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Unemployment Benefits for Workers Impacted by Hurricanes Helene and Milton

Workers who become unemployed for reasons directly attributable to a major disaster, such as Hurricanes Helene and Milton in 2024, may be eligible for income support based on their work history through Unemployment Compensation (UC) or Disaster Unemployment Assistance (DUA). For many disaster-affected unemployed workers, regular state UC benefits will provide weekly income support. Unemployed workers who are ineligible for UC benefits because they are self-employed, were injured on account of the disaster, or have exhausted eligibility for UC may be eligible for weekly income support through DUA benefits.

This In Focus provides background on UC and DUA eligibility and benefits. It also discusses the temporary UC and DUA maximum benefit increases in effect in North Carolina in response to Hurricane Helene, and provides information on applying for UC and DUA benefits in states.

Unemployment Compensation

The UC program pays weekly cash benefits to workers who become involuntarily unemployed for economic reasons and meet state-established eligibility rules. Although there are broad requirements under federal law regarding UC benefits and financing, the specifics are set out under each state's laws. States administer UC benefits with U.S. Department of Labor (DOL) oversight, resulting in 53 different UC programs operated in the states, the District of Columbia, Puerto Rico, and the U.S. Virgin Islands. (After UC benefits are exhausted, the Extended Benefit [EB] program may provide up to an additional 13 or 20 weeks of benefits, depending on worker eligibility, state law, and economic conditions in the state. As of October 2024, EB was not available in any state.) State unemployment taxes finance the UC benefits.

For additional information on UC (and EB), see CRS In Focus IF10336, *The Fundamentals of Unemployment Compensation*.

UC Eligibility

In general, to receive UC benefits claimants must (1) have enough recent earnings in employment in UC covered jobs (distributed over a specified *base period*) to meet their state's earnings requirements; and (2) be able, available, and actively searching for work. The UC program generally does not provide UC benefits to the self-employed, those who are unable to work, or those who do not have a recent earnings history. States usually disqualify claimants who lost their jobs because of inability to work, voluntarily quit without good cause, were discharged for job-related misconduct, or refused suitable work without good cause.

UC Amount and Duration

UC benefit calculations are generally based on wages for UC covered work over the base period. Most state benefit formulas replace half of a claimant's average weekly wages up to a weekly maximum. There is considerable variation by state in the maximum weekly UC benefit amount—ranging from \$235 to \$1,033 as of July 2024. The maximum weekly benefit amounts in states affected by Hurricanes Helene and Milton are listed in **Table 1**.

Table 1. UC Maximum Weekly Benefit Amounts in States Impacted by Hurricanes Helene and Milton
(As of July 2024)

State	Maximum Weekly Benefit Amount
Florida	\$275
Georgia	\$365
North Carolina	Temporarily \$600 ^a (otherwise \$350)
South Carolina	\$326
Tennessee	\$325
Virginia	\$378

Source: DOL, "Significant Provisions of State Unemployment Insurance Laws, Effective July 2024," <https://oui.doleta.gov/unemploy/content/sigpros/2020-2029/July2024.pdf>.

- a. On October 16, 2024, through Executive Order 332, the governor of North Carolina temporarily increased the state's maximum weekly benefit to \$600, retroactive to September 29, 2024.

Under current state laws, the maximum duration of UC benefits ranges from up to 12 weeks to up to 30 weeks, with most states providing up to 26 weeks. The maximum weeks available in states affected by Hurricanes Helene and Milton are 12 in Florida, North Carolina, and Tennessee; 14 in Georgia; 20 in South Carolina; and 26 in Virginia. (These maximums are based on each state's economic conditions and state laws as of October 2024)

UC beneficiaries who are unemployed due to a qualifying disaster but have exhausted their weeks of UC entitlement, may be eligible for additional weeks of benefits based on eligibility for DUA (e.g., in North Carolina, if an individual exhausts their 12 weeks of regular UC but then qualifies for DUA, under federal law they could receive up to 14 weeks in DUA benefits [26 weeks minus 12 weeks = 14 weeks]).

