ETA 902P – PANDEMIC UNEMPLOYMENT ASSISTANCE ACTIVITIES
Section IV-4

A. Facsimile of Form

ETA 902P – PANDEMIC UNEMPLOYMENT ASSISTANCE ACTIVITIES (PUA)

STATE:	REGION:	REPORT FOR PERIOD ENDING:

SECTION A. APPLICATION AND PAYMENT ACTIVITIES

CATEGORY	LINE NO.	INITIAL APPS.	NO. DETERM. ELIG.	FIRST PAYMTS.	WKS. CLAIMED	WKS. COMP.	AMOUNT COMP.	FINAL PAYMTS.
		1	2	3	4	5	6	18
Total	101							
Self - Employed	102							

SECTION B. DENIAL AND APPEALS ACTIVITY

CATEGORY	LINE NO.	WKS. OF PUA DENIED	APPEALS FILED		APPEALS DISPOSED		FAVOR OF APPELLANT	
			STATE	R A	STATE	R A	STATE	R A
		7	8	9	10	11	12	13
Total	201							
Self - Employed	202							

SECTION C. OVERPAYMENT ACTIVITY (all activity EXCEPT Identity Theft) AND ADMINISTRATION

CATEGORY	LINE NO.	OVERPAYMENTS ESTABLISHED			OVERPAYMENT RECOVERIES	WAIVED	ADMINISTRATIVE COSTS
		CASES	WEEKS	AMOUNT	AMOUNT	AMOUNT	
		14	15	16	16A	22	17
Total	301						
Fraud	302						

SECTION D. OVERPAYMENT ACTIVITY RELATED TO IDENTITY (ID) THEFT

CATEGORY	LINE NO.	ID THEFT OVERPAYMENTS ESTABLISHED			ID THEFT OVERPAYMENT RECOVERIES
		CASES	WEEKS	AMOUNT	AMOUNT
		19	20	21	21A
Total	401				
Fraud	402				

Comments:

OMB No.: NA   **OMB Expiration Date**: NA   **OMB Burden Minutes**: NA

OMB Burden Statement: Section 2116(a), Division B, Title II of the CARES Act states that "Chapter 35 of Title 44, United States Code, (commonly referred to as the "Paperwork Reduction Act of 1995") shall not apply to the amendments made by this subtitle." Therefore these reporting instructions do not require additional OMB approval and the submission of this information is required to obtain or retain benefits under the SSA 303(a)(6).

B. Purpose

The ETA 902P report contains monthly data on Pandemic Unemployment Assistance (PUA) activities provided by the Coronavirus Aid, Relief, and Economic Security (CARES) Act of 2020 (Pub. Law 116-136), enacted on March 27, 2020. PUA is a temporary Federal program created under the CARES Act to provide relief for workers affected by the coronavirus who do not qualify for other Federal benefits such as regular unemployment insurance or extended benefits.

C. Scope and Duration of the Report

1. The first report shall be sent in the month following the date the state entered into an agreement to participate in the PUA program, and later reports shall be sent each month that PUA activity continues to occur, such as for payments made for weeks in the pandemic assistance period (PAP) issued as a result of appeals.
2. Reports must be submitted monthly until all payment and appeals activity are completed.

D. Due Date and Transmittal

Reports shall be submitted electronically each month providing PUA activities performed during the preceding calendar month. Reports are due in the National Office on the 30th of the month following the month to which data relate. South Pacific Island jurisdictions must submit hardcopy reports, as there is no electronic submittal method available to them at this time.

For South Pacific Island jurisdictions via email to UI-Reports@uis.doleta.gov. If mailed, one copy should be sent to the National Office addressed as follows:

> U.S. Department of Labor, ETA
> Attn: Pandemic Unemployment Assistance
> Coordinator/Program Specialist
> Division of Unemployment Insurance Operations
>
> Frances Perkins Building
> Room # S-4524
> 200 Constitution Avenue, N.W.
> Washington, D.C. 202l0

One copy should also be sent to the San Francisco ETA Regional Office.

E. General Reporting Instructions

1. In all instructions, reference to state UI (UC) claims will include UCFE, UCX, TRA, RRA (Railroad), EB, and any other program included and/or defined under 20 C.F.R. 625.2(d).

2. Self-employed applicants are those who have filed an initial request for PUA and for whom it was determined that their primary reliance for income is on their performance of services in their own business or farm. These individuals include independent contractors, gig economy workers, and workers for certain religious entities.

Payments of UI made to replace erroneously paid PUA should not be reported on the ETA 902P, but should be reported on the appropriate UI reports, i.e., ETA 5159.

F. Definitions

1. <u>Effective Date of an Initial Application</u>. Refer to Section C.15 of Attachment I to UIPL No. 16-20, Change 4 for information on effective dates of PUA claims.

