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Clerk of the Court

1520
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9
10 **IN THE SECOND JUDICIAL DISTRICT COURT OF
THE STATE OF NEVADA IN AND FOR THE
COUNTY OF WASHOE**

Case No.: CV20-00755

Declaration of Jennifer Mihal Freitas

11 AMETHYST PAYNE, IRIS PODESTA-
12 MIRELES, ANTHONY NAPOLITANO,
13 ISAIAH PAVIA-CRUZ, VICTORIA
14 WAKED, CHARLES PLOSKI, DARIUSH
15 NAIMI, TABITHA ASARE, SCOTT
16 HOWARD, RALPH WYNCOOPON,
ELAINA ABING, and WILLIAM
TURNLEY behalf of themselves and all
others similarly situated,

17 Plaintiffs-Petitioners,

18 STATE OF NEVADA ex rel NEVADA
19 DEPARTMENT OF EMPLOYMENT,
20 TRAINING AND REHABILITATION
(DETR) HEATHER KORBULIC in her
21 official capacity only as Nevada Director of
Employment, Training and Rehabilitation, and
22 KIMBERLY GAA in her official capacity
only as the Administrator for the Employment
23 Security Division (ESD); and DOES 1-100,
24 inclusive,

25 Defendants-Respondents
26

27 ///
28

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1 State of Nevada

2 County of Washoe.

3 I, Declaration of Jennifer Mahal Freitas, hereby declare and state:

4 1. The following declaration is based upon my own personal observation and knowledge,
5 and if called upon to testify to the things contained herein, I could competently so testify, except
6 as to those matters stated to be based upon information and belief, and as to those matters, I
7 believe them true because I believe that the source of the information is trustworthy and the
8 statement is admissible in a court of law.

9 2. I am employed as a Legal Assistant by the law firm of Thierman Buck, LLP. I am also
10 a social worker, licensed by the State of Nevada Board of Social Workers. I graduated UNR with
11 a Bachelor of Social Work in 2016.

12 3. Attached hereto is a true and correct copy of some of the emails received by Thierman
13 Buck from people who say they are self-employed individuals, independent contractors and/or
14 the owners of sole proprietorships located within the State of Nevada who do not pay their own
15 wages as a W-2 employee and who have lost significant revenue as a result of the of March 15,
16 2020 EXECUTIVE ORDER by Nevada State Governor Sisolak temporarily suspending
17 operations of many businesses in Nevada. These individuals state or imply facts from which it
18 can be determined that they are legally eligible to obtain unemployment compensation and/or
19 Unemployment Insurances benefits from either the federal government and/or the State of
20 Nevada or both, pursuant to through Coronavirus Aid, Relief, and Economic Security Act
21 (“CARES” Act) and/or the Pandemic Unemployment Act (PUA) Self-Employment Assistance
22 (SEA) programs (“20 C.F.R. 625.2(d)(1) ”). All these individuals represent that they not been
23 paid any Unemployment Compensation and/or Unemployment Insurance benefit within two
24 weeks of having applied for such benefits with DETR on or after the delayed application date of
25 May16, 2020. In the interest of privacy, I have redacted the email addresses, phone numbers and
26 physical addresses of the individuals if they appear in the emails. Upon request, I can supply the
27 unredacted version to the Court and opposing counsel under seal or simply supply the redacted
28 information in a chart or table format as a confidential communication.

1 4. In addition to the emails attached hereto, our office has received approximately 200 phone
2 messages from the reception service and 500 e-mails from other individuals who represent that
3 they are self-employed individuals, independent contractors and/or the owners of sole
4 proprietorships located within the State of Nevada who do not pay their own wages as a W-2
5 employee and who have lost significant revenue as a result of the of March 15, 2020
6 EXECUTIVE ORDER by Nevada State Governor Sisolak temporarily suspending operations of
7 many businesses in Nevada, have applied for Unemployment Compensation, are entitled to
8 receive unemployment compensation and who have not yet been paid by DETR.

9 5. These submissions continue to come into our office daily, seven days a week.

