

# KNOW YOUR RIGHTS

## Unemployment Benefits During the COVID-19 Crisis

*During the current public health pandemic, unemployment benefits are expanded for many workers.*

### Unemployment Programs Available in New Mexico:

**Regular Unemployment:** Employees that were laid off, furloughed, or saw a reduction in their hours may qualify for these benefits.

**Pandemic Unemployment Assistance (PUA):** Independent contractors, self-employed or gig economy workers, or workers with insufficient work history for regular unemployment may be eligible for 79 weeks of PUA benefits. Workers that are eligible to receive PUA benefits may get them through the week ending September 4, 2021.

**Pandemic Emergency Unemployment Compensation (PEUC):** Employees that exhausted their regular unemployment benefits may be eligible for an additional 53 weeks of PEUC benefits. Workers that are eligible to receive PEUC benefits may get them through the week ending September 4, 2021.

**Federal-State Extended Benefits (FDEB1):** Employees that exhausted their regular unemployment and PEUC weeks may be eligible for an additional 13 weeks of FDEB1 benefits. An employee's weekly benefit amount under this program is the same as their amount under regular unemployment.

### Additional Benefits

**Pandemic Unemployment Compensation (PUC):** Workers receiving any form of unemployment will receive an additional \$300 per week until the week ending September 4, 2021. This additional money is only available for weeks starting after December 27, 2020.

**Mixed Earner Unemployment Compensation (MEUC):** Employees that earned at least \$5,000 in net self-employment income in the tax year prior to their initial unemployment claim, and that are eligible for an unemployment program other than PUA, may be eligible for an additional \$100 per week in MEUC benefits. This extra \$100 per week is available until the week ending September 4, 2021.

## How to Apply

Apply online at [www.jobs.state.nm.us](http://www.jobs.state.nm.us) OR over the phone at  
**1-877-664-6984**, Monday-Friday, 7:00 am – 5:00 pm.

### Important Information

#### Citizenship or Work Authorization:

To be eligible for unemployment, workers must be a U.S. Citizen or have valid work authorization (1) at the time they apply for benefits, (2) throughout the period during which they are receiving benefits, and (3) during the time they were working.

#### Right to Receive Help in the Language You Speak:

You have a right to receive assistance in the language you speak. If you need an interpreter, call DWS at 1-877-664-6984 and ask for an interpreter.

#### Waivers of First Week Waiting Requirement:

DWS waived the first-week waiting period. This means that workers receive benefits for the first week they qualify, rather than the second week.

#### Weekly Certifications:

After applying for unemployment benefits, make sure to submit a weekly certification while you are receiving benefits. Without completing this certification, you will not receive that week's benefits.

#### Returning to Work:

In most circumstances, workers cannot refuse to return to work when their employer re-opens and continue receiving unemployment. Not returning to work because of a general fear of COVID-19 is not considered "good cause" to refuse work. However, workers that can show proof that their employer is not following COVID-19 safe practices have "good cause" not to return to work. Furthermore, if workers can present documentation from a medical provider that returning to work would be a high risk for severe illness for either themselves or someone they provide care for, they may have good cause to refuse work. Examples: workers that are 65 years or older (no documentation required), workers that live in a nursing home or long-term care facility, workers that are caring for an elderly person or someone with underlying medical conditions, and workers that have underlying medical conditions that could severely affect their health if they were to contract COVID-19.

#### Appeals:

You have the right to appeal decisions by DWS that you believe are incorrect. You must appeal within 15 days of the decision. If you receive letters or emails from DWS asking you to pay back unemployment benefits, the New Mexico Center on Law and Poverty, at (505) 255-2840, may be able to help.