



Frequently Asked Questions: Unemployment Issues

Leap to the following topics:

1. [General Questions](#)
2. [Application Questions](#)
3. [Filing the Weekly Certification](#)

General Questions

Can a real estate agent collect unemployment insurance?

Yes, an agent who is not a W-2 type employee but earning commissions may qualify for Pandemic Unemployment Assistance (PUA). W-2 employees have always been eligible for unemployment but would also qualify for some additional weeks of unemployment under a different program called the Pandemic Emergency Unemployment Compensation (PEUC) program.

What are the eligibility requirements for PUA?

Your inability to work must be related to the COVID-19 pandemic and not the result of you being fired for cause or leaving voluntarily. An applicant will "self-certify" that the applicant is affected by COVID-19. There are many reasons a person may be affected by COVID-19, including: taking care of a family member; contracting the illness; taking care of children who are no longer in school; and lack of buyer and sellers due to stay-at-home restrictions and reduced demand.

Will high earnings affect your eligibility?

There is no disqualifying income in order to be eligible for unemployment benefits. Although a higher income will result in higher benefits, the highest benefit amount is capped meaning only a small percentage of a high-income earner's salary would be replaced.

Does it matter if your services have been deemed essential by the government?

No, regardless of whether you work in an essential industry or not, your eligibility will be determined by the factors listed above.

How much does unemployment pay?

It depends. An eligible applicant may receive a minimum of \$176 a week, up to \$430 a week based on the amount of pay they were earning and whether they can document it for the Department. This PUA benefit can be paid out for up to 39 weeks. In addition to the PUA, an applicant will also be eligible for the Federal Pandemic Unemployment Compensation (FPUC). FPUC is an additional \$600 per week that will be added to the PUA benefit. The FPUC is limited in duration and will end the week of July 25, 2020.

Can you receive retroactive benefits?

Yes. If your unemployment started earlier in the year AND was related to COVID-19, your PUA benefits could be made retroactive to January 27, 2020. Your FPUC benefit can be made retroactive to the week ending April 2, 2020. FPUC payments were first paid out April 4, 2020. Those retroactive payments will be added to your benefit card. Individuals approved for benefits will receive a Bank of America Debit card which will have funds deposited each week after the individual files the weekly certification.

Where do I apply for unemployment benefits if I work in one state but live in another?

An applicant applies for Unemployment assistance in the state in which the applicant was working. If the applicant was working in multiple states, the applicant must choose among those states.

Where do you apply for unemployment benefits in Maryland?

The Maryland Department of Labor oversees the Unemployment program in Maryland. Applicants will apply using the Beacon system. The on-line system may be accessed [HERE](#). An applicant may also apply by phone [HERE](#), but applicants are STRONGLY encouraged to apply on-line.

If I am a new agent, can I receive unemployment benefits?

Possibly. While applicants would be required to earn a minimum amount of money to qualify under normal unemployment benefits, an applicant does not have to establish minimum earnings under the PUA. In fact, an applicant can apply even if the applicant has no earnings, as long as their unemployment is related to the COVID-19 pandemic. In this case, the applicant would only qualify for the minimum benefit of \$176 per week plus the FPUC benefits of \$600 per week.

Can I collect money from the Paycheck Protection Program (PPP) or an Economic Injury Disaster Loan (EIDL) and qualify for unemployment benefits?

There is no specific prohibition against applying for one of the loan programs and unemployment insurance. However, if you qualify for both the loan and unemployment we recommend that you consult with an attorney to determine if you can receive both. Your loan benefits may affect your eligibility for unemployment (if the loan is to replace wages) and at a minimum may reduce your Weekly Benefit Amount (WBA). In addition, if you are seeking loan forgiveness under the PPP program and have been collecting unemployment insurance, you may disqualify yourself from loan forgiveness. Because specific guidance on PPP loan forgiveness regarding this issue has not yet been issued, it is best for you to talk to an attorney about your specific circumstance.

How long does it take to receive benefits?

Over 90 percent of applicants start receiving benefits within 21 days of filing for the program.

I heard the system is not working and phone calls are never returned?

There has been a 5,000% (not a typo) increase in unemployment claims. Additionally, the state is using a new computer system, in part, because the PUA is an entirely new program. As a result, there have been delays and applicants can wait hours on the phone in order to speak with a live person. While the on-line system crashed the first day and there have been instances of glitches, the system is working, and real estate agents are being approved and receiving benefits. The Department of Labor is working extremely hard, hiring and training new personnel to meet the incredible demand; wait times are expected to shorten as those new hires start working.

Is there a “gating” system to apply for benefits?

Due to the significant increase in applicants the Department is recommending the following gating system for applicants based on their Last Names when calling the system:

- A-F, file claim on Monday
- G-N, file claim on Tuesday
- O-Z, file claim on Wednesday

For the online system:

- Sunday and Monday – file weekly certifications
- Tuesday through Saturday – file new claims

[\(back to top\)](#)

Application Questions

[Please review the Maryland Department of Labor Video Tutorials](#)

Do I apply separately for the different unemployment programs?