2. <u>Eligible</u>. Meets qualifications for receiving Pandemic Unemployment Assistance, as specified in Section 2102 of the CARES Act. If an individual is eligible for UC, EB, or PEUC, such individual is not eligible for PUA and should not be counted in any PUA Activities report.

3. <u>Fraud</u>. An overpayment for which material facts to the determination or payment of a claim are found to be knowingly misrepresented or concealed (i.e., willful misrepresentation) by the claimant in order to obtain benefits to which the individual is not legally entitled. All states have definitions for fraud and impose disqualifications for fraudulent misrepresentation to obtain or increase benefits.

4. <u>Identity (ID) Theft</u>. The crime of obtaining and using the personal or financial information of another individual to file or attempt to file a claim for UI benefits.

5. <u>Identity Theft Overpayments (cases) Established</u>. Any single issue involving an ID theft overpayment that has been determined for a claimant within a single calendar month and for which: 1) a formal notice of determination has been issued, or 2) a formal notice of determination has not been issued, since ownership of the ID theft overpayment has not been assigned, due to a state's inability to identify the individual responsible for generating the ID theft overpayment. An ID theft overpayment that covers one or more weeks (or partial weeks) of benefits shall be counted as one ID theft case if all weeks of ID theft overpayments are included in the same notice of determination. An ID theft overpayment covering consecutive weeks of benefits that span two months should be reported for the month in which the notice of determination is issued, or if no notice of determination is issued, report when the investigation reaches conclusion. This does not include overpayments established as a result of failure to report issues where the claimant did not

respond or failed to provide sufficient information to verify identity.

6. <u>Overpayments (cases) Established</u>. Any single issue involving an overpayment that has been determined for a claimant within a single calendar month and for which a formal notice of determination has been issued. An overpayment that covers one or more weeks (or partial weeks) of benefits shall be counted as one case if all weeks of overpayments are included in the same notice of determination. An overpayment covering consecutive weeks of benefits that span two months should be reported for the month in which the notice of determination is issued. Overpayments Established includes all overpayment <u>EXCEPT</u> those involving identity theft. An overpayment should be reported here if such overpayment is established as a result of failure to report issues where the claimant did not respond or failed to provide sufficient information to verify identity.

7. <u>Waived</u>. Section 2102(d)(4) of the CARES Act permits a state to waive repayment of a PUA overpayment if the state determines that: i) the overpayment was without fault on the part of the individual and ii) that repayment would be contrary to equity and good conscience. Refer to section C.21.c.2.of Attachment I to UIPL No. 16-20, Change 4 for additional detail.

G.   Item by Item Instructions

1. <u>Report Period Ended</u>. Enter the month, last day of the month, and four-digit year to which the data relate; e.g., 01/31/2020.

2. <u>State</u>. Enter the two-letter Federal Information Processing Standards (FIPS) State Alpha Code (identical to the two-letter U.S. Postal Service abbreviation) of the state or South Pacific Island jurisdiction as it appears in FIPS Publication 5-2. The National Institute of Standards and Technology issued the FIPS publication on May 28, 1987.

3. <u>Section A. Application and Payment Activities</u>.

   a. <u>Column 1, Initial Applications</u>. Enter the number of initial applications for PUA taken during the report period. This will equal the number of initial applications that were completed and/or number of applications entered into an automated system through an electronic/telephone claims taking system during the report period. Do <u>not</u> include individuals eligible for UC where it may have been necessary, due to the filing environment, to accept initial claims for both programs.

   b. <u>Column 2, Number Determined Eligible</u>. Enter the number of individuals determined eligible for PUA during the report period. Do not include individuals eligible for UC where it may have been necessary, due to the filing environment, to accept initial claims for both programs.

c. Column 3, First Payments. Enter the number of payments which represent, for any individual, the first week for which assistance is paid in the pandemic assistance period.

d. Column 4, Weeks Claimed. Enter the total number of weeks for which PUA is claimed during the report period whether or not PUA is actually paid. If claims are filed weekly, the number of weeks will equal the number of weekly received during the report period. If claims are filed other than weekly claims, the number of weeks will equal the number of weeks during the report period.

e. Column 5, Weeks Compensated. Enter the number of weeks of unemployment for which PUA was paid during the report period. A week of unemployment compensated is any week of unemployment for which PUA funds are paid, regardless of amount.

f. Column 6, Amount Compensated. Enter the amount of PUA funds represented by the weeks reported in column 5.

g. Column 18, Final Payments. Enter the number of final payments made to claimants for PUA. A final payment for PUA is defined as the last PUA payment a claimant receives during the pandemic assistance period because the claimant has exhausted their entitlement to the program. Excluded from the definition is the last payment to an individual if, but for the end of the pandemic assistance period, the individual would otherwise be entitled to further PUA benefits.

4. Section B. Denial and Appeals Activity.

a. Column 7, Weeks of PUA Denied. Enter the number of weeks of unemployment where a PUA payment was denied for which an individual, except for the reason of the denial, would have been eligible to receive a PUA payment.

