

Disability Rights Wisconsin: Applauds Dept. of Workforce Development Secretary Frostman, legislative Dems

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Disability Rights Wisconsin applauds DWD Secretary Frostman, U.S. Senator Tammy Baldwin and Representatives Ron Kind, Mark Pocan, and Gwen Moore, for their work to secure Pandemic Emergency Unemployment relief (PEU) for Wisconsin SSDI recipients out of work due to COVID-19. PEU is the temporary federal program that provides up to 39 weeks of unemployment benefits to individuals who are not eligible for regular unemployment insurance during the COVID-19 public health emergency. This benefit has been available to SSDI recipients in other states since March, but due to a misinterpretation of Wisconsin unemployment law by the U.S. Department of Labor, Wisconsin residents were excluded until now from receiving this critical emergency benefit.

DRW met with Secretary Frostman and other administrators at the Department of Workforce Development shortly after the initial announcement denying this emergency relief to SSDI recipients to present detailed legal analysis and arguments that Wisconsin SSDI recipients otherwise meet COVID-related eligibility, should not be disqualified from PEU benefits and to do so would discriminate against people with disabilities by singling them out for different treatment than other people who lost their jobs due to COVID-19.

“Although it took much longer than we had hoped for the Department of Labor to officially agree with our interpretation, we are glad that it has finally happened and encourage Wisconsin SSDI recipients who lost their jobs due to COVID-19 to apply to see if they meet the other requirements of the program,” said Kit Kerschensteiner,

Director of Legal and Advocacy Services at Disability Rights Wisconsin.

People who receive Social Security Disability Insurance (SSDI) are encouraged to work to the degree they can manage. These jobs provide a vital portion of their income. Many workers with part time jobs were laid off during COVID-19. The federal misinterpretation of Wisconsin law meant that SSDI recipients could not collect Pandemic Emergency Unemployment benefits. “DRW is pleased that we were able to assist DWD with the legal arguments they needed to pursue a change in the interpretation,” stated Lea Kitz, DRW’s Executive Director. “This decision will have a positive impact for many people with disabilities in Wisconsin who have lost their precious income during this difficult time.”

According to DWD, those who are eligible for PUA may be able to receive retroactive benefits to the week ending February 8, 2020, or the first week an individual is out of work due to COVID-19, whichever is later. For further information on how to apply, visit <https://dwd.wisconsin.gov/uiben/pua/>.