10 6. From these submissions, as well as from the information contained in the Social Media
11 Pages in Facebook (Nevada-Pandemic Unemployment Assistance, Nevada Unemployment Help
12 Q&A) and the press releases from the Nevada Department of Employment Training and
13 Rehabilitation (DETR), I believe that there are about 70,000 self-employed individuals,
14 independent contractors and/or the owners of sole proprietorships located within the State of
15 Nevada (also referred to as “Gig Workers”) who do not pay their own wages as a W-2 employee
16 and who have lost significant revenue as a result of the of March 15, 2020 EXECUTIVE ORDER
17 by Nevada State Governor Sisolak temporarily suspending operations of many businesses in
18 Nevada, have applied for Unemployment Compensation, are entitled to receive unemployment
19 compensation and who have not yet been paid by DETR.

20 7. This lawsuit was filed on May 13, 2020. Approximately two days before the lawsuit was
21 filed, Nevada Director of Employment, Training and Rehabilitation Heather Korbolic announced
22 it would be least ten more days until a website portal could be established to allow these 70,000
23 “Gog Workers” to apply to DETR for unemployment compensation, even though they were
24 eligible to receive benefits starting March 13, 2020 (almost 9 weeks before). The day after this
25 lawsuit was filed, news reports of appeared nationwide in papers like the Reno Gazette Journal,
26 the Las Vegas Review, the Associated Press, USA Today, and many local papers in other cities
27 carried the story from feeds like Garnet and the AP. It was even discussed on national television
28 shows like “The Talk”. Most of the articles were about the fact that these individuals were being

1 unfairly denied promised benefits by Government Bureaucracy. Even the judgmental moralist
2 and (in my opinion) hypocritical panel on the television show “The Talk” concluded that because
3 she had not done anything illegal, even a stripper like Ms. Mireles ought to be allowed to collect
4 the unemployment compensation benefits that she was promised.

5 8. Three days after the filing of this lawsuit, and at least 7 days earlier than originally
6 announced, DETR published a web page for Gig Workers to apply for Unemployment Benefits.

7 9. Nevada was the last state in the nation to establish such a web page, even though so many
8 workers in Nevada are entertainers who typically are self-employed.

9 10. Upon information and belief, and based upon talking to those individuals who called and
10 e-mailed our office requesting information and/or assistance, I estimate that as of May 16, 2020,
11 the average Gig Worker was entitled to receive at minimum \$781 per week (\$181 +\$600) for 9
12 weeks retroactively and for another four weeks prospectively. I calculated that \$781 per week
13 per individual, times 70,000 individuals times 9 weeks, equals a total retroactive benefit of
14 \$492,030,000 plus a going forward benefit of \$218,680,000 for a total benefit for all Nevada’s
15 Gig Workers who were now able to apply for unemployment benefits of \$710,710,000. At 5%
16 per annum, I estimated the reduction in wait time by just seven days resulted in a benefit
17 conferred to this group of \$681,502.

18 11. When the website application process was open, DETR stated it could take up to two
19 weeks more to actually pay applicants who was qualified to receive Unemployment
20 Compensation.

21 12. Five weeks after the unemployment compensation application process was made
22 available to Gig Workers, about 60,000 of these applicants remain unpaid. From our sample
23 claimants they report being told by DETR staff their funds will be released between 72 hours and
24 20-30 days at this point.

25 13. From a sample of the emails and telephone calls, I have surmised that the pattern of
26 reasons or excused for non-payment can be one or more of four general categories.

27 14. The first category of wrongful non-payment of Unemployment Compensation consists of
28 Gig Workers who apply, are told they are entitled to benefits and then never receive the benefits

1 without any explanation. These claimants state they have spoken with representatives of DETR
2 through the call line, at least once, and are told there are no further problems – they will received
3 payment. However, their claim never updates in the system, payment continues to read, “in
4 progress” and under “unresolved issues” states “Yes.” When clicking to unresolved issues the
5 claim states “none.” These claimants continue to receive no payment at all and remain stuck in
6 limbo. Several claimants stated they called 300-1000 times trying to get through, as there is no
7 call back or wait option. They state they call on multiple lines, the few that get through again go
8 through the process again – their status does not change and again they do not received payment.