Disaster Unemployment Assistance

DUA benefits are authorized by the Robert T. Stafford Disaster Relief and Emergency Relief Act (the Stafford Act), which authorizes the President to issue a major disaster declaration after state and local government resources have been overwhelmed by a natural catastrophe or “regardless of cause, any fire, flood, or explosion in any part of the United States” (42 U.S.C. §5122(2)).

DUA benefits are federally financed. DOL oversees the DUA program and coordinates with the Federal Emergency Management Agency (FEMA) to provide the federal funds to the state UC agencies for payment of DUA benefits and state administration costs based on agreements with the U.S. Secretary of Labor.

For additional information on DUA, see CRS Report RS22022, *Disaster Unemployment Assistance (DUA)*.

DUA Availability

FEMA maintains information on current disasters at <https://www.fema.gov/disaster/current>. DUA may be available for certain counties or for an entire state.

DUA Eligibility

The DUA program provides income support to individuals who become unemployed as a direct result of a major disaster and are ineligible for regular UC benefits (or who have no remaining entitlement). DUA regulations define eligible unemployed workers to include

- the self-employed;
- workers who experience unemployment following the date the major disaster began when such unemployment is a direct result of the major disaster;
- workers unable to reach the place of employment as a direct result of the major disaster;
- workers who were to begin employment and do not have a job or are unable to reach the place of employment as a direct result of the major disaster;
- individuals who have become the primary earner or major support for a household because the head of the household has died as a direct result of the major disaster; and
- workers who cannot work because of injuries caused as a direct result of the major disaster.

DUA Amount and Duration

DUA benefits are generally calculated by state UC agencies under the relevant provisions of the state law for UC in the state where the disaster occurred. The maximum weekly benefit amount is also determined under the provisions of the state law. In North Carolina, the temporary \$600 maximum benefit amount, retroactive to September 29, 2024, applies to DUA benefits in the same manner as UC benefits.

Workers who do not have a sufficient employment history to qualify for UC benefits (either as a new worker or as a recent hire) receive a minimum DUA benefit equivalent to half of the average UC benefit for that state. (For Hurricane Helene, see DUA minimum benefit amounts for July–September 2024 and for Hurricane Milton, see October–December 2024.)

For Hurricane Helene the minimum weekly DUA amount is \$131 in Florida, \$171 in Georgia, \$152 in North Carolina, \$150 in South Carolina, \$128 in Tennessee, and \$171 in Virginia. For Hurricane Milton the minimum weekly DUA amount available in Florida is \$132.

In general, individuals must apply for DUA benefits within 30 days after the date the state announces availability of the benefits. When applicants have good cause, they may file claims after the 30-day deadline. This deadline may be extended; however, initial applications filed after the 26th week following the declaration date will not be considered.

DUA benefits are available to eligible individuals as long as the major disaster continues, but no longer than 26 weeks after the disaster declaration.

How to Apply for UC and DUA Benefits

Individuals who believe they may be eligible for UC or DUA benefits are required to first file for UC through their state. Workers who qualify for UC benefits receive them for the duration of weeks that they are entitled to under state UC laws. Workers who do not qualify for UC benefits may be eligible for DUA benefits for up to 26 weeks.

Additionally, if workers are eligible for less than 26 weeks of UC benefits, they may then qualify for DUA benefits for the remaining weeks if they are unemployed for reasons directly attributable to the major disaster.

Proof of Earnings

Individuals must provide proof (e.g., income tax return, bank statements) of employment or self-employment and earnings or (in the absence of work history) documentation (e.g., offer letter of employment) that employment was to begin on or after the date of the major disaster. If the required proof is not provided at the time the claim is filed, individuals have 21 days to meet this requirement. If this documentation is not provided within the 21 days, DUA benefits would be denied, and any benefits already paid would be considered overpaid and individuals would be required to repay them.

DOL maintains a website with links to each state’s unemployment agency at <https://www.careeronestop.org/localhelp/unemploymentbenefits/unemployment-benefits.aspx>. Or individuals may call DOL’s National Call Center at 1-866-4-USA-DOL (1-866-487-2365). The call center is available Monday through Friday from 8 a.m. to 8 p.m. Eastern. The teletypewriter (TTY) number is 1-877-889-5627.

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