



**CONSORTIUM FOR CITIZENS
WITH DISABILITIES**

Statement for the Record
Unemployment Insurance During COVID-19:
The CARES Act and the Role of Unemployment Insurance During the Pandemic
Tuesday, June 9, 2020

Consortium for Citizens with Disabilities
820 First Street, NE, Suite 740
Washington, DC 20002

Chairman Grassley
Senate Committee on Finance
219 Dirksen Senate Office Building
Washington, DC 20510

Ranking Member Wyden
Senate Committee on Finance
219 Dirksen Senate Office Building
Washington, DC 20510

June 22, 2020

Dear Chairman Grassley and Ranking Member Wyden:

The undersigned members of the Consortium for Citizens with Disabilities (CCD) write in response to your recent hearing, Unemployment Insurance During COVID-19: The CARES Act and the Role of Unemployment Insurance During the Pandemic, to raise issues of concern for people with disabilities related to Unemployment Insurance (UI). CCD is the largest coalition of national organizations working together to advocate for federal public policy that ensures the self-determination, independence, empowerment, integration and inclusion of children and adults with disabilities in all aspects of society.

People with disabilities live in poverty at more than twice the rate of people without disabilities; while people with disabilities make up approximately 12 percent of the U.S. working-age population, they account for more than half of those living in long-term poverty. More than 65 percent of the 17.9 million working-age adults with disabilities participate in at least one safety net or income support program.¹ People with disabilities also disproportionately hold low-wage (in 2013, 61.2% of working-age adults with disabilities had incomes below 200% of the federal poverty line compared to 28.8% of working-age adults

¹ National Council on Disability, 2017 Progress Report (2017),
https://ncd.gov/sites/default/files/NCD_A%20Progress%20Report_508.pdf.

without disabilities)² and part time jobs (32% of people with disabilities versus 17% for people without disabilities worked part time in 2019).³ Many people with disabilities have functional or service limitations that prevent substantial work and receive Social Security Disability Insurance (SSDI) or Supplemental Security Income (SSI). The SSDI and SSI programs include work incentives such as Ticket to Work; while some people are able to use these to transition to full-time employment, many others can only sustain more limited hours.

Because so many workers with disabilities are part time workers, they often are not eligible for unemployment insurance. However, the newly passed Pandemic Unemployment Assistance (PUA) program and the increased benefits of Pandemic Unemployment Compensation (PUC) program extends unemployment insurance to more part time workers and thus will cover many more workers with disabilities. Given the increased costs due to the pandemic for people with disabilities who may have to self-isolate for longer due to pre-existing conditions to protect themselves, this improvement to the unemployment system is important and long needed. All people with disabilities, even those with substantial function or service limitations who rely on SSDI or SSI, should be able to claim the UI benefits that they earned.

In order to ensure that these UI programs work for all people with disabilities, we urge the Committee to include a disregard in future UI legislation to prevent unintended impacts on eligibility for other means-tested programs, including the Supplemental Nutrition Assistance Program (SNAP) and Supplemental Security Income (SSI). The UI provisions included in the CARES Act excluded the additional PUC funding from being considered for Medicaid eligibility, a crucial protection in this public health emergency, but did not protect families who rely on SNAP or SSI.

SNAP provides millions of people with disabilities and their families with crucial food assistance. Compared to people without disabilities, people with disabilities and their families are significantly more likely to experience hunger and food insecurity.⁴ With 95% of Americans under some form of a stay at home order and massive job loss,⁵ SNAP and other means tested benefits have become all the more crucial for people with disabilities and their families. In addition, children with disabilities receiving SSI may face a reduction in benefits due to their parents' claims of unemployment, due to deeming rules that do not count unemployment the same as wages. This unfairly punishes children with disabilities and their families for circumstances outside of their control. Unemployment benefits may also complicate Medicaid

² Center for American Progress, A Fair Shot for Workers with Disabilities (2015), <https://www.americanprogress.org/issues/poverty/reports/2015/01/28/105520/a-fair-shot-for-workers-with-disabilities/>.

³ Department of Labor, Bureau of Labor Statistics, Persons with a Disability: Labor Force Characteristics Summary (2020), <https://www.bls.gov/news.release/disabl.nr0.htm>.

⁴ Carlson, Steven, Keith-Jennings, Brynne, and Chaudhry, Raheem (2017). SNAP Provides Needed Food Assistance to Millions of People with Disabilities. Washington, DC: Center on Budget and Policy Priorities, <https://www.cbpp.org/research/food-assistance/snap-provides-needed-food-assistance-to-millions-of-people-with->

⁵ Mervosh, S., Lu, D., & Swales, V. (2020, March 24). See Which States and Cities Have Told Residents to Stay at Home. Retrieved from <https://www.nytimes.com/interactive/2020/us/coronavirus-stay-at-home-order.html>.

eligibility for workers with disabilities who are attempting to work via SSI's work incentive programs, despite Congress' decision to disregard PUC compensation for the purposes of Medicaid and CHIP.

As Congress has done before in emergencies and disasters, it makes sense to exempt this emergency unemployment from all means-tested programs. We urge you to do as the House did in their recently passed legislation, the HEROES Act (H.R. 6800) and include a disregard to ensure that low-income workers with disabilities and low-income families with children with disabilities, and others will not have to choose between their Medicaid, SSI, SNAP, and UI in this time of crisis.

We look forward to working with the Senate on this important issue. Please do not hesitate to contact Bethany Lilly (lilly@thearc.org) with any questions or to arrange a meeting.

Sincerely,

Association of People Supporting Employment First (APSE)
Autism Society of America
Autistic Self Advocacy Network
Center for Public Representation
Community Legal Services of Philadelphia
Council of State Administrators of Vocational Rehabilitation (CSAVR)
Easterseals
Epilepsy Foundation
The Jewish Federations of North America
Justice in Aging
National Alliance on Mental Illness
National Committee to Preserve Social Security and Medicare
National Disability Institute
National Disability Rights Network (NDRN)
National Down Syndrome Congress
National Organization of Social Security Claimants' Representatives (NOSSCR)
Paralyzed Veterans of America
RespectAbility
The Arc of the United States.