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Labor Department Outlines CARES Act Unemployment Extension and Implementation

PIERRE, S.D. – The Department of Labor and Regulation (DLR) is currently reviewing the CARES Act unemployment extension provisions contained in H.R. 133 which Congress recently passed and President Donald Trump signed into law.

The provisions include new requirements to qualify to receive benefits from the federal programs outlined within the CARES Act.

“DLR is currently awaiting additional guidance from the U.S. Department of Labor on how to implement these CARES Act extensions in South Dakota,” said state Labor and Regulation Secretary Marcia Hultman. “Benefit payments cannot begin under these new and extended programs until that guidance has been received.”

While the Department waits for that guidance, our staff is diligently working to build additional programs within its unemployment computer system to process the revised federal benefits.

New, extended provisions include:

Federal Pandemic Unemployment Compensation (FPUC)

- Will provide up to 11 weeks of an additional \$300 weekly benefit to eligible claimants.
- A claimant must be eligible through a separate unemployment program to receive FPUC.
- Once implemented, FPUC will be available to cover weeks of unemployment between Dec. 27, 2020, and week ending March 13, 2021.

Pandemic Unemployment Assistance (PUA)

- Will provide up to an additional 11 weeks of benefits, to a maximum of 50 weeks.
- Weekly certification will be required.
- Claimants will be required to provide documentation of eligibility to qualify for PUA beginning Jan. 31, 2021.
- PUA will be available until week ending March 13, 2021, (no new applications after that date), with allowance for three additional weeks of benefits for those

who have not reached the maximum number of weeks through week ending April 3, 2021.

Pandemic Emergency Unemployment Compensation (PEUC)

- Will provide up to an additional 11 weeks of benefits, to a maximum of 24 weeks.
- PEUC will be available until week ending March 13, 2021, (no new applications after that date), with allowance of three additional weeks of benefits for those who have not reached the maximum number of weeks through week ending April 3, 2021.

Return to Work Requirements

- States must have methods in place to address claimants who refuse to return to work or refuse to accept an offer of suitable work without good cause.

Important note: None of the benefits described above, nor unemployment benefits of any kind, are available to employees who are terminated for cause, quit their job without good cause, refuse to return to work, or refuse to receive full-time pay. Attempts to collect benefit payments in these situations could be viewed as fraudulent. Investigation of job separation is part of the eligibility determination process.

More information will be posted when available at dlr.sd.gov/ra.