PUA ELIGIBILITY PRIOR TO 3/29

- SYNOPSIS

PUA ELIGIBILITY IS TECHNICALLY RETROACTIVE TO 1/27/2020

The Cares Act was enacted on 3/27/2020 and it defines the Pandemic Assistance Period (PAP) as 1/27/2020 to 12/31/2020. It specifies that anyone who meets the criteria for eligibility can be receive PUA anytime during the PAP, so anyone who applied for state UI benefits during the PAP and meets the criteria will be eligible for PUA. In fact, the Cares Act mandates that states are responsible for reviewing all UI applications filed during the PAP to determine if the applicant would have been eligible for PUA and must then notify the individual. Furthermore, the burden is on the state UI department to conduct this review, which is helpful for legal reasons but applicants might want to be proactive given that DEO has been unreliable. Therefore, anyone who applied with FL DEO between 1/27 and 3/29 and meets the eligibility conditions can receive PUA back to any date of application as early as 1/27. So anyone whose original application was prior to 3/29 and lost work due to the pandemic is eligible to receive PUA benefits retroactively back to the original date of application. Additionally, DEO is offering some flexibility back to the date of "attempted" application that failed due to Connect system malfunctions. It's also important to keep in mind that the FPUC (\$600) program is only available 3/29 to 7/31.

--- BELOW from FL DEO "RA Resource Guide -- Covid-19" (Page 12)
http://floridajobs.org/docs/default-source/reemployment-assistance-center/new-individual-faq-includes-cares-act-final.pdf

The Department is working diligently to incorporate the new Pandemic Unemployment Assistance provisions of the CARES Act to ensure that eligible individuals get the full amount of benefits they are owed. Benefits will be paid retroactively from when you became eligible under the CARES Act. The retroactivity is only applicable to the federal CARES Act Pandemic Unemployment Assistance program.

--- BELOW quoted from US DOL "UIPL 16-20 Change 1" (page 5)

UIPL 16-20 Change 1 https://wdr.doleta.gov/directives/corr_doc.cfm?DOCN=5899

5. Question: Must states review regular UC claims that were denied to assess eligibility for PUA?

Answer: Yes, States are required to review regular UC claims that were denied as of January 27, 2020 forward and identify individuals who are potentially eligible for PUA during the Pandemic Assistance Period. States are thereafter required to provide these individuals with appropriate written notification of their potential eligibility, including filing instructions. It is possible that an individual who exhausted regular UC after January 27, 2020 could receive PUA benefits in the interim weeks before PEUC benefits become available with the week beginning March 29, 2020, provided he or she is otherwise eligible.

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J Elliott



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Table of Contents Pua Facebook Guide

- 1. Understanding the eBook Pua Facebook Guide
 - o The Rise of Digital Reading Pua Facebook Guide
 - Advantages of eBooks Over Traditional Books
- 2. Identifying Pua Facebook Guide
 - Exploring Different Genres
 - o Considering Fiction vs. Non-Fiction
 - $\circ \ \ Determining \ Your \ Reading \ Goals$
- 3. Choosing the Right eBook Platform
 - Popular eBook Platforms
 - Features to Look for in an Pua Facebook Guide
 - User-Friendly Interface
- 4. Exploring eBook Recommendations from Pua Facebook Guide
 - Personalized Recommendations

- Pua Facebook Guide User Reviews and Ratings
- Pua Facebook Guide and Bestseller Lists
- 5. Accessing Pua Facebook Guide Free and Paid eBooks
 - Pua Facebook Guide Public Domain eBooks
 - Pua Facebook Guide eBook Subscription Services
 - Pua Facebook Guide Budget-Friendly Options
- 6. Navigating Pua Facebook Guide eBook Formats
 - o ePub, PDF, MOBI, and More
 - Pua Facebook Guide Compatibility with Devices
 - Pua Facebook Guide Enhanced eBook Features
- 7. Enhancing Your Reading Experience
 - o Adjustable Fonts and Text Sizes of Pua Facebook Guide
 - Highlighting and Note-Taking Pua Facebook Guide
 - Interactive Elements Pua Facebook Guide
- 8. Staying Engaged with Pua Facebook Guide
 - Joining Online Reading Communities
 - Participating in Virtual Book Clubs
 - Following Authors and Publishers Pua Facebook Guide
- 9. Balancing eBooks and Physical Books Pua Facebook Guide
 - Benefits of a Digital Library
 - Creating a Diverse Reading Collection Pua Facebook Guide
- 10. Overcoming Reading Challenges
 - Dealing with Digital Eye Strain
 - Minimizing Distractions
 - Managing Screen Time
- 11. Cultivating a Reading Routine Pua Facebook Guide
 - o Setting Reading Goals Pua Facebook Guide
 - Carving Out Dedicated Reading Time
- 12. Sourcing Reliable Information of Pua Facebook Guide
 - Fact-Checking eBook Content of Pua Facebook Guide

- Distinguishing Credible Sources
- 13. Promoting Lifelong Learning
 - Utilizing eBooks for Skill Development
 - Exploring Educational eBooks
- 14. Embracing eBook Trends
 - Integration of Multimedia Elements
 - Interactive and Gamified eBooks

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