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The Institute has received questions about whether Deferred Action for Childhood Arrivals (“DACA”) recipients are eligible for unemployment insurance. The answer is “yes.”

Here is the guidance that DES has published:

An individual needs to have valid work authorization at the time wages were earned (base period) and at the time the individual is looking for work.

DES believes that DACA recipients are authorized to work and have an alien number. However, DES does not ask if they are DACA. On the initial claim if the person indicates "No" to the US Citizenship question, DES asks for their "alien number." A person at the call center uses the SAVE system to verify immigration status when a claim is filed. A secondary verification might be necessary, which could include copies of the I-94 "Arrival/Departure record for Aliens."

This means that a DACA recipient is eligible for unemployment insurance benefits if the person had a work authorization: (1) when they were working during the base period, which is the time period when their wages count for unemployment insurance purposes, and (2) when they file for unemployment insurance benefits. If you know of any DACA recipients who are unemployed and have not filed for unemployment insurance benefits because they thought they were not eligible, please let them know they can apply.

If you hear of any problems, please let us know.