



**A GUIDE TO PANDEMIC  
UNEMPLOYMENT ASSISTANCE AND  
FEDERAL PANDEMIC UNEMPLOYMENT  
COMPENSATION BENEFITS**

Revised as of 6/8/21

**READ THIS GUIDE COMPLETELY AND CAREFULLY**

The information in this guide is provided to help you understand the requirements of the Pandemic Unemployment Assistance (PUA) and Federal Pandemic Unemployment Compensation (FPUC) benefits. Failure to follow the instructions in this guide, report as directed, submit required documents in a timely manner, or certify for benefits as directed may result in delay or loss of your benefits. If you need additional assistance with your claim, you may contact:

**Guam Department of Labor  
Pandemic Unemployment Program**  
Online Claims System: [www.hireguam.com](http://www.hireguam.com)  
Call Center: (671) 311 Option 6  
Website: <http://dol.guam.gov/unemployment>  
Email: [PUA.hotline@dol.guam.gov](mailto:PUA.hotline@dol.guam.gov)

**GENERAL INFORMATION**

This guide provides a general overview of the PUA and FPUC programs. You must follow the instructions contained in this pamphlet to qualify for benefits.

In general, you must meet eligibility requirements each week to receive benefit payments. By certifying for benefits each week, you attest under penalty of perjury that you meet the eligibility requirements for PUA and FPUC. **Providing false statements or material misrepresentation of facts may constitute fraud.** You can be fined and or imprisoned for knowingly making a false statement to obtain your PUA and FPUC benefits.

All information is subject to verification. PUA and FPUC benefits are 100% funded by the United States government. PUA benefits are payable up to 79 weeks. Your PUA claim begins on the Sunday of the week you became unemployed, (partial or total) or unable or unavailable to work due to the COVID-19 public health emergency, but no earlier than February 2, 2020. PUA benefits are not payable for any week of unemployment that is after September 04, 2021.

The FPUC \$600 additional payments are only payable beginning week ending April 4, 2020 until July 25, 2020, and was extended by Congress. Extended ARP FPUC of \$300 starts on January 02, 2021 and ends September 04, 2021.

**IMPORTANT:** Knowingly making false statements or omitting material facts to obtain PUA and FPUC benefits **will** result in a disqualification and repayment of all overpaid PUA/FPUC benefits. Depending on the seriousness of the offense, you may be subject to CRIMINAL PROSECUTION.

## **YOUR RESPONSIBILITIES**

It is your responsibility to give true and accurate answers to any questions asked regarding your initial and weekly claims for PUA and FPUC benefits. Failure to furnish requested information may result in benefits being delayed or denied.

It is your responsibility to keep accurate records of the weeks you claim, payments you receive, the money you earn or the income you receive, and work search contacts you make.

If you move, you must report your new address as soon as possible. Notification of your address change can be made on your account at hireguam.com, emailed or postal mailed to the GDOL Pandemic Unemployment Program addresses listed above. **DO NOT DELAY** in reporting these changes.

## **UNEMPLOYMENT**

An individual shall be deemed **“unemployed”** in any week during which the individual performs no services with respect to which no wages are payable to the individual, or in any week of less than full-time work if the wages payable to the individual with respect to such week are less than the individual’s weekly benefit amount.

## **AM I ELIGIBLE FOR PUA AND FPUC?**

PUA and FPUC are available to United States citizens and qualified aliens who reside and work in Guam, who became unemployed, unable to work, or not available to work as a direct result of the COVID-19 public health emergency. Individuals who are self-employed, those seeking part time-time employment, or individuals who were about to start a job but could not begin work because of COVID-19 are also eligible for PUA and FPUC.

A list of acceptable COVID-19 related reasons to qualify for PUA are as follows:

Note: For easy reference, each qualifying circumstance is labeled with its corresponding letter found in section 2102 of the Cares Act.