NOTE: For columns 8 through 13, the entries refer to the number of cases received or disposed of during the report period by authority (i.e., first level state appeals authority and the second level state higher authority). All cases, including cases disposed of before reaching the appeals authority, should be included. Definitions of case, authority, disposal, etc., are those developed for the PUA program where found or, when these do not exist, are those used in the state UI program.

b. Columns 8 and 9, Appeals Filed. In columns 8 and 9, distribute, by type of authority, the appeal cases or requests for review received during the month. In addition, provide a sub-breakout of the Total for self-employed individuals in line 202.

c. Columns 10 and 11, Appeals Disposed. Enter in columns 10 and 11 the total number of cases disposed during the month by authority level. In line 202, provide the number of cases disposed of involving self-employed individuals.

d. Columns 12 and 13, Favor of Appellant. Enter in columns 12 and 13 the number of appeal decisions included in columns 10 and 11, which were in favor of the appellant by authority level. In line 202 enter a breakout of self-employed individuals who appealed and had the decision in their favor.

5. Section C. Overpayment Activity and Administration (all activity EXCEPT for Identity Theft).

a. Columns 14, 15, and 16, Overpayments Established. In column 14, Cases, line 301, enter the number of cases established, including willful misrepresentation (fraud) determined during the report period as an overpayment. In line 302 provide a sub-breakout of the number of cases determined as fraud cases. In column 15, Weeks, enter in line 301 the number of weeks of PUA overpaid in connection with the cases reported in column 14; enter the number of weeks of fraud overpayments included in line 302 In column 16, Amount, enter in line 301, the amount overpaid represented by cases reported in column 14. Provide a sub-breakout of the amount involving fraud in line 302.

b. Column 16A Overpayment Recoveries. In column 16A, Amount, enter in line 301, the total amount of all PUA recoveries collected for the reporting period. Provide a sub-breakout of the amount of recoveries involving fraud in line 302.

c. Columns 17, Administrative Costs. This data cell will self-populate and reflect computed administrative costs based on workload items reported in Section A. and Section B. above. Minute per unit factors reflected in the annual UIPL advisory communicating target allocations for base administrative grants and staff year usage information from the UI-1 report will be used to compute staffing levels needed to process the initial claims (line 101 column 1), weeks claimed (line 101 column 4) and appeals disposed (line 201 column 10) workload. Staff salary rates will reflect the rates used for quarterly above base computations. Staffing costs will be increased by the applicable factor to account for leave and resulting costs will be increased by 19 percent to account for overhead.

Time factors and staff salary rates necessary for the computations of administrative costs described above for Guam, American Samoa, the Commonwealth of the Northern Mariana Islands, the Federated States of

Micronesia, the Republic of the Marshall Islands, and the Republic of Palau will be communicated to each territory separately.

    d.   <u>Columns 22, Waived</u>. In <u>column 22</u>, Amount, enter in line 301, the total amount of all PUA overpayments waived for the reporting period.

6.   <u>Section D. Overpayment Activity Related to Identity (ID) Theft.</u>

    a.   <u>Columns 19, 20, and 21 ID Theft Overpayments Established</u>. In <u>column 19</u>, Cases, line 401, enter the number of ID theft cases established, including willful misrepresentation (fraud) determined during the report period as an ID theft overpayment. In line 402 provide a sub-breakout of the number of ID theft cases determined as ID theft fraud cases. In <u>column 20</u>, Weeks, enter in line 401 the number of weeks of PUA overpaid in connection with the ID theft cases reported in column 19; enter the number of weeks of ID theft fraud overpayments included in line 402. In <u>column 21</u>, Amount, enter in line 401, the amount overpaid represented by ID theft cases reported in column 19. Provide a sub-breakout of the amount involving ID theft fraud in line 402.

    b.   <u>Column 21A ID Theft Overpayment Recoveries</u>. In <u>column 21A</u>, Amount, enter in line 401, the total amount of all PUA ID theft recoveries collected for the reporting period. Provide a sub-breakout of the amount of ID theft recoveries involving fraud in line 402.

H. Checking the Report

1.   <u>General Checks.</u> Entries should be made for all required items. If the item is inapplicable, or if applicable but no activity corresponding to the items occurred during the report period, a zero should be entered. A report containing missing data cannot be sent to the National Office but can be stored on the state's system.

2.   <u>Arithmetic Checks.</u>

    a.   For columns 1, 2, and 8 through 13, the entries in line 102 and 202 respectively, should be equal to or less than the entries in line 101 or 201.

    b.   For columns 14 through 16A, the entries in line 302 should be equal to or less than line 301.

    c.   For columns 19 through 21A, the entries in line 402 should be equal to or less than line 401.

3.   <u>Signature</u>. Signature is only required if reports are sent manually to the National Office.