9 15. The second category of wrongful non-payment of Unemployment Compensation consists
10 of Gig Workers who apply, are told they are entitled to benefits, and then after the date they were
11 to be paid, they are not paid and a note appears in the column marked unresolved issues saying
12 “Other Eligibility” appears on their individual webpage. These claimants are not eligible for
13 regular UI (Unemployment Insurance) and have applied to satisfy what DETR stated was
14 necessary to do prior to receiving PUA benefits. Claimants received UI denial letters, yet their
15 claim still sites “Other Eligibility” – there is no proper cross reference on the part of DETR.
16 Claimants have uploaded these denial letters and have yet to be paid by DETR via PUA. In all
17 these cases, the individual is either not entitled to any other benefits, or those benefits are in
18 addition to the \$600 weekly benefit amount (WBA) under the Federal Pandemic Unemployment
19 Compensation (FPUC) program.

20 16. In many of these cases, the applicant uploads the denial letter from DETR showing that
21 they are not entitled to these other benefits, but there is no response. Even when the applicant
22 gets to speak to DETR representative, which is almost impossible, the applicant is told that DETR
23 will fix the problem and start paying benefits, but never does. In all these cases, there is no
24 mechanism for appealing this incorrect determination with DETR, so the individual just waits
25 and waits and waits.

26 17. The third category of wrongful non-payment of Unemployment Compensation consists
27 of Gig Workers who apply, are told they are entitled to benefits, and then after the date they were
28 to be paid, they are not paid and a note appears in the column marked unresolved issues saying

1 “Unemployment not Result of Disaster” (DUA). This note typically appears in workers who
2 would be allowed to work, but because of Governor Sisolak’s executive order, have no customers
3 to work for. Uber and Lyft drivers were not precluded per se from working, but when the Casinos,
4 hotels and showrooms were forced to close, the drivers had no tourists to drive. Performers could
5 technically perform, but there was no audience to perform for nor a hall open as a result of the
6 Governors Executive Order. DETR personnel know all this, and were told so in the application,
7 but decided not to pay unemployment compensation even though the lack of work was obviously
8 caused by the Governor’s executive order. Again, there is not a method to appeal this incorrect
9 decision online – DETR went as far as to admit there was no link for appealing a decision,
10 something claimants have been reporting for weeks now. Claimants are forced to endlessly call
11 DETR’s phones, which have been entirely overwhelmed with no hold or call back system. Even
12 those who are able to speak to a DETR representative by phone are told that there is no reason
13 stated in the file that the Gig Workers wasn’t paid, and the Gig Workers should simply wait until
14 payment is processed ranging from 72 hours to 20-30 days.. Nothing further happens.

15 18. The forth category of wrongful non-payment of Unemployment Compensation consists
16 of Gig Workers who apply, are told they are entitled to benefits, and then after date they were to
17 be paid, they are not paid and a note appears that says “in progress” and or “pending review”,
18 but there is no review and nothing ever happens. And these people are not paid.

19 19. Based upon DETR’s own statistics of Gig Workers claims actually paid, I estimate that
20 as of the date of this declaration about 60,000 people have not yet been paid five weeks after the
21 webpage opened on May 16, 2020. Thus, I estimate approximately 60,000 Gig Workers have
22 applied and were wrongfully not paid. It is now 13 weeks after the Gig Workers became entitled
23 to unemployment compensation, and 60,000 individuals remain unpaid, without any appeal
24 rights. At \$781 per week per individual, these 60,000 individuals are owed approximately
25 \$560,040,000 collectively, plus \$76,717.80 per day in interest at 5% per annum.

