



UNEMPLOYMENT INSURANCE AND APP-BASED WORK FAQ - CALIFORNIA

THIS RESOURCE HELPS EXPLAIN THE UNEMPLOYMENT INSURANCE PROGRAM IN CALIFORNIA.

Please note, the information below is not intended to provide, and does not constitute, legal advice. It is for general informational purposes only. If you have a specific question about your situation, please reach out to a non-profit legal service provider.

- **I can't work because of a COVID-19 diagnosis, a quarantine, a shelter in place order, loss of work, OR a health condition that makes it dangerous for me to work. Do I have options?** Yes. One of the first things a worker can do is apply for Unemployment Insurance. For other issues – like lost wages or concerns that you were discriminated against – speak to a [legal service provider](#).
- **What is Unemployment Insurance?** Unemployment insurance is an employer-funded program that gives workers money to meet basic living expenses while they search for a new job. Workers are eligible for benefits if they lost their job through no fault of their own and continue to be eligible for benefits by continuing to search for a new job. Most people who continue to qualify for benefits can collect payments for **up to 39 weeks**. The benefit is based on your past earnings, up to a maximum amount of \$450 per week. In addition, the federal government will contribute an additional \$600 per week for all eligible recipients until July 31, 2020, **for a total of up to \$1050 per week**.
- **But what if my employer says I'm an "independent contractor"?** It is true that independent contractors do not qualify for traditional Unemployment Insurance in California. However, recent changes to the law in California set out a strict three-part test that your employer must meet before they are allowed to classify you as an independent contractor. The Employment Development Department ("EDD") will apply this test to determine if your employer was wrong to classify you as an independent contractor. In addition, the recently-passed federal CARES Act allows independent contractors to collect unemployment insurance through Pandemic Unemployment Insurance (more on that below).
- **How should I apply?** When you're ready to begin your application, look [here](#). When you've completed your application, review [this document](#). For updates on state guidance, look [here](#). Note that the governor has also waived the [one-week benefit waiting period](#) during the COVID-19 crisis.
- **If EDD says I'm not eligible for state benefits, is there another option?** Yes. The state of California will offer **39 weeks** of Pandemic Unemployment Assistance (PUA), which will provide benefits if you're found to be an independent contractor, self-employed, or lack a history of earnings to qualify for traditional benefits.

This program is designed to assist workers who are unemployed because of COVID-19 but who *don't qualify for regular state unemployment insurance*. However, because of recent changes to California law, **many app-based workers should still be eligible for state benefits described above. Workers should begin by applying for traditional state unemployment benefits.** To be eligible for PUA, a worker needs to demonstrate that they are able to work, but have become unable or unavailable to work if they (1) have been diagnosed with COVID-19 or live in a household where a member has been diagnosed (or has symptoms and is seeking diagnosis), (2) are caring for someone diagnosed with COVID-19, (3) are quarantined, (4) are caring for a child because of a virus-related school closure, or (5) had to quit their job because of COVID-19. The program would cover up to half of the average weekly benefit in California (plus the additional \$600 benefit), or up to a maximum of about **\$766 per week**.