

CAPE COD COMMERCIAL
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MASSACHUSETTS UNEMPLOYMENT BENEFITS

The information provided does not represent legal or financial advice; it has been collected from official and expert sources.

If not working because of COVID-19 , fishermen will qualify for unemployment benefits.

The CARES Act has [expanded traditional unemployment benefits](#) for those who are not working due to COVID-19. This includes making unemployment benefits available for self employed, independent contractors, and others who would not normally qualify for regular unemployment assistance.

You can apply for full or partial unemployment, depending on your work situation. In cases where an individual has partial earnings, these earnings must be reported, and their weekly benefit amount may be reduced.

Respond promptly to all requests you receive from the Department of Unemployment Assistance to maintain eligibility for benefits.

If in doubt about your eligibility, file anyway. The State is the only party that can tell you for sure whether you are eligible or not.

It is important to be truthful in your weekly certifications; there are penalties for knowingly providing incorrect information.

Anyone that Receives a W-2 (employer removes taxes from each paycheck)

- If you (or your crew) are classified as a regular employee (receive a W-2) and are not working due to COVID-19, you can apply for **REGULAR** unemployment and receive the extra \$600/wk. Here is the [guide on how to apply for regular unemployment](#).
- Employers who have been paying into the system for themselves (are receiving a W-2) are able to apply as well.
- If you previously exhausted your unemployment benefits, you will be eligible for an additional 13 weeks of benefits under pandemic unemployment assistance, retroactive to March 29, 2020. Individuals who have exhausted their UI benefits after July 5, 2019 may receive Pandemic Emergency Unemployment Compensation (PEUC) by successfully applying for [Pandemic Unemployment Assistance \(PUA\)](#).

Anyone that is Self Employed/Sole Proprietor/Independent Contractor

- Federal **pandemic unemployment assistance (PUA)** benefits under the CARES Act for self-employed or independent contractors are **NOW AVAILABLE** in Massachusetts (other states may or may not be accepting applications already).



- Here is the state's [GUIDEBOOK on how to apply for PUA benefits](#)
- Your self-employment must be your principle source of income and livelihood. You must self-certify that you had to suspend your work, or had a significant reduction in work, because of COVID-19. If COVID-19 just exacerbated pre-existing price drops, you may not qualify. You may eventually need to provide evidence of how COVID-19 caused a drop in revenue- maintain records & documents. Check [eligibility guidelines HERE](#).
- Applicants will need to provide the following information:
 - Your social security number
 - If you are not a citizen of the United States, your A Number (USCIS Number)
 - Your residential address
 - Your mailing address (if different from residential address)
 - Your telephone number
 - Your email address
 - Your birth date
 - Your wage records for 2019, which includes:
 - 1099 forms
 - Pay stubs
 - Bank statements
 - The social security number(s) and date(s) of birth for your dependent child(ren)
 - If you want to use direct deposit for payment, your bank account and routing numbers
- Self-employed individuals and independent contractors may use a variety of documents to calculate their income, including W-2s, 1099s, tax returns, pay stubs, bank receipts and billing notices. Individuals should retain all documents establishing income for verification purposes.
- If your 2019 tax return has a higher income than 2018, then work to file your 2019 taxes as soon as possible to be eligible for more benefits.
- Benefits will be retroactive to January 27, 2020 or the first week a claimant was unable to work as a result of COVID-19, whichever is later. Please note that, initially, the system can only pay benefits retroactively to the week ending March 14, 2020. Eligible workers will be able to certify for and to request benefits retroactively to January 27, 2020 if their dates of unemployment make them eligible.
- The state will provide up to 39 weeks of unemployment benefits to those who are not working as a result of COVID-19, through December 31, 2020.
- There will be an additional \$600/wk from the federal government on top of **normal unemployment benefits** automatically added to checks, through July 31, 2020.
- Initial approval for the Massachusetts portion of your benefits will be for the minimum weekly benefit from Massachusetts (~\$98/week); after the state requests proof of earnings, your benefits should increase.
- You will need to log into the PUA website every week to certify that you are still not working due to COVID-19. This should take 3-5 minutes.
- You can appeal your unemployment claim if denied.



