



1. What should you list as your last day of work?

Provide the last person/entity for whom you worked, regardless of amount of time.

2. What box do you check when filing a claim, Regular UI or Disaster Relief UI?

Check the box for regular UI, not disaster relief UI, which covers UI due to fires or other disasters. If you previously filed and clicked the box, EDD will contact you if needed. Note: There is now a section on the application that asks if you for your separation explanation; select “Related to the coronavirus (COVID-19)” if applicable.

3. What separation reason do I use if my contract ended?

Pick the most relevant reason. When contract ends, you are technically laid off. Some of the applications will have contract ended. If they do not, click laid off.

If assignment ends abruptly ends due to COVID-19, then use laid off due to COVID-19. If truly finished, then just laid off. But if you can't get other work, you can use laid off due to COVID-19. The EDD now has a call center open 8am-8pm Sunday-Saturday in order to reach them more easily.

4. During the past 18 months, I've worked in CA and in another state. How do I file my claim?

If you worked in another state and believe wages were reported in other state, you will need to speak with us. EDD will need to ask you questions; they have access to see what's earned in other states. They will provide you your options during that conversation. Because this is the most complicated claim that we file, they may need to call you back to file this claim.

5. What's the difference between an interstate claim and combined wage claim?

In a combined wage claim the claimant worked in two states and the EDD takes wages from the other state and brings them to CA. They would then pay you in CA based on both states wages for a combined wage claim. If all your wages are interstate (earned in California) but you live outside CA, you still file in CA. You don't need to worry about which claim; it's EDD's job to figure out how to pay you.

6. If you opened a claim before the pandemic and are now laid off due to COVID-19, do you reopen the existing claim or start a new one?

It depends and is individual to the person. If your regular claim has benefits left, you will stick to your original claim and file online to reopen the claim.

If the regular claim is exhausted, you will most likely qualify for extension. Extension functionality will be available 5/27. If you cannot qualify for the extension, you will be considered for a Pandemic Unemployment Assistance (PUA) claim. This claim is also geared towards those self-employed. PUA takes into consideration when you became unemployed as a direct result of the COVID-19 Pandemic and will backdate the claim to the week in which that day happens (with some limitations).

7. Is there a difference in how you apply or how you report your income if you are incorporated as a loan-out?

Loan-out is like a closely held corporation and you file for UI the same way. You just need to say you are unemployed and EDD will figure out how to pay. EDD will want to know if you are unemployed through no fault of your own. Can you control your employment? Are you purposely causing your unemployment? However, these questions are most likely not relevant under these conditions. Sec. 621 (of the Unemployment Insurance Code) includes officer of corporation, even if there is only one stockholder. Report work when you have it, not when you get paid. The rule of thumb in reporting earnings is to report when earned. You only report when paid in situations where you cannot report when earned (none of these situations affect the Entertainment Industry)

8. Do entertainment industry workers need to list all employers for the past 18 months regardless of how many employers that is?

List as best as you can, so EDD can make sure you get all benefits you are entitled to. You will receive a letter showing all the employers used to file your claim. If upon receipt you feel some are missing you can contact us through UI Online and provide information so we can locate any missing employers.

9. Who do you list as the employer for residual pay?

If you are paid by the agency, then report the agency as the employer. If actual entity for whom you provided services (for example, Warner Bros.) pays you, then list that company as employer. The payor on the check is best answer. The new Entertainment Industry web page has more information about residuals that may assist you.

<https://edd.ca.gov/unemployment/entertainment.htm>

10. If you haven't received your last check due to the shutdown and don't know how much you made, how do you answer the question when filing?

Use your best guess of what you earned and what you will be paid. If your estimate was wrong, you should update your information by contacting EDD later through UI Online.

11. How do you calculate the weekly hours and hourly rate if you receive a flat fee for service?

Report it by taking the flat amount that you will be paid and divide it by the time you actually provide the services. For example, if you will be paid \$1,000 for an assignment and the assignment takes 4 weeks divide the \$1,000 by 4 and report \$250 in earnings per week for the four weeks.

12. How and when do you report residuals and royalties?

When you receive them or are notified that you will be receiving them by an agent or payroll company.

13. How do you report deferred compensation, such as sick days, vacations and holiday pay?

Tell EDD what you received, and they will determine if you have a definite return to work date. Sick and vacation pay are not considered deductible income unless you have a return to work date.

Right now the Labor Secretary, Julie Su, has authorized us to not address these issues immediately so later, the EDD may or may not need to set up a phone interview with you.

14. How has SB 271 (2019) affected unemployment insurance for the entertainment industry?

The Tax Branch may be better suited to answering this. UI only deals with the earnings as reported.

15. In the new federal stimulus package, there seems to be an additional \$600 for four months for those receiving UI. Do I need to do anything to get that additional payment?

Stimulus is for anyone claiming benefits except two specific claims. These payments are effective for the week March 29, 2020 through July 25, 2020 even though these claims could last through December. Also, the additional \$600 is only for regular UI right now. That additional payment will be available on PUA and PEUC, in addition to regular UI claims that collect at least \$1 of benefits during that time period.

16. If someone received 1099 income, should they apply for regular UI or Pandemic Unemployment Assistance (PUA)?

Some gig work may qualify as regular UI claim. If you are not entitled to a regular claim and are declined for UI, you could be eligible for PUA. PUA is mostly for those who are self-employed but need to show that you were directly placed out of work by COVID-19.

- 17. The maximum weekly benefit in California will go up to \$1,050 a week if you qualified for the \$450 maximum. Will that be retroactive for those who have gotten UI as a result of coronavirus?**
The maximum weekly benefit in CA does not go up; the max is \$450. The \$600 stimulus is being paid in addition.

While receiving UI, if you accept part time work, or any kind of work during a week, you can make too much to receive a check from EDD for that particular week. In that case, you don't burn a week of eligibility, you just take your earnings instead of UI that week.

Note: the \$600 applies from week of March 29 to week of July 25 (if you filed after March 29, EDD will backdate your claim so you receive the additional \$600 if you are out of work due to COVID-19).

- 18. If you employed by your own S Corp and also an officer of that S Corp (i.e. you receive compensation for your services and not for being an officer), how do you list your employer?**
Depends on situation. If a payroll company maintains UI compensation, then they are employer. If you are responsible for your corporation, then your S Corp is employer and applicant is a supervisor.
- 19. If someone is unemployed and has their own corporation but also has other qualifying income, does their other income disqualify them from UI?**
File and declare the additional income. The EDD will determine if income is disqualifying. If you qualify for the lowest amount - \$45 – for shortest amount of time – 12 weeks, you would be paid at that amount, but you would be entitled to the additional PAC stimulus of \$600 per week. In addition, since this claim will run out of benefits fast, you could get an extension. It is up to EDD to find a way to get you paid based on eligibility criteria. You do not need to know the name of the type of claim that you will end up getting. You just need to request to file a claim and the EDD will determine the rest.
- 20. If your S Corp gets paid from a company out of state, do you report that as out of state income?**
If you are an employee of an S Corp that is a CA company, then it's likely reported as CA earnings. But EDD will need to talk to you and understand where income comes from so that if the money is paid in another state, they can give you your options to file a claim in either state based on your specific circumstances.

For additional questions asked during the webinar chat room, EDD will try their best to provide answers when they post FAQs.