;
- Workers who cannot reach their employment as a result of the disaster;
- Workers unemployed as a result of an injury caused as a direct result of the disaster;
- People who are scheduled to start work but became unemployed because they no longer have a job as a direct result of a disaster.

In addition, workers may collect DUA if they have reached the end of their regular state UI benefits and are still unemployed as a direct result of the disaster. In North Carolina, regular state UI benefits run out after 12 weeks. In South Carolina, regular state UI benefits run out after 20 weeks.

Are Workers Who Did Not Work in the Disaster Area Also Eligible for DUA if Their Unemployment Was Still Directly Caused by the Disaster?

There are limited situations where workers outside the disaster area can qualify for DUA if they were laid off due to their employer's loss of substantial revenue from contracts with businesses located in the disaster area. However, according to the federal regulations, the employer or self-employed individual must have received at least a "majority of its revenue or income from an entity that was either damaged or destroyed in the disaster." In addition, the individual must continually establish that his or her unemployment remains directly related to the major disaster.

What Are the Deadlines to Apply for DUA?

To qualify for DUA, individuals must normally apply no later than 30 days after the availability of DUA was officially announced by the state. (See the states, counties, and application due dates listed above for designated Florence-impacted areas). Late applications can be accepted, but only if “good cause” is shown for the late filing. However, under no circumstances can DUA applications be accepted after the disaster period ends. (In special circumstances, the U.S. Department of Labor has extended the 30-day deadline to file DUA benefits.)

What Information is Necessary to Verify an Applicant’s Work and Earnings?

The DUA application requires proof of employment and earnings, as well as a Social Security Number. The proof of employment is due no later than 21 days after the application is filed with the state. For self-employed applicants, copies of tax returns are required as proof of income and self-employment. If verification of employment or other documents requested as part of the DUA application are not available, a sworn statement including other forms of verification can be submitted. Interim DUA payments can take place while the necessary documentation is gathered. However, the failure to submit the required documentation on time may result in a benefit overpayment which can later be recovered from the individual by the state. (In special circumstances, the U.S. Department of Labor has extended the 21-day deadline to provide the necessary employment and earnings information.)

Where Can an Individual Apply for DUA?

Each state may process DUA somewhat differently. Most states will process applications by telephone, as part of their automated claims-taking process for regular state UI benefits, and online via the Internet. In **North Carolina**, workers and business owners are instructed to first file for regular state UI, and if found ineligible, then file for DUA. Applications can be taken on-line at the website address listed below, or by phone at **866-795-8877** (from 8 a.m. to 5 p.m.). Individuals can also email the state UI agency with questions at des@dua.nccommerce.com.

In **South Carolina**, workers and business owners are instructed to first file for regular state UI, and if found ineligible, then file for DUA. Applications can be taken on-line at the website address listed below, or by phone at **866-831-1724**.

For the latest information on how to file for either DUA as a result of Hurricane Florence, or for regular state UI benefits, we recommend that individuals regularly check the state unemployment insurance agency websites listed below.

North Carolina	Website: https://des.nc.gov/DES
South Carolina	Website: https://www.dew.sc.gov/

Are agricultural workers eligible for state unemployment benefits?

Yes, many farmworkers may be eligible for state unemployment benefits. In North Carolina and South Carolina, agricultural employers who have more than 10 workers employed at least one day a week over a period of 20 weeks, or paid \$20,000 in wages in a calendar

quarter in the last year must cover their workers. If a farmworker does not qualify for state unemployment insurance (UI) benefits due to failing to meet the state UI earnings requirement, the farmworker may qualify for Disaster Unemployment Assistance (DUA).

Are immigrant workers eligible for state unemployment benefits and federally-funded Disaster Unemployment Assistance?

Generally, workers who have work authorization both at the time that they were working and while they collect benefits may qualify for regular state unemployment benefits and DUA. Individuals who are not U.S. citizens must present documentation supporting their immigration status, and the State UI agency must verify their status through a government process called Systematic Alien Verification for Entitlement Program (SAVE), administered by US Citizenship and Immigration Services (CIS).

What Additional Services and Resources Are Available to Workers and Families Impacted by Hurricane Florence?

In addition to DUA, the federal government is funding a range of services for workers and families impacted by Hurricane Florence.

- Information about Disaster Food Assistance Programs, including Disaster SNAP (food stamps), is available at the Department of Agriculture's Food and Nutrition Service website (<https://www.fns.usda.gov/disaster/disaster-assistance>).
- For more information on federally-funded services in your area, refer to FEMA's Federal Disaster Assistance website (<https://www.disasterassistance.gov/>).
- For more information on workforce programs and labor protections, refer to the U.S. Department of Labor's Severe Storm and Flood Recovery Assistance website page (<https://www.dol.gov/general/stormrecovery>).
- Information on availability of disaster assistance for non-citizens and mixed-status families is available on FEMA's website (<https://www.fema.gov/news-release/2015/06/29/frequently-asked-questions-disaster-assistance-noncitizens>).
- Information on eligibility of disaster assistance for families with members who are not U.S. citizens is also available from the National Immigration Law Center (https://www.nilc.org/wp-content/uploads/2015/11/disasterassist_immeligibility_2007-062.pdf).

The National Employment Law Project is a non-profit organization that advocates for unemployed workers. The information provided with this fact sheet is based on the best resources we have available on the DUA program. However, it should not be relied upon as source of official government information on the DUA program.

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