- aa. The individual has been diagnosed with COVID-19 or is experiencing symptoms of COVID-19 and is seeking a medical diagnosis;
- bb. A member of the individual's household has been diagnosed with COVID-19;
- cc. The individual is providing care for a family member or a member of the individual's household who has been diagnosed with COVID-19;
- dd. A child or other person in the household for which the individual has primary caregiving responsibility is unable to attend school or another facility that is closed as a direct result of the COVID-19 public health emergency and such school or facility care is required for the individual to work;
- ee. The individual is unable to reach the place of employment because of a quarantine imposed as a direct result of the COVID-19 public health emergency;
- ff. The individual is unable to reach the place of employment because the individual has been advised by a health care provider to self-quarantine due to concerns related to COVID-19;
- gg. The individual was scheduled to commence employment and does not have a job or is unable to reach the job as a direct result of the COVID-19 public health emergency;
- hh. The individual has become the breadwinner or major support for a household because the head of the household has died as a direct result of COVID-19;
- ii. The individual has to quit his or her job as a direct result of COVID-19; or
- jj. The individual's place of employment is closed as a direct result of the COVID-19 public health emergency.
- kk. The individual meets any additional criteria established by the Secretary for unemployment assistance under this Section. The Secretary has approved 4 additional criteria:

**(kk – 1)** Self-employed individuals (including independent contractors and gig workers) who experienced a significant diminution of their customary or usual service because of the COVID-19 public health emergency, even absent suspension of services, may self-certify under item (kk).

**(kk – 2)** I was denied continued unemployment benefits because I refused to return to work or accept an offer of work at a worksite that, in either instance, is not in compliance with local, state, or national health and safety standards directly related to COVID-19. This includes but is not limited to, those related to facial mask wearing, physical distancing measures, or the provision of personal protective equipment consistent with public health guidelines.

**(kk – 3)** I provide services to an educational institution or educational service agency and am unemployed or partially unemployed because of volatility in the work schedule that is directly caused by the COVID-19 public health emergency. This includes, but is not limited to, changes in schedules and partial closures.

**(kk – 4)** I am an employee and my hours have been reduced or I was laid off as a direct result of the COVID-19 public health emergency.

## **WHO IS NOT ELIGIBLE FOR PUA AND FPUC?**

PUA and FPUC are not payable under the following conditions:

- The individual is eligible for other state or federal unemployment benefits in the United States, District of Columbia, Puerto Rico, U.S. Virgin Islands, The Commonwealth of the Northern Mariana Islands, Republic of Palau, The Federated States of Micronesia, American Samoa, and The Republic of the Marshall Islands.
- The individual has the ability to telework their customary work hours with pay.
- The individual is receiving paid sick leave or other paid leave benefits for his or her customary work hours.
- The individual's unemployment, partial unemployment, inability or unavailability to work, or loss of self-employment is not due to the COVID-19 reasons stated above.
- The individual has maintained full-time work hours, but has had their normal / hourly pay rate reduced by their employer.

## **YOU MUST MEET THE FOLLOWING ELIGIBILITY CONDITIONS TO COLLECT BENEFITS:**

- 1) Be totally separated from a regular job or still be attached to an employer but work less than full-time hours because of COVID-19 reasons.
- 2) If you are working part time, you must earn less than your normal pre-pandemic hours and earn less than \$495, per week. (See Partial/Part-Total Claims.)
- 3) You must submit Claim Certifications on a weekly basis to request payment of benefits while unemployed. Weekly Claim Certifications can be made online at [www.hireguam.com](http://www.hireguam.com).
- 4) You must report all gross wages earned (before taxes and any deductions) from work for each week that you certify, even if you have not yet received the actual payment, on Weekly Claim Certification.
- 5) If self-employed, you must report net income ~~from~~ for each week that you certify. Include all wages, commissions, and tips. Which you took as your salary for your self-employed business.
- 6) Be Physically and Mentally Able to Work.
- 7) Be ready and willing to Seek and Accept Work that you are reasonably fitted for by training or experience without any undue restrictions.
- 8) Upon announcement of PCOR 3 by the Governor of Guam, you may be required to seek work by making three or more work search contacts every week. Keep a record of all

your work search contacts on and submit when requested. The department will provide further instructions when “job search” is required.

