To cap the benefits received under the Federal Pandemic Unemployment Compensation program at prior wages.

IN THE SENATE OF THE UNITED STATES

JUNE 1, 2020

Mrs. LOEFFLER introduced the following bill; which was read twice and referred to the Committee on Finance

A BILL

To cap the benefits received under the Federal Pandemic Unemployment Compensation program at prior wages.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Helping Americans Return to Work Act of 2020”.

SEC. 2. CAP ON TEMPORARY INCREASED UNEMPLOYMENT COMPENSATION BENEFITS AT PRIOR WAGES.

(a) PANDEMIC UNEMPLOYMENT ASSISTANCE.—Section 2102(d) of the Relief for Workers Affected by Coronavirus Act (contained in subtitle A of title II of divi-
sion A of the CARES Act (Public Law 116–136)) is amended—

(1) in paragraph (1), in the matter preceding subparagraph (A), by striking “The assistance” and inserting “Subject to paragraph (4), the assistance”;

(2) in paragraph (2), by striking “In the case” and inserting “Subject to paragraph (4), in the case”; and

(3) by adding at the end the following new paragraph:

“(4) For weeks of unemployment beginning on or after June 1, 2020, and ending on or before the date specified in subsection (c)(1)(A)(ii), the total amount of the weekly assistance applicable to an individual under paragraph (1) or (2) (including the increase under section 2104) may not exceed—

“(A) in the case of paragraph (1), the amount of the individual’s average weekly wages on which the individual’s weekly benefit is based; and

“(B) in the case of paragraph (2), the amount of the individual’s average weekly wages for an appropriate period prior to the receipt of assistance under such section, as determined by the Secretary of Labor.”.
(b) **Federal Pandemic Unemployment Compensation.**—Subsection (b) of section 2104 of the Relief for Workers Affected by Coronavirus Act (contained in subtitle A of title II of division A of the CARES Act (Public Law 116–136)) is amended—

(1) in paragraph (1), in the matter preceding subparagraph (A), by striking “Any agreement” and inserting “Subject to paragraph (2), any agreement”;

(2) by redesignating paragraph (2) as paragraph (3); and

(3) by inserting after paragraph (1) the following new paragraph:

“(2) Limitation.—For weeks of unemployment beginning on or after June 1, 2020, and ending on or before the date specified in subsection (e)(2), the sum of the weekly amount described in subparagraphs (A) (regular compensation) and (B) (Federal pandemic unemployment compensation) of paragraph (1) with respect to an individual may not exceed the amount of the individual’s average weekly wages on which the amount described in such subparagraph (A) is based.”.

(c) **Pandemic Emergency Unemployment Compensation.**—Section 2107(b)(3) of the Relief for Work-
ers Affected by Coronavirus Act (contained in subtitle A of title II of division A of the CARES Act (Public Law 116–136)) is amended by adding at the end the following new sentence: “The limitation under section 2104(b)(2) shall apply for purposes of determining the weekly benefit amount under the preceding sentence.”.

(d) Short-Time Compensation.—

(1) States with programs in law.—Section 2108(a) of the Relief for Workers Affected by Coronavirus Act (contained in subtitle A of title II of division A of the CARES Act (Public Law 116–136)) is amended by adding at the end the following new paragraph:

“(4) Total payment may not exceed weekly wages.—

“(A) In general.—For weeks of unemployment beginning on or after June 1, 2020, and ending on or before the date specified in subsection (b)(2), the sum of the amounts described in subparagraph (B) with respect to an individual for a week may not exceed the amount of the individual's average weekly wages on which the amount described in subparagraph (B)(ii) is based.
“(B) AMOUNTS.—The amounts described in this subparagraph are the following with re-
spect to a week:

“(i) The amount of the wages the in-
dividual receives from the employer for the week for the reduced hours under the short-time compensation program.

“(ii) The amount of the regular com-
pensation (including dependents’ allow-
ances) payable to such individual for the week under the short-time compensation program.

“(iii) The amount of Federal Pan-
demic Unemployment Compensation under section 2104 payable to such individual for the week under the short-time compensa-
tion program.”

(2) AGREEMENTS.—Section 2109(b)(2) of the Relief for Workers Affected by Coronavirus Act (contained in subtitle A of title II of division A of the CARES Act (Public Law 116–136)) is amended by adding at the end the following new paragraph:

“(C) TOTAL PAYMENT MAY NOT EXCEED WEEKLY WAGES.—
“(i) IN GENERAL.—For weeks of unemployment beginning on or after June 1, 2020, and ending on or before the date specified in subsection (d)(2), the sum of the amounts described in clause (ii) with respect to an individual for a week may not exceed the amount of the individual’s average weekly wages on which the amount described in clause (ii)(II) is based.

“(ii) AMOUNTS.—The amounts described in this clause are the following with respect to a week:

“(I) The amount of the wages the individual receives from the employer for the week for the reduced hours under the short-time compensation plan under the agreement.

“(II) The amount of the regular compensation (including dependents’ allowances) payable to such individual for the week under such short-time compensation plan.

“(III) The amount of Federal Pandemic Unemployment Compensation under section 2104 payable to
such individual for the week under such short-time compensation plan.”.