26 20. In addition to the sheer volume of sums owed, the emails report tragic results occurring
27 as these individuals remain unpaid.
28

1 21. A summary of the irreparable harm from not getting timely unemployment compensation
2 described in these emails include:

- 3 a. Gig Workers who are entitled to Unemployment Compensation but have not
4 been paid, have received notices to quit from their landlords, which may or
5 may not be enforceable in court.
- 6 b. These people have received notice that their cars are being reposed, they are
7 being evicted, their cell phones are being shut off, the food banks are running
8 out of food so they have nothing to eat, pets (dogs and cats) are being
9 surrendered to shelters because the Gig Workers can no longer afford to feed
10 them.
- 11 c. In addition, many are about to become homeless and having to go to shelters.
12 If a person is homeless, the government can take their children from them.
13 There have been statements made of suicidal intent due to potential
14 homelessness.
- 15 d. Many of the applicants are disabled and/or have special needs children and
16 cannot take care of themselves if they are homeless. Many are forced to go
17 onto food stamps, and welfare.
- 18 e. If a person loses housing, cell phone and transportation, they will be unable to
19 gain employment or continue self-employment when and if this disaster is
20 over.
- 21 f. It is well understood by social workers that, in addition unselfish altruism,
22 one of the purpose of making social services available to low income wage
23 earners is to prevent them from becoming a burden to the general economy,
24 and to prevent criminal behavior as people feel desperate and uncared for.

25 I have read the forgoing declaration consisting of five pages in addition to this page and
26 declare under penalty of perjury that it is true and correct, except as to maters stated upon
27 information and belief, and as to them, I believe them true.

28

1 **AFFIRMATION**

2 *The undersigned does hereby affirm that the proceeding document to be filed in the*
3 *Second Judicial District Court in the State of Nevada, County of Washoe, does not contain the*
4 *social security number of any person.*

5
6 Executed this 16th day of June 2020 at Reno, Nevada.

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10 Jennifer Mihal Freitas
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EXHIBIT 1

Emails to Thierman Buck Law Firm
from the Public

EXHIBIT 1

Law Clerk

From: Thierman Buck Law Firm <website@laborlawyer.net>
Sent: Monday, June 22, 2020 8:39 AM
To: info
Subject: Contact Us Page Submission

Follow Up Flag: Follow up
Flag Status: Flagged

You have a new message from the CONTACT US page of your website:

Name: Teri

Email:

Phone:

Employer:

Message: I am 14 weeks back pay for PUA. Have not received a dime and I'm about to be evicted and loose my car.

Law Clerk

From: Mark Vetanen < >
Sent: Monday, June 22, 2020 8:35 AM
To: info
Subject: My PUA Story

Follow Up Flag: Follow up
Flag Status: Flagged

Hello
My name is Mark Vetanen. I have been an Uber driver here in Las Vegas since October 2016. The Pandemic shutdown has obliterated my income.

I filed for my PUA claim when the system opened up.

Below is the screen shots of my case

Claim #: [REDACTED]

Unemployment Insurance Claim Information

Claimant Details

Below is the personal information items concerning your benefit claim. Clicking the [Edit Information](#) link will allow you to modify address and phone information.

| | |
|------------------------------------|---------------------------------------|
| Claimant Name: MARK VETANEN | Claimant User Name: [REDACTED] |
| Address: | |
| City: | |
| State: | |
| Zip: | |

[\[Edit Information \]](#)

Claim Details

Below are the details of your current benefit claim. You may find more information by clicking the [More Information](#) link.

| | |
|------------------------------------------|------------------------------------------|
| Claim ID: [REDACTED] | Claim Effective Date: 6/15/2020 |
| Claim Type: New | Benefit Year End Date: 12/26/2020 |
| Claim Status: Regular Active | Payment Type: Debit Card |
| Available Credits: [REDACTED] | Weekly Benefit Amount: \$181.00 |
| Claim Benefit Balance: [REDACTED] | Claim Under Review: No |
| Claim Benefit Paid: \$0.00 | Unresolved Issues: Yes |
| Federal Tax Withheld: No | State Tax Withheld: No |

[\[More Information \]](#)

Outstanding Claim Issues

No Outstanding Issues have been found for this claim.

