

Understanding & Challenging PUA Monetary Determinations in Pennsylvania

A Guide Prepared by



You've applied for Pandemic Unemployment Assistance (PUA) and received your Monetary Determination. This guide will explain how your weekly benefit amount (WBA) is calculated for your PUA claim and what you can do if you believe your WBA is incorrect.

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What is a Monetary Determination?

The Monetary Determination is an explanation of your "**financial eligibility**" for PUA benefits.

The determination also serves as your official notification of your **weekly benefit amount (WBA)** and provides an explanation of how the WBA was calculated. It also advises you about what you can do if you disagree with the WBA provided.

To fully understand your Monetary Determination, you need to know some important terms involved in determining your benefit amount.

I. Understanding How WBA is Calculated for PUA

Important Terms: What are Base Years and Quarters?

Your WBA is computed under the provisions of the state unemployment compensation law. It is based on your wages paid **and/or** net income earned from self-employment during your **base year**.

The base year for PUA is the most recent federal tax year (2019); therefore for all PUA applicants the government was only considering your income during the four quarters of 2019.

- **Base year income** refers to your total income during 2019.
- **Quarterly income** refers to income during one of the specific three month periods in the base year listed below:
 1. First Quarter: January - February - March
 2. Second Quarter: April - May - June
 3. Third Quarter: July - August - September
 4. Fourth Quarter: October - November - December
- **High Quarter** refers to the quarter during your base year in which your income was greatest.

PUA financial eligibility and WBAs are calculated based on the worker's high quarter and total base year income. So, the first step in determining WBA is to figure out your total base year income and quarterly income for each of the four quarters.

How do I calculate my earnings for each quarter?

There are some basic rules for determining base year and quarterly income. All income is counted in the quarter in which it was **paid** (yes, this is different from how weekly reporting is handled).

Self-Employment:

If you are self-employed, a gig worker, or an independent contractor, you will need to determine your **net income**. The US Department of Labor has advised states to use the net income reported by self-employed workers on federal income tax returns when calculating base year income. If you did not file your taxes or don't have access to your tax return, you can figure out your net income using the equation below:

$$\text{Net Income} = \text{Gross Income/Revenue} - \text{Operating Expenses/Costs}$$

If you do not have a tax return, you will need to provide the department with supporting documentation of your net income. You can use any of the following types of documentation to establish your 2019 income:

- your 2019 1099 form(s);
- paycheck stubs;
- bank receipts;
- ledgers;
- contracts;

- invoices; and/or
- billing statements.

There are two possible methods you can use to calculate your quarterly net income:

1. You can determine your total net income for the base year period and divide evenly by four; or
2. If you kept records of your income and expenses during each of the individual quarters, you can determine what your net income is for each quarter individually.
 - In some situations, this may allow you to establish a higher WBA than if you attribute your income to the four quarters equally. However, you will need to be able to provide documentation supporting your income calculations for each quarter.

W-2 Employees:

If you work for an employer and receive a W-2 each year, your **gross wages** will be used when determining eligibility and benefit amount. Gross income is the amount that your employer pays before money is taken out for taxes (rather than **net income**, which is the amount that is deposited into your bank account).

- The Department of Labor and Industry (DLI) will generally calculate base year and quarterly W-2 wages automatically for workers employed in Pennsylvania.
- Not all W-2 wages earned in other states automatically showed up in the system, so you may need to submit paystubs or W-2s for them to be included in your monetary determination.

How is the PUA weekly benefit amount calculated?

The PUA WBA is determined by comparing your **high quarter income** and total **base-year income** with the table used to determine financial eligibility and benefit rate for regular PA unemployment compensation.

Your WBA will be based on your high quarter income.

- You can figure out your WBA by finding your high quarter amount on the wage/rate table found at this web address:
<https://www.uc.pa.gov/unemployment-benefits/Am-I-Eligible/financial-charts/Pages/default.aspx>

However, some workers will only qualify for the base rate for \$195 regardless of how much they earned in 2019 in the following situations:

- If you earned 64% or more of your base year income in a single quarter, you will only be eligible for the base rate of \$195 per week.
- If your total base-year income is less than the amount in the Part C column of the table that corresponds with your high quarter income, then you will only be eligible for the base rate of \$195 per week.

- If your high quarter income is less than \$4,913, you will only be eligible for a WBA of \$195 (even though the table indicates that you should be eligible for less than that amount, PUA pays a higher minimum benefit than regular UC).

Insufficient or No Employment/Self-Employment Income = WBA of \$195

If your PUA monetary determination states that you have insufficient or no employment/self-employment income, it **does not** mean that you will not receive any benefits.

It means you will automatically receive the minimum WBA of \$195 per week.

