

Know Your Rights to Jobless Benefits After Katrina

by **Disaster Legal Project, Southeast Louisiana Legal Services** (February, 2006)

I'm Not Working. Can I Get Jobless Benefits?

If you lost a job or self-employment because of Katrina, and still don't have a job, you probably can. If you've worked since Katrina, and lost your job, you may have a right to jobless benefits now.

When My Regular Jobless Benefits Run Out, and I Still Don't Have a Job, Can I Get More?

If you filed for regular state unemployment benefits in the year before October 30, 2005, you may also qualify for **Extended Benefits** (up to 13 extra weeks of benefits if you are in Louisiana; only 2 weeks if you are in another state) if you still don't have a job, or are partially employed, and you're looking for work.

How Do I Get Extended Benefits?

The state Department of Labor should send you a notice before your regular benefits end. The notice tells you to apply online through www.laworks.net or report to a local Job Center. If you need to report a change of address, call 1-800-430-8076 or do it online at www.laworks.net. The Extended Benefits program may end in mid-February, so apply right away.

I Got Only \$98 a Week in Disaster Unemployment Assistance (DUA). That Seems Too Low.

If you are self-employed and reported **more than \$7,857 in net income** on your last year's tax return, the state may owe you more than \$98 a week in federal disaster unemployment assistance. \$98 a week was the amount paid to people who didn't have proof of wages just after Hurricane Katrina. Now, with proof of wages, you may have a right to be paid more, and to get back money for the weeks you were underpaid.

How Do I Apply for An Increase In My DUA?

You need a copy of your 2004 tax return. If you were self-employed, call the IRS at 1-866-562-5227 for a copy. If the IRS won't fax it for you, fax it yourself to the state Department of Labor at 318-362-4288. Do this right away because the program ends in March. If you have problems, talk to a lawyer.

I Never Got Any Benefits After Katrina. What Are My Rights?

Maybe your application was lost. This happened. Call 1-800-818-7814 or 1-866-783-5567 or go to a local Job Center or Labor Department office. Tell when and where you applied. If you still can't get benefits, talk to a lawyer.

My Benefits Stopped in December, But I'm Not Sure Why.

Since the end of November 2005, you have to report every week to the Labor Department by phone or online, while also reporting your efforts to find work. If you get DUA, call 1-888-217-2440; Regular Benefits, call an "Easy Call" number; Interstate claims call (225) 342-8731 or (504) 568-7385. If you don't call, the state stops your benefits. But, the state may have stopped your benefits for another reason. Visit a local Job Center, or call 1-866-783-5567, to get back on benefits. If you still have problems, talk to a lawyer.

They Say I Was Overpaid Benefits and Have to Pay it Back. I Can't Afford That. What Can I Do?

Appeal the Overpayment Notice right away. Ask for a "WAIVER" of the overpayment. You have a right to ask for a waiver if you didn't commit fraud to cause the overpayment. Tell why you can't pay the money back. If they refuse a waiver, appeal again and talk to a lawyer.

I Was Denied Jobless Benefits. Can I Appeal?

Yes. If you believe you still qualify, appeal right away. Then talk to a lawyer.

You may qualify for free Legal Services for help to get your benefits.

To find the nearest free Legal Services office near you, call

1-877-521-6242 (toll-free) or check the "Directory of Legal Programs" on www.lawhelp.org/LA