Weekly Benefit Certifications

Below are the weeks for which you have completed certifications to continue your unemployment benefits.

| # | Week Ending | Certification Filing Date | Benefit Pay Date | Payment Number | Benefit Amount | Federal Withholding | Payment Amount |
|----|-------------|---------------------------|------------------|----------------|----------------|---------------------|----------------|
| 14 | 05/20/2020 | 6/2/2020 8:11:35 PM | In Progress | N/A | \$181.00 | \$0.00 | \$0.00 |
| 13 | 05/13/2020 | 6/14/2020 7:57:46 PM | In Progress | N/A | \$181.00 | \$0.00 | \$0.00 |
| 12 | 05/06/2020 | 6/7/2020 12:35:20 PM | In Progress | N/A | \$181.00 | \$0.00 | \$0.00 |
| 11 | 04/29/2020 | 6/1/2020 1:13:42 PM | In Progress | N/A | \$181.00 | \$0.00 | \$0.00 |
| 10 | 04/22/2020 | 5/24/2020 8:05:59 AM | In Progress | N/A | \$181.00 | \$0.00 | \$0.00 |
| 9 | 04/15/2020 | 5/24/2020 8:04:32 AM | In Progress | N/A | \$181.00 | \$0.00 | \$0.00 |
| 8 | 04/08/2020 | 5/24/2020 8:03:22 AM | In Progress | N/A | \$181.00 | \$0.00 | \$0.00 |
| 7 | 04/01/2020 | 5/24/2020 8:01:56 AM | In Progress | N/A | \$181.00 | \$0.00 | \$0.00 |
| 6 | 03/25/2020 | 5/24/2020 8:00:09 AM | In Progress | N/A | \$181.00 | \$0.00 | \$0.00 |
| 5 | 03/18/2020 | 5/24/2020 7:58:11 AM | In Progress | N/A | \$181.00 | \$0.00 | \$0.00 |
| 4 | 03/11/2020 | 5/24/2020 7:57:00 AM | In Progress | N/A | \$181.00 | \$0.00 | \$0.00 |
| 3 | 03/04/2020 | 5/24/2020 7:55:20 AM | In Progress | N/A | \$181.00 | \$0.00 | \$0.00 |
| 2 | 02/28/2020 | 5/24/2020 7:53:34 AM | In Progress | N/A | \$181.00 | \$0.00 | \$0.00 |
| 1 | 02/21/2020 | 5/24/2020 7:52:09 AM | In Progress | N/A | \$181.00 | \$0.00 | \$0.00 |

Page 1 of 1 Rows: 100

[Link Benefit Certification]

Payment Summary

Below are the details on how each weekly payment was determined.

| # | Week Ending | WBA | Earnings Claimed | Total Deductions | Payment Amount | Pay Type | Trans Number |
|----|-------------|----------|------------------|------------------|----------------|-------------|--------------|
| 14 | 05/20/2020 | \$181.00 | \$0.00 | \$0.00 | \$0.00 | In Progress | |
| 13 | 05/13/2020 | \$181.00 | \$0.00 | \$0.00 | \$0.00 | In Progress | |
| 12 | 05/06/2020 | \$181.00 | \$0.00 | \$0.00 | \$0.00 | In Progress | |
| 11 | 04/29/2020 | \$181.00 | \$0.00 | \$0.00 | \$0.00 | In Progress | |
| 10 | 04/22/2020 | \$181.00 | \$0.00 | \$0.00 | \$0.00 | In Progress | |
| 9 | 04/15/2020 | \$181.00 | \$0.00 | \$0.00 | \$0.00 | In Progress | |
| 8 | 04/08/2020 | \$181.00 | \$0.00 | \$0.00 | \$0.00 | In Progress | |
| 7 | 04/01/2020 | \$181.00 | \$0.00 | \$0.00 | \$0.00 | In Progress | |
| 6 | 03/25/2020 | \$181.00 | \$0.00 | \$0.00 | \$0.00 | In Progress | |
| 5 | 03/18/2020 | \$181.00 | \$0.00 | \$0.00 | \$0.00 | In Progress | |
| 4 | 03/11/2020 | \$181.00 | \$0.00 | \$0.00 | \$0.00 | In Progress | |
| 3 | 03/04/2020 | \$181.00 | \$0.00 | \$0.00 | \$0.00 | In Progress | |
| 2 | 02/28/2020 | \$181.00 | \$0.00 | \$0.00 | \$0.00 | In Progress | |
| 1 | 02/21/2020 | \$181.00 | \$0.00 | \$0.00 | \$0.00 | In Progress | |

Page 1 of 1 Rows: 100

Based on the policy of your financial institution it may take up to three days for funds to appear in your account

For more information on unemployment benefits click here to access Unemployment Services.