There are three reasons why someone may be eligible for PUA benefits, but not eligible for more than the minimum WBA of \$195:

- **No base year income** - A worker that had no income during 2019 will only be eligible for the minimum PUA benefit rate.
- **Insufficient base year income to qualify for regular UC** - If you did not financially qualify for regular UC, then you will receive the minimum PUA benefit rate.
 - Except in cases where a worker’s part-time self-employment income, added to W-2 wages, gives them a higher rate (as calculated above).
- **If you had limited self-employment income** - If your business did not make a profit or you had minimal net income during 2019, you will receive the minimum PUA benefit rate.

Examples:

Worker A has income as indicated below:

2019 Q1	2019 Q2	2019 Q3	2019 Q4	2019 Total
7000	7000	7000	7000	28000

Based on the high quarter income, which is the same for each quarter (\$7000), in order to be financially eligible for more than the minimum, Worker A’s total base year income must be at least \$11,131.

Since Worker A is financially eligible, based on high quarter income of \$7000, the WBA would be \$276.

Worker B has income as indicated below:

2019 Q1	2019 Q2	2019 Q3	2019 Q4	2019 Total
0	300	7000	12000	19300

Based on the high quarter income (Q4), in order to be financially eligible for more than the minimum, Worker B’s total base year income must be at least \$19067.

Since Worker B is financially eligible, based on high quarter income of \$12000, the WBA would be \$472.

Worker C has income as indicated below:

2019 Q1	2019 Q2	2019 Q3	2019 Q4	2019 Total
0	300	6000	12000	18300

Based on the high quarter income (Q4), in order to be financially eligible for more than the minimum, Worker C's total base year income must be at least \$19067.

Worker C did not make \$19067 in 2019, and since C's high quarter income is also more than 63% of the total base year income, C is only eligible for the minimum WBA of \$195.

II. Understanding Your Monetary Determination

The PUA monetary determination contains a lot of information, some of which is unfortunately not accurate, but most is provided for information purposes to all applicants, and may not actually apply to your claim.

The first page is the only page that contains information specific to your claim:

- A. The Mailing Date will be important if you decide to appeal.
- B. The Claim Effective Date is based on the “last date worked” entered on your application.
- C. This paragraph indicates whether you are financially eligible for PUA, and what your WBA will be.
- D. This paragraph explains in general terms how WBA is calculated and the basis for using \$195 as the minimum WBA. It **does not** mean that your WBA must equal at least 50% of your weekly pre-COVID income.
- E. This section should show your quarterly wages/income from each source of employment.
- F. This paragraph does not state anything specific about your income or WBA. It is included in all Monetary Determinations and simply explains that workers with insufficient or no employment history will receive the minimum WBA of \$195.

	MONETARY DETERMINATION PANDEMIC UI ASSISTANCE
A Date Mailed: 6/22/2020 	Claimant ID: B  Claim Effective Date (BYB): 03/08/2020 Benefit Year Ending (BYE): 12/26/2020 Agreement Number: Section 2102 of the CARES Act of 2020
C This determination notifies you, that you are financially eligible for Pandemic Unemployment Assistance (PUA) benefits pursuant to Section 2102 of the CARES Act of 2020 and the applicable federal regulations at 20 CFR, Part 625. Provided you meet all program deadlines and eligibility requirements during the week(s) claimed, you are eligible for a weekly benefit amount (WBA) of \$195.00 and a dependent(s) allowance (DA) of \$0.	
Your WBA is based on your highest quarterly wages paid and/or net income earned from self-employment as compared to the total of all wages paid and/or net income earned during your most recent federal tax year that ended prior to the beginning of the pandemic. Your WBA should equal at least 50% of the average weekly wage benefit amount in Pennsylvania, as provided by the United States Department of Labor in UIPL 03-20, if you qualify for less than the maximum UC benefit rate of \$561.00. D	

Our records and/or the records you provided show, that during your base period wages and/or self-employment net income reported were;

Employment Income:		E
Name	January March 2019 April June 2019 July September 2019 October December 2019	
Self Employed	\$1,000.00 \$1,000.00 \$1,000.00 \$1,000.00	
Self Employment Income: \$4,000.00		
Insufficient or No Employment/Self-Employment Income:		F
If you had insufficient or no employment/self-employment income and you meet all program deadlines and eligibility requirements during the week(s) claimed, you are eligible for the Minimum WBA of \$195.00. See "Other Important Information" on Page 2.		

III. Challenging Your Monetary Determination

If you believe that your monetary determination is incorrect and that you should receive a higher, or lower, WBA then you should request a redetermination. There are several reasons why your Monetary Determination might be incorrect, such as:

1. The determination is missing wages/income from one or more employers
2. You reported gross income rather than net income from self-employment
3. The determination attributed your income to the incorrect quarters
4. The determination includes all of your wages but the WBA is not correct

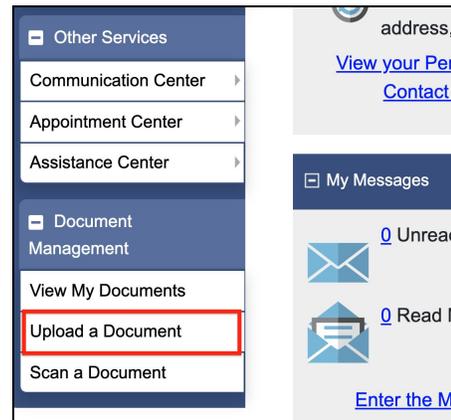
In these situations, you do not need to submit a formal appeal to have your WBA reconsidered. **You can request a redetermination of your WBA at any time prior to the end of the PUA program on December 26, 2020.** However, you may need or want to submit documentation in support of your request for redetermination.

