

## Texas workers may be eligible for Disaster Unemployment Benefits

As a result of FEMA's [major disaster declaration](#) for Texas and Hurricane Harvey, [federal law](#) provides for disaster unemployment benefits (DUA) for certain displaced employees and self-employed individuals.

DUA is paid with federal funds, is not charged to state unemployment insurance trust funds and is not charged back to employers.

The Texas Workforce Commission (TWC) issued an [announcement](#) explaining that DUA benefits are available for the period beginning August 27, 2017.

### Job protection for Texas employees displaced due to emergency evacuation orders

Texas employers may not discharge or discriminate against employees who evacuate under emergency evacuation orders. Employers that violate this provision are liable for any loss of wages or employer-provided benefits and must reinstate the employee to the same or equivalent position.

For more information, refer to [Emergency Evacuation Discrimination](#)

### Eligibility for Texas DUA

Employees or self-employed individuals are eligible for Texas DUA if as a direct result of Hurricane Harvey they:

- ❖ Lost their job, which was more than 50% of their total income
- ❖ They live in, work in, or travel through one of the declared disaster areas
- ❖ Their place of employment was damaged or closed
- ❖ They were scheduled to start work but the job no longer exists or they can no longer reach the new job
- ❖ They suffered injury or incapacitation
- ❖ They became the breadwinner or major support of the household due to the death of the head of household

Note that if individuals are eligible for regular unemployment insurance benefits they are not qualified to receive Texas DUA until their regular benefits are exhausted.

### Texas Counties Eligible for Disaster Unemployment Benefits

- ❖ Aransas
- ❖ Austin
- ❖ Bastrop
- ❖ Bee
- ❖ Brazoria
- ❖ Calhoun
- ❖ Chambers
- ❖ Colorado
- ❖ DeWitt
- ❖ Fayette
- ❖ Fort Bend
- ❖ Galveston
- ❖ Goliad
- ❖ Gonzales
- ❖ Hardin
- ❖ Harris
- ❖ Jackson
- ❖ Jasper
- ❖ Jefferson
- ❖ Karnes
- ❖ Kleberg
- ❖ Lavaca
- ❖ Liberty
- ❖ Matagorda
- ❖ Montgomery
- ❖ Newton
- ❖ Nueces
- ❖ Orange
- ❖ Polk
- ❖ Refugio
- ❖ Sabine
- ❖ San Jacinto
- ❖ San Patricio
- ❖ Victoria
- ❖ Walker
- ❖ Waller
- ❖ Wharton

Emergency personnel and those who provide for the safety and well-being of the public are not eligible for DUA. Their employers must provide them with adequate emergency shelter.

DUA is available only during the Disaster Assistance Period, which begins with the first Sunday following the date that the major disaster is declared. Federal Emergency Management Agency (FEMA) and DUA regulations determine when the Disaster Assistance Period begins and ends.

Temporary and seasonal workers are only eligible for DUA for the weeks that they would have been employed if the disaster had not occurred. For example, if a seasonal worker was scheduled to work for four weeks after the disaster and then under normal circumstances would be terminated, that worker would be eligible only for four weeks of DUA.

## **How to apply**

Individuals who do not qualify for regular unemployment insurance benefits can apply for DUA online at [Unemployment Benefit Services](#) or by calling a Tele-Center at +1 800 939 6631.

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