- 9) You must notify the Guam Department of Labor Pandemic Unemployment Program of any changes in your availability for work such as loss of child care, going to school, taking a trip, illness, performing self-employment, etc. Changes in your availability for work may affect your eligibility to receive benefits.
- 10) Report for Required Interviews -- Respond immediately whenever the GDOL contacts you regarding your claim or report as scheduled by the GDOL. Failure to comply may result in denial of benefits.

**Fact-finding Interviews** -- Whenever possible, information will be obtained by email or telephone for an issue regarding your claim. If a telephone message is left for you to provide more information on an issue and you do not respond as directed, a decision will be made based on available information. Your failure to respond may affect payment of your benefits.

**Quality Control Audits** -- Randomly selected claims for intensive review of job separations, current and past eligibility status, wages used to establish your claim, and any determinations rendered. The job contacts listed on your claim certifications will be personally verified.

- 11) Be a U.S. citizen, Lawful Permanent Resident or a qualified alien as specified in the USDOL ET Handbook, NO. 356, appendix G.

**YOU MAY BE DISQUALIFIED FROM RECEIVING PUA/FPUC BENEFITS FOR THE FOLLOWING REASONS:**

- 1) For those working on reduced hours (Partial or Part-total Unemployment), a Voluntary Quit Without Good Cause. If you leave your job, you must show that you had a COVID 19-related reason.
- 2) For those working on reduced hours (Partial or Part-total Unemployment), a Discharge or Suspension for Misconduct Connected with Work. If you are terminated by your employer, the employer must show evidence of misconduct connected with work.
- 3) Failure to Accept Suitable Work without Good Cause. If you refuse a bona fide job offer of suitable work, you must show that you had compelling reasons to do so.
- 4) Not Able and/or Not Available for Work. If you are not physically able to (unless your inability is due to a valid Covid-19 reason) or not available for work, you are not entitled to receive benefits until these conditions no longer exist. If you are attached to an employer, you may be denied benefits if you decline to accept all work offered by your employer or requested time off.

- 5) Other Unemployment Benefits. You may not collect PUA/FPUC benefits concurrently under more than one state or federal law.
- 6) Fraud. Knowingly making false statements or omitting material facts to obtain benefits may result in disqualification and repayment of all overpaid PUA/FPUC benefits plus penalty. Depending on the seriousness of the offense, you may be subject to CRIMINAL PROSECUTION. If convicted, you can be fined or imprisoned or both.

### **I AM NOT A UNITED STATES CITIZEN, AM I ELIGIBLE FOR PUA BENEFITS?**

Individuals who wish to receive PUA benefits must provide proof of identity and demonstrate their status as U.S. citizens, U.S. non-citizen nationals, or qualified aliens. Non US citizens who qualify for PUA are as follows:

- Legal permanent resident (“green card” holder)
- An asylee, refugee, or an alien whose deportation is being withheld
- Alien paroled into the U.S. for at least one year
- Alien granted conditional entry
- Aliens in the U.S. who have been abused, subject to battery or extreme cruelty by a spouse or other family/household member, or have been a victim of a severe form of human trafficking
- Aliens whose children have been abused and alien children whose parent has been abused who fit certain criteria

#### **Note:**

- An **Asylee** is defined as an individual who has applied for and has been **granted** Asylum.
- An individual who has applied for Asylum, but is still awaiting a final decision on their application, does not meet the eligibility criteria for PUA/FPUC benefits under federal guidelines.
- Additionally, if an individual does not fall into one of the above listed categories, they are not considered eligible to apply for and receive PUA/FPUC benefits. Possession of an Employment Authorization Document (EAD Card) itself does not constitute eligibility for PUA/FPUC, nor does possessing valid work Visa i.e. H2, L1, E2 etc.

### **WHAT IS MY WEEKLY BENEFIT AMOUNT?**

The weekly PUA benefit amount for Guam is \$345.00. This a fixed amount determined by the U.S. Department of Labor.