- It is okay to apply even if your spouse has a job. It is okay to apply if you don't show net income regularly.
- Having trouble applying? See the screenshots at the end of this document or call a [FPSS Navigator](#).
- Can I receive both PPP and unemployment?
 - You CANNOT receive them at the same time, since PPP provides you with a paycheck.
 - You should be able to take them one after the other. For example, take 8 weeks of PPP now, then if you still can't sell your fish, file for unemployment.
 - PPP is supposed to be open through June 30, 2020 but is out of funds until there are additional congressional appropriations.
 - Unemployment is available through the end of December 2020, although the extra \$600/wk ends July 31, 2020.
- What if I am self-employed but I also supplement my income by working part time for a regular business where I receive a W-2?
 - If you earned less than \$5100 in 2019 from the W-2 employer, you should file for PUA benefits as self-employed.
 - If you earned more than \$5100 in 2019 from the W-2 employer, you must first file a claim for regular unemployment benefits. The state may or may not have you then file a PUA claim. It is possible you will only receive regular unemployment benefits. Regardless of which benefits you receive (regular or PUA), you will still get the extra \$600/week.
- How do I calculate income each week for the certification if I'm self-employed?
 - There is no official answer from the state yet, but expert guidance says to use the same way you calculated your income for the initial application. So if you took your net income off your Schedule C (revenue - expenses), make that calculation each week. You may want to explore breaking larger fixed expenses (monthly or quarterly bills) into weekly payments, so your expenses are level while you are on unemployment.
 - Make your best effort in calculating and document your calculations each week, so if they come back and question your numbers you can show them what you did and why you think it is correct.
- If I am fishing but not as often as in a typical year, or making less than usual, because of lack of demand (COVID-related), can I still file for unemployment to supplement my income?
 - There is no guidance from the state on this yet for PUA (self-employed). However, PUA does allow for part time work and benefits are adjusted accordingly. So YES, you can keep fishing, as long as you are reporting your net income on the weekly certifications.
 - For regular unemployment benefits, if the earnings are less than 1/3 of weekly state benefit, then your weekly benefit does not change. If earnings are greater than 1/3 weekly benefit, weekly benefits are reduced.

General Information for Both Programs

- Unemployment benefits are taxable income; you may request federal and state tax with-holdings when you sign up.
- Need more info? [Frequently Asked Questions](#)



- Here is the [calculator](#) to determine what your normal unemployment benefits from the state could be. Normal Massachusetts Unemployment Benefits are ~50% of average weekly wage, with maximum \$823/wk, plus \$25/wk per dependent child.
 - Example: If you “made” (net profits) \$40,000 in the last year, with no kids, your normal unemployment would be \$385/week for up to 39 weeks, plus \$600/wk for up to 18 weeks, your total benefits would be \$25,815. Note the example assumes you apply retroactively to March 29, 2020 and remain unemployed for the full time period available under CARES Act.

Workers' compensation

- If a person contracts the virus for any work-related reason, that person could be eligible for workers' compensation. If you qualify, you can receive payments to partially replace your paycheck and for medical care related to your injury. [Learn more about workers' compensation.](#)
- In most cases, a claimant is not eligible for both unemployment benefits and workers' compensation.



Pandemic Unemployment Assistance Benefits – Application Screen Shots

COVID-19 Qualifications

In order to file a Pandemic Unemployment Assistance claim, you need to be impacted by one of the COVID-19 related reasons identified in Section 2102(a)(3)(A)(iii) of the CARES Act.

