

NOTICE TO ALL APPLICANTS FOR PANDEMIC UNEMPLOYMENT ASSISTANCE (PUA)

Privacy Statement

While all the information requested for a PUA application and payment certification is voluntary, most of the information (including your social security number) is required in order to promptly process your claim for PUA. All the information requested (including your social security number) will be used for statistical and research purposes by the Wisconsin Department of Workforce Development (DWD) and the U.S. Department of Labor.

Information requested for use by the Wisconsin Department of Workforce Development and the U.S. Department of Labor is authorized under Section 410 of the Disaster Relief Act of 1974 (42 U.S.C. 5177) and Section 906 of the Social Security Act (42 U.S.C. 1106). All information furnished will be confidential except to the extent that release of such information is authorized in the processing of your claim and will not be released or used for any purpose other than for establishing your entitlement to PUA, for statistical and research studies, and to ensure that benefits have been paid properly.

Overpayments

If DWD finds, after a determination and an opportunity for a fair hearing, that the applicant was not entitled to a PUA payment, for any reason including an error made by DWD, benefits will be considered overpaid. DWD is obligated by the Secretary of Labor to take all reasonable and legal measures to recover improper PUA payments.

When an applicant is not at fault for an overpayment, the applicant may apply to have the overpayment waived. DWD may waive the overpayment if repayment is contrary to equity and good conscience. If an applicant has an overpayment that is without fault, the applicant will be sent a message in their Claimant Portal Message Center to apply for a waiver. After the message is sent, the applicant will have 14 days to apply for the waiver. Applicants whose requirement to file online has been waived on an ongoing basis will be mailed the waiver application.

Applicants who have appealed a determination that included an overpayment that was made without claimant fault may be eligible to apply for a waiver after their appeal is resolved.

Fraud

When there are sufficient facts to make out a prima facie case under the Federal Criminal Code (18 U.S.C. 1001) in the case of an applicant who fraudulently obtains PUA, the State Agency (DWD) will consider criminal prosecution. If prosecution in Federal Court is to be recommended, the matter will be referred to the appropriate office of the Federal Bureau of Investigation. If prosecution in Federal Court is not to be recommended, or if the U.S. Attorney declines prosecution, action may be taken in the state courts.

Penalties for Fraud

A 40% administrative penalty will be added to any overpayment resulting from fraud. Additionally, the Disaster Relief Act of 1974, as amended by the Stafford Act of 1988, provides that whoever, in any matter within the jurisdiction of any department or agency of the United States, knowingly and willfully falsifies, conceals or covers up by any trick, scheme, or device, a material fact, or makes or used any false writing document knowing the same to contain any false, fictitious or fraudulent statement or entry will be fined not more than \$10,000 or imprisoned for not more than one year or both for each violation.

Disqualification for Fraud

Any applicant who, with respect to a COVID-19 public health emergency, makes or causes another to make a false statement or misrepresentation of a material fact, knowing it to be false, or knowingly fails or causes another to fail to disclose a material fact, in order to obtain or increase for the applicant or for any other person a payment of PUA to which the applicant or other person is not entitled, will be disqualified as follows:

- If the false statement, misrepresentation or nondisclosure pertains to an initial application for PUA, the individual making the false statement, misrepresentation or nondisclosure will be disqualified from the receipt of any PUA with respect to the COVID-19 public health emergency. If the false statement, misrepresentation or nondisclosure was made on behalf of another individual and was known to such other individual to be false, such other individual will be disqualified from the receipt of PUA with respect to that COVID-19 public health emergency.

- If the false statement, misrepresentation or nondisclosure pertains to a week for which application for a payment of PUA is made, the applicant making the false statement, misrepresentation of nondisclosure and/or the individual on whose behalf it was made, provided such individual was aware of it, will be disqualified from the receipt of PUA for that week and the first two compensable weeks in the Pandemic Assistance Period that immediately follow that week, with respect to which the individual is otherwise entitled to a payment of PUA.
- **Quitting work without good cause to obtain PUA is fraud!**