If you are eligible to receive at least \$1 of PUA benefits for the week, you will also receive an additional weekly \$300 payable from the Federal Pandemic Unemployment Compensation (FPUC) program. Please note that if you are disqualified for PUA benefits for the week, you will not receive an FPUC payment for that week.

**FILING WEEKLY CLAIM CERTIFICATIONS**

File your weekly claim certifications online at [www.hireguam.com](http://www.hireguam.com) or in special circumstances, mail to the Guam Department of Labor Pandemic Unemployment Program address listed above.

**WHAT WEEK ENDING DATE(S) DO I FILE?**

Unless otherwise specified, a “week” means a calendar week that starts on Sunday and ends on Saturday. A week claimed is referred to by the week ending date or the Saturday of that week. Once you file a new claim or reactivate an unexpired claim, you must certify weekly to request PUA/FPUC payments.

Record your claim certifications filed and payments on a calendar. Note: If you stop filing claims for two or more consecutive weeks, you must reactivate your claim to resume filing. Only claims filed after the reactivation are properly filed so any prior weeks may be denied.

**WHEN DO I FILE?**

For weekly filing, you certify for the past Sunday to Saturday period. The claim must be filed within seven days from the end of the certification period or benefits may be denied for late filing.

Example A: You are filing for the one-week period ending on Saturday, 8/23 (week began on Sunday, 8/17). You have seven days, 8/24 through 8/30 (shown in gray) to timely file your claim certification.

| Sunday | Monday | Tuesday | Wednesday | Thursday | Friday | Saturday |
|--------|--------|---------|-----------|----------|--------|----------|
| 17     | 18     | 19      | 20        | 21       | 22     | 23       |
| 24     | 25     | 26      | 27        | 28       | 29     | 30       |

**HOW SOON CAN I EXPECT MY FIRST PAYMENT?**

You can receive your first payment in about three weeks after you file your new claim if claim certifications are filed timely, all eligibility requirements are met, and no disqualification is in effect. Conversely, any situations that raise conflicts with the law will delay payment pending a fact-finding investigation. If your claim is denied, you will not be paid.

## WHAT IF I RETURN TO WORK?

As soon as you are back to work, report your employment, including hours worked and gross earnings for the week (even if not yet paid) on your next claim certification. If you earn less than your \$495.00 during the week that you return to work (provided you did not work full-time hours), PUA/FPUC payment will be your WBA minus your gross earnings that is more than \$150. **A fraud determination can be made if you do not report gross earnings from work in the same week that you collect PUA/FPUC benefits.**

### Note:

If you are working full-time hours (40 hours/week), you are not eligible to receive benefits, even if your WBA is below the \$495.00 limit.

**Example:** If you earn \$10/hr and work 40 hours a week, your weekly gross pay (before taxes) will total \$400.00. Although this amount falls below the \$495.00 cap, because you had worked full-time hours, you are not considered eligible to receive PUA/FPUC for this particular week.

## ARE EARNINGS FROM EMPLOYMENT DEDUCTED FROM MY PUA AND FPUC BENEFITS?

Yes. All payments for services from whatever source, including commissions and bonuses, tips or gratuities paid directly to an individual by a customer of the employer and reported to the employer, and the cash value of all payments in any medium other than cash are considered wages. Gross earnings (before taxes) from all employment, including part-time, intermittent, or on-call that do not exceed your PUA Weekly Benefit Amount are deductible from your PUA/FPUC benefits. You and your employer are responsible for correctly reporting your gross earnings for each week that you certify for benefits even if you have not yet been paid. The first \$150 in wages is disregarded and will not affect your PUA/FPUC payment.

Example B: PUA WBA = \$345. Earnings from working 25 hours for the week = \$500. Since your earnings exceed the PUA WBA, you are considered not unemployed and ineligible for PUA and FPUC benefits.

Example C: PUA WBA = \$345. Gross earnings for the week = \$494. Subtract the \$150 wage disregard ( $\$494 - \$150 = \$344$ ). \$344 is deductible from the PUA WBA ( $\$345 - \$344 = \$1$ ). This \$1 is payable together with \$600 FPUC for a total of \$601.