Select the ways that COVID-19 has impacted your employment:

- I was diagnosed with Coronavirus Disease 2019 (COVID-19) or was experiencing symptoms of COVID-19.
- A member of my household has been diagnosed with COVID-19.
- I was providing care for a family or household member who was diagnosed with COVID-19.
- A child or other person I care for is unable to attend school or another facility as a result of COVID-19.
- I have become the breadwinner or major support for a household because the head of the household has died as a direct result of COVID-19.
- I am unable to reach my place of employment because of a quarantine imposed as a result of the COVID-19 public health emergency.
- I am unable to reach my place of employment because I have been advised by a health care provider to self-quarantine.
- I am self employed or an independent contractor and COVID-19 has severely limited my ability to perform my normal work.
- I don't have a recent history of full-time work and I was scheduled to start a job with a new employer, I cannot start that job or the offer was withdrawn as a result of COVID-19.
- My place of employment closed because of COVID-19.
- I quit my job because of COVID-19.

Do you certify that you were affected by COVID-19 for the reasons selected above?

Yes

No

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Most fishermen will select “I am self employed or an independent contractor and COVID 19 has severely limited my ability to perform my normal work.” However, select all the statement(s) that apply to you.

Benefit Eligibility

Did you work in Massachusetts in 2019?

Yes

No

Did you work for a Military employer in 2019?

Yes

No

Did you earn more than \$5,100.00 in 2019 working for an employer who took taxes out of your paycheck?

Yes

No

Are you getting full-time pay from your employer or union while not working?

Yes

No

If you are able to work from home, have you made a voluntary decision to not work from home?

Yes

No

Are you eligible for, or receiving, benefits from other unemployment insurance programs such as regular unemployment benefits, Trade Readjustment Allowances (TRA), Disaster Unemployment Assistance from a prior natural disaster, or WorkShare benefits?

Yes

No

Did you work in another state in addition to working in Massachusetts in 2019?

Yes

No

Did you file a claim for unemployment assistance in the past 52 weeks and return to work or stop collecting benefits before you claimed all the available benefits on that claim?

Yes

No

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On question 3, read carefully. If you only receive a 1099-MISC from your employer, the answer here is NO. If you are self-employed, you weren't working for an employer and the answer here is NO. If the answer is YES, you will need to file for regular unemployment benefits instead of PUA



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Employment Income

For 2019, please enter all earnings from employers, independent sources, and self-employment as a lump sum. If you had no 2019 earnings enter zero. **We are not asking for proof of income at this time.**

For wages from employers, please use the gross amount. This can be found in Box 1 of your W-2.

For self-employment income, use your income after deductions (net amount). For example, the amount found on Line 31 of Schedule C of IRS Form 1040: Net Profit or Loss – Expenses minus tentative profit. If you have negative income to report as a result of losses from self-employment enter zero.

Please retain all proof of income (e.g. W-2, 1099, tax returns, pay stubs, bank receipts, billing notices, etc.) used to calculate the amount entered.

At a later date, you may be asked to provide this proof of income. If you fail to provide proof of income on request, you could be required to repay benefits received.

What was your total income for 2019?

0.00

I certify that the amount entered above is correct and that I can provide proof of income documents if requested at a later date.

Dependent Children

A qualified dependent is a child of whom you are the main support, and the child meets at least one of the following criteria:

- Is under the age of 18
- Is under the age of 24 and a full-time student at an educational institution
- Is over the age of 18 and incapacitated due to a mental or physical disability

A dependent can only be claimed on one unemployment claim at a time.

How many qualified dependent children do you have that are not already claimed on another unemployment claim?

0

Availability and Earnings

Other than as impacted by COVID-19, were you able to work and available to work between 29-Mar-2020 and 18-Apr-2020?

In order to be considered eligible for the Pandemic Unemployment Assistance program, you must be able and available to work. As long as you intend to resume work immediately when you are no longer impacted by COVID-19, you satisfy the availability and capability requirements and may answer Yes to the question above.

Did you have earnings in excess of \$89.00 in any work week between 29-Mar-2020 and 18-Apr-2020?

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Note, while you don't have to provide proof of income when you apply, you may have to provide proof later. If you cannot provide proof, you will have to return your unemployment benefits.