I have received my debit card from them.

I have called many times, only twice reaching a support person who said everything was good to go. My last call with them was over 3 weeks ago.

For the last 10 days I have been calling everyday, from 8 am to 8pm, with nobody answering the phone.

That is my story

Sincerely
Mark Vetanen

Law Clerk

From: Jacob Lyon < >
Sent: Monday, June 22, 2020 8:31 AM
To: info
Subject: PUA costing me everything

Follow Up Flag: Follow up
Flag Status: Completed

To whom it may concern,

My name is Jacob Lyon and I'm interested in being a part of a class action Lawsuit I was informed of.. my story is quite long so if someone could call me back in there spare time it would be greatly appreciated.however the shorter version of it is that I was denied employment by NVUI and I was informed by a DETR representative to continue filing my weekly claims although I was denied because when PUA was up and running anybody who wasn't filing weekly thru NVUI would not get back paid. I then filed for PUA the morning it was available 05/16/2020 and was approved. I have not received any money whatsoever nor have I even received my stimulus. So I have had zero income whatsoever since 02/22/20 Thank you for your time and consideration

Please call any time day or evening

Sent from my iPhone

Law Clerk

From: Gary Amsterdam < >
Sent: Monday, June 22, 2020 6:21 AM
To: info
Subject: Gary Amsterdam Unpaid PUA Claim 4685 Filed 5/16; Adjudicated Approved 6/6

Follow Up Flag: Follow up
Flag Status: Flagged

I sent you a prior email last night about my willingness to help in your newest lawsuit against DETR to compel payment of claims. This is the text of my email yesterday and today to DETR and fraud@detr.nv.gov:

PUA Claim █████ filed 5/16/2020
Gary Amsterdam

My PUA Claim █████ received an **Adjudication Approval Determination for release of payment on 6/6/2020**. **4 PUA Claims Adjudicators have entered case notes for DETR to pay my claim**. Yet, despite the promises and representations of 4 claims adjudicators and 4 claims representatives that my claim, approved since 6/6/2020, would be scheduled for payment within a few days, **I still have not been scheduled for payment by DETR. WHY HAVE I NOT RECEIVED A PAYMENT DATE???**

On Friday, June 19, I spoke with a **4th Adjudicator**, James, who tells me that (1) payment can only be authorized by DETR and (2) **all issues on the PUA side have been resolved since 6/6/20**, but that PUA cannot "see" DETR issues and (3) the only thing PUA can do is to note the file for DETR to pay the claim. In other words, there exists no mechanism for a claimant like me to communicate with DETR to find out or "determine" or "adjudicate" active DETR issues, if any, except to send emails complaining about not getting paid. That is some black hole in the system! The Adjudicator's notes for 6/19/20 state:

"DETR please review any remaining active issues on the Claimant's account for payment to be issued. Everything on the Adjudicator side has been determined and resolved. Claimant still shows active issues for weeks after Adjudication. **Please resolve and issue payment."**

FOUR SEPARATE ADJUDICATORS HAVE ENTERED NOTES FOR DETR TO PAY MY CLAIM!!! This has been my status now for 3 weeks since PUA Adjudicated my Claim █████ as Approved and authorized release of payment on 6/6/20 and still **nothing has occurred. WHY NOT?** I understand that DETR is paying PUA claims last filed first and first filed claims last. For the early filers like me, that is inherently unfair. I know 8 people who have filed in the last 2 weeks who have already been paid while claimants like me filing in the first week (I filed on Day 1) are in no-man's land. Truly outrageous!