Note: There are no deductions made to the FPUC \$600 benefit. Only PUA benefits are subject to deductions.



## WHAT ARE MY APPEAL RIGHTS?

If you are denied benefits and disagree with the “Notice of Decision on Pandemic Unemployment Assistance Claim,” you may request reconsideration and/or file an appeal to the Guam Department of Labor Pandemic Unemployment Program within 10 calendar days after the determination or redetermination was sent to you via your hireguam account. The appeal period may be extended to 30 calendar days for good cause.

**If you file an appeal or request reconsideration, do not stop filing your claim certifications.** Instructions on how to file will be provided on your Determination Letter.

If you decide to request reconsideration and/or file an appeal, choose one of the following:

- Email - Complete the “I appeal” section of the determination letter, scan the page and email it to [pua.appeals@dol.guam.gov](mailto:pua.appeals@dol.guam.gov) Make sure the subject line of the email says “APPEAL.”
- Postal mail – Complete the “I appeal” section of the determination letter, make a copy, and mail to:
- 

**Guam Department of Labor  
Pandemic Unemployment Program**  
Attn: Office of Appeals  
414 W. Soledad, Ave., Suite 400  
Hagatna, Guam 96910

## OVERPAYMENT WAIVERS

An individual may request for a waiver of an overpayment. Waivers are determined on a case by case basis and are determined upon guidelines provided by the Hawaii law.

Overpayment Waiver applications are available by emailing the PUA Overpayments department at [pua.overpayment@dol.guam.gov](mailto:pua.overpayment@dol.guam.gov).

In order for an Overpayment Waiver application to be accepted, all lines must be filled in and completed and the document must be signed by the applicant. Electronic signatures will not be accepted.

**Fraudulent claims are not eligible for overpayment waivers.**

## ARE PUA AND FPUC BENEFITS TAXABLE?

PUA and FPUC benefits may be taxable. You may elect to withhold 10% for Guam Income Tax when submitting your application. Form 1099-G will be mailed in January showing the total benefits paid and any federal or territory income taxes withheld in the previous calendar year.

In addition, as no adjustments are made for repayments of overpaid benefits, you need to keep your receipts of the repayment for your tax returns.

If you move, you must report your new address as soon as possible to receive your Form 1099-G. Notification of your address change can be made on your account at [hireguam.com](http://hireguam.com), emailed or postal mailed to the addresses listed above.

### **CAN CHILD SUPPORT BE DEDUCTED FROM PUA AND FPUC?**

Yes. The Office of the Attorney General of Guam Child Support Enforcement Division enforces child support obligations and can intercept PUA and FPUC benefits. The amount deducted is based on an order or orders for income withholding. The deductions will be limited to the fifty percent (50%) maximum allowable under Guam law for Child Support intercepts.

### **PARTIAL CLAIMS**

If you are still attached to your regular employer, worked less than your full-time hours, and earned less than your weekly benefit amount during a week, you may be eligible for partial unemployment benefits, which can be backdated up to the week in which your regular hours were affected by the Covid-19 pandemic, but in no case before Week Ending January 27, 2020.

After filing your application, “Verification of Partial Unemployment Status,” may be mailed to your employer. The employer will verify that you have a definite return to work date or you will be scheduled to work reduced hours each week due to lack of full-time work to qualify for partial unemployment status.

### **PART-TOTAL CLAIMS**

If you are working on-call, part-time or on an intermittent basis while seeking full-time work, You may be eligible for part-total unemployment benefits. You must be able and available for work, and make work search contacts for each week you claim benefits.

You must accept all work offered by the employer and file your weekly claim certifications online, for periods of no work or less than full-time work.

If you have questions concerning your claim or any of the instructions in this Guide, please contact:

**Guam Department of Labor**  
**Pandemic Unemployment Program**  
[www.hireguam.com](http://www.hireguam.com)  
Call Center: (671) 311  
Email: [PUA.documents@dol.guam.gov](mailto:PUA.documents@dol.guam.gov)