How do I upload documentation?

If your Monetary Determination is missing wages/income or you have wage/income documentation that you did not submit previously and you think it may establish that you are entitled to a different WBA, you should submit documentation before you request a redetermination.

To upload a document, follow the steps listed below:

1. Log in to your PUA portal and click the button on the left side menu that says “Upload a document” as pictured here.



2. That will take you to a page where you can describe and attach the particular document that you wish to upload
3. After you upload and save the document, you will be shown a page that contains all of your uploaded documents.

Document Information

If you are providing documents requested during claim intake, select Fact Finding Documentation from the Document Description dropdown.

Document Description: None Selected

*** Document Tags:** You can briefly explain the contents of the document here and select the document type from the dropdown box above

Keywords that will be indexed with this attachment.

Attach Document

Click here to upload the document

Supported File Format

Location: Choose File No file chosen

Then click here to save

Save Cancel

4. Once you finish uploading documentation to support your redetermination you **must send an email to UCPUA@pa.gov** as explained below. If you don't send an email, no one will know that you uploaded documentation for redetermination.

How do I request a redetermination?

There is currently no formal mechanism to request a redetermination. We've been told by the PA Department of Labor and Industry that the only way to ensure your WBA is reevaluated is to **send an email to UCPUA@pa.gov**. To ensure that your email is reviewed and acted upon as quickly as possible, include the following information:

- The subject line should state “**Request for PUA Monetary Redetermination**”
- The body of the email should include:
 - Your full name and the last four digits of your social security number (XXX-XX-1234)
 - Your PUA claim ID number;
 - Your most up-to-date mailing address and phone number;
 - The date of the monetary determination that you are challenging;
 - A brief summary of the documents that you have uploaded and/or explanation of why you believe the determination is incorrect.

What will happen after I request a redetermination?

There is no specific timetable in which your request must be reviewed. After your request for redetermination is reviewed, you will be sent a new PUA Monetary Redetermination. It should be mailed to your mailing address and sent within the PUA portal.

After you get your Monetary Redetermination, if you are satisfied with the redetermination you do not need to do anything further. If your WBA is adjusted based on the redetermination, you should be paid the difference between your old and new WBA retroactively for any weeks already filed.

If you disagree with the new WBA or think the new determination is still not correct for some reason, you will have the opportunity to submit an appeal. This is explained in the next section.

IV. Appealing Your Monetary Redetermination

If you believe the Monetary Redetermination is still not correct and want to challenge it further, you must submit an appeal. You will then have the opportunity to present evidence to a UC Referee.

How do I appeal my Monetary Redetermination?

The easiest way to submit an appeal is by email. Your email should be sent to UCAPPEALS@pa.gov.^{*} To ensure that your appeal is accepted as valid and processed as quickly as possible, you must include the following information:

- The subject line of your email should state “**PUA APPEAL**”;
- The body of the email should contain:
 - Your full name and the last four digits of your social security number (XXX-XX-1234)
 - Your PUA claim ID number;
 - Your most up-to-date mailing address and phone number;
 - The date of the determination that you are appealing;
 - A brief explanation of why you believe the determination is incorrect.

If possible, we also recommend that you attach a copy of the determination and the documents you previously uploaded.

^{*} Please note that the email address provided on your monetary determination is **incorrect**. This is the correct email address to use.

Is there a deadline for my appeal?

You must submit your appeal within 15 days of the mailing date on your **new** monetary determination.

Initial Monetary Determinations provided a 60 day window to appeal, but new determinations will follow state UC law and must be appealed within 15 days.

What will happen after I submit my appeal?

You should receive an automated confirmation email soon after you submit your appeal email. Then, once the Department has processed your appeal, it will be sent along to the appropriate UC Referee Office. At that time, you should receive a copy of your appeal in the mail, which serves as further confirmation that your appeal was received and that your appeal hearing will be scheduled soon.

- Throughout the appeal process you should continue filing your weekly certifications to continue receiving benefits. If it is determined that you are entitled to a higher weekly benefit amount, you will receive the difference in a lump payment to account for weeks already claimed.

Appeal Hearing

When your hearing has been scheduled, the Referee's Office will mail you a Notice of Hearing to inform you of the date and time of the hearing, as well as the procedure for participating in the hearing.

- If you did not submit your documentation with your appeal, you will need to submit it to the Referee's Office at least **five days in advance** of the hearing to ensure that it is included in the record as evidence.