I would greatly appreciate and further demand that someone with authority on the DETR side, whether a caseworker, claims manager or supervisor or other person with authority, **call me, Gary Amsterdam █████ and/or correct and fix the problem of my non-payment by:**

Authorizing/scheduling a payment date for my Approved PUA Claim █████

Gary Amsterdam

Law Clerk

From: kaozjohny < >
Sent: Sunday, June 21, 2020 11:55 PM
To: info
Subject: Regarding my unemployment in las vegas

Follow Up Flag: Follow up
Flag Status: Flagged

Hello, Thank you so much for helping and speaking for us nevadans on unemployment! I to was affected by the Covid-19 and was laid off of my job on march 18th 2020 as a independent contractor and may 19th I applied for the pua. On May 22nd I recieved an eligible monetary determination email of a generic \$181, then on May 27th I received another eligible monetary determination email of \$215 which included my two W2 jobs I worked in 2019 before I left for my independent contractor job in august of 2019 which I work till this march when I was laid off due to Covid-19. Everything in my pua dashboard was in progress and I filed my weekly and on june 17th 2020 I received a disqualification letter saying I " may potentially be eligible " key word may potentially be eligible for regular unemployment! It's crazy how I may collect unemployment from my W2 job that I worked 8 months prior! It's very frustrating because they are playing with people's lives. So now I've applied for regular unemployment and I'm back at that waiting game and if I dont get approved then I have to go back to pua! They are making people who desperately need help run around in a circle no wonder why the facebook group I'm in for the pua and regular unemployment you hear some user talk about depression and being suicidal! it's sad it really is and the director who recently stepped down continues to lie each week in the conference held a few weeks back they were gonna pay people first then adjudicate the claims later but that never happened and alot of us that filed in beginning were put on the back burner. It's sad because why couldn't they just give me the disqualification letter in the beginning instead of the eligibility email on the 22nd then on the 27th and make me wait the 21days to give me the disqualification email! very sad but thank you for everything you are doing and God bless and god help us all!

Sent from my Samsung Galaxy , an AT&T LTE smartphone

Law Clerk

From: Gary Amsterdam < >
Sent: Sunday, June 21, 2020 10:52 PM
To: info
Subject: PUA UNPAID CLAIM █████ FILED DAY 1; APPROVAL DETERMINATION 6/6/20
Attachments: 05-16-20-PUA-ClaimFiledNo4685ApprovedYetRemainsUnpaid-6-17-20.doc;
ApprovedPandemicUnemploymentPUANonSep_PUA_Eligibility_GaryAmsterdam20200606-1st.pdf

Follow Up Flag: Follow up
Flag Status: Completed

DETR is paying claims last filed first and first filed last because it is easier and more efficient and they can pay more claims. That's probably a good thing, but DETR is completely ignoring early filed claims. There's no good reason not to allocate some resources to early filers. I filed on Day 1. Doubtless you know that the first week, the PUA claims website was glitched and DETR was fixing it on the fly. Apparently, paying early filers requires manual, as opposed to batch, entries. But it's not the fault of early filers that DETR was not ready to administer PUA Claims, nonetheless, early filers like me are stuck in no-man's land. I am an independent contractor and I have helped 8 others similarly situated file in the last 2 weeks, all of whom have been paid. My claim is entering week 5 and remains unpaid. I have spoken to 4 separate claims adjudicators and 4 separate claims representatives who have each assured me that there is no outstanding or unresolved issue **on the PUA side**, but the last adjudicator informed me, for the first time, that PUA could not "see" the "DETR side" and only DETR can authorize and schedule payment. Further, there is no "hotline" or claims or adjudication numbers to contact DETR for PUA Claims, so there exists this huge black hole where claimants cannot communicate with the entity tasked with paying claims to find out why not. The only available means of communication, if you can call it that, is to send emails to detradmn@detr.nv.gov and to fraud@detr.nv.gov. I have sent at least 100 such emails and have never received a response, have never been contacted by a caseworker and have not been scheduled for payment. The 3d adjudicator told me that according to her supervisor, it might be months before DETR pays my and other early filed claims. This is inherently unfair.