No. The Beacon one-stop system will determine which programs you qualify for and automatically enroll you in the programs. NOTE: if you are an independent contractor, like most real estate agents you should be enrolled in the PUA and not the UI program.

How do I change my record if it shows that I am listed under the UI program rather than the PUA?

We recommend that you contact the department. Some agents have reported that they refiled the application, checking to make sure their brokerage was listed as the employer, and that the system then registered them as PUA. Also, if you applied for unemployment before April 24, 2020, you applied under the old system. Self-employed individuals were asked to wait to apply for benefits on or after April 24, 2020.

The application asks for “Proof of employment.” What constitutes “proof of employment”?

The Department has provided much flexibility here. Copies of the independent contractor agreement, a copy of a pocket card, and a letter from the broker have all been used to establish proof of employment.

The system asks only for 2019 tax return. What if you don’t have income from 2019, have not yet filed your 2019 taxes, or simply had better income years in 2018 or 2020?

Eligibility for PUA is based on income and wages earned in 2019. Although eligibility for regular UI is based on base period wages (first 4 of last 5 completed quarters), that is not true for PUA. An applicant can use bank records, tax records, canceled checks and other forms of proof to establish income. If an applicant cannot prove any income, the applicant will only qualify for the minimum benefit (see above).

How do you indicate the retroactive date that you became unemployed under the Beacon System?

One of the first questions that Beacon asks the claimant about is the date of their unemployment or lack of self-employed work. The claimant should enter the correct date in response to that question and their claim will be backdated to that date. Otherwise, the system defaults to the day the applicant files the application.

I cannot find my social security card?

We have asked for guidance on whether other documentation can be provided in lieu of the social security card.

Why does my claim state it was accepted but show \$0?

You will have to contact the Department. This usually means that something was discovered by the Department affecting your claim. It could be something as simple as your employer entering a wrong return to work date.

Why do payments start but then stop?

This may be related to an applicant mistakenly inactivating their unemployment claim while answering the weekly claim certification questions, an employer mistakenly entering an early return to work date, or the applicant failing to file the weekly certification. You will need to contact the Department.

What does it mean that I do not have sufficient wages?

We are seeking guidance on this. The PUA should permit an otherwise eligible applicant to receive unemployment even if the applicant has no reportable wages.

The application asks for tax records from 2019. What if I haven't filed my 2019 taxes?

The Department will allow many different financial records to prove income, including pay stubs, bank records, etc.

Why does it show that I am approved only for the minimum payment when I know my 2019 income would justify a higher amount?

You may have received an initial approval for the minimum amount, which will be adjusted after the Department verifies your income. Nevertheless, it is worth checking with the Department to see why that is the case.

I applied weeks ago but was turned down or have not heard back. Is there anything I can do?

If you applied before April 24, 2020, you would have been automatically turned down as a self-employed person. Self-employed applicants could only apply on April 24 or later. You may want to reapply under the Beacon on-line system.

[\(back to top\)](#)

Filing the Weekly Certification

[Please review Specific Guidance from the Maryland Department of Labor](#)

The application asks if you worked or earned wages during the week. What does this mean?

This question wants to know whether you earned any INCOME from self-employment that week.

Why am I receiving only the PUA payment and not the FPUC \$600 payment?

You will need to contact the Department. When you are approved for the PUA, you should automatically be approved for FPUC.

Can I earn any other income while receiving unemployment benefits?

Yes, but any other income (minus expenses) will reduce your WBA dollar for dollar. If you are earning income that is not commission based, that income must be reported the week that you earned it. If the income is commission based, the income will be reported WHEN you receive it and not when you earn it.

Can I collect Social Security or pensions and unemployment?

It depends. Social Security payments will not reduce your unemployment benefits, but certain pension and retirement benefits will likely reduce benefits. Some will reduce your benefits dollar for dollar, others 50 cents for every dollar (retirement benefits that you have contributed to).

Can I have a part-time job and receive benefits?

Like the question above, you may be able to work part-time, as long as your earnings do not exceed your WBA.

Can agents still work to find clients and listings during the time they are collecting unemployment?

Yes. If they earn a commission, they will report that income on their weekly certification the week they receive the check. If they earn non-commission wages, the agent should report the money the week they earned the money.

What if my commission check exceeds my WBA?

If your check exceeds the WBA and you have no offsetting expenses, you will receive no WBA that week. In addition, you will have to contact the Department to reopen your case the following week. You should not have to fill out the application again.

The weekly certification asks me whether I am actively looking for work?

You are not required to actively seek work under the PUA but you should still answer those questions honestly. The Department has created a 10-week exemption from this requirement so you will not disqualify yourself for continued benefits because you are not seeking employment. Please review this guidance for further information. [Please review this guidance for further information.](#)

[\(back to top\)](#)