Attached is a copy of my letter of June 17, 2020 emailed to DETR. Since that time, I have spoken to a 4th Claims Adjudicator who noted my file for the 4th time as follows: **"DETR please review any remaining active issues on the Claimant's account for payment to be issued. Everything on the Adjudicator side has been determined and resolved.** Claimant still shows active issues for weeks after Adjudication. **Please resolve and issue payment."** Note, that when the Adjudicator notes, "Claimant still shows active issues", that refers to the Claim Summary. There are 2 relevant fields. One is called "Outstanding Claim Issues" and the entry is "none". The other field is "unresolved issues" and the entry is "yes". In addition, when the global "IP Issue" attached to all claims on May 25, I uploaded identity documents (birth certificate, social security card, Nevada Identification Card and even Netspend documents to prove the direct deposit account was in my name). The IP Issue was removed on May 26. Also attached is a copy of the 6/6/20 Approval Determination authorizing release of payment.

I would like to help in whatever legal proceeding you may be initiating to compel DETR to pay claims. You can contact me any time.

Gary Amsterdam

Law Clerk

From: Thierman Buck Law Firm <website@laborlawyer.net>
Sent: Sunday, June 21, 2020 10:05 PM
To: info
Subject: Contact Us Page Submission

Follow Up Flag: Follow up
Flag Status: Flagged

You have a new message from the CONTACT US page of your website:

Name: Michele Edwards

Email:

Phone:

Employer: Self Employed

Message: I would like to share my story about my struggle with PUA. I am self employed and have nothing but problems since I applied on May 16th. I have been "In Progress" for 13 weeks. I can not get through on the phone so I am not sure what to do at this point. I have 3 kids if my own under 5 and custody of my niece.

Law Clerk

From: Thierman Buck Law Firm <website@laborlawyer.net>
Sent: Sunday, June 21, 2020 8:46 AM
To: info
Subject: Contact Us Page Submission

Follow Up Flag: Follow up
Flag Status: Flagged

You have a new message from the CONTACT US page of your website:

Name: Melissa Schank

Email:

Phone:

Employer: SELF

PUA CLAIM [REDACTED]

Filed PUA claim effective 3-15-2020. Claim states unresolved issue, YES, and under review, NO. I finally got through to a hotline June 11, 2020. I was informed that I had filled out the entirety of my claim correctly and the issue was a glitch in the system that would HOPEFULLY work itself out and that I need to call the Judicator. I have been calling from 8am-4pm on days off and anytime I can at work, still, no answer. She said

Message: she would TAG my account. I'm not sure if they're even reviewing my claim. I'm not able to backdate my claim. The issue states that my unemployment was NOT due to the PANDEMIC. I have been a self-employed hairdresser for 30 years. The PANDEMIC is the ONLY reason I was unemployed. The reasons the Gov. states that claims are being held up do not pertain to me. I need help. I am getting the run-around and my hands are tied. I would love to be added to the list. Thank you, Melissa Schank, Las Vegas.

CLAIM # [REDACTED]

Law Clerk

From: Thierman Buck Law Firm <website@laborlawyer.net>
Sent: Sunday, June 21, 2020 8:11 AM
To: info
Subject: Contact Us Page Submission

Follow Up Flag: Follow up
Flag Status: Flagged

You have a new message from the CONTACT US page of your website:

Name: David Pattenaude

Email:

Phone:

Employer: Uber/Lyft Driver

I would like to be included in this filing.

I am a Gig Driver and am still waiting for any update to my claim, despite filing the Morning the Portal went Live. I know that I did not qualify for traditional UI Benefits as my employment from 2019 I quit from & have that denial letter PDF.

Message: I filed for my step son about 5 weeks ago & he's getting paid tomorrow through PUA, So I don't understand how Im not getting paid yet...

Please contact me to be included.

Law Clerk

From: Thierman Buck Law Firm <website@laborlawyer.net>
Sent: Sunday, June 7, 2020 12:58 PM
To: info
Subject: Contact Us Page Submission

You have a new message from the CONTACT US page of your website:

Name: Sarah Hernandez
Email:
Phone:
Employer: Self Employed

Hi,

There are thousands of us claimants still not being paid or given answers about our PUA benefits. Every promises made by DETR has been a lie. Please help us! If you are not familiar with the Facebook group where thousands of us tell our stories please have a look. We are losing our homes, and our cars and some of us cannot feed our children. This is inhumane and our leaders should be ashamed of themselves. Thousands of us would like representation.
<https://www.facebook.com/groups/nevadapua/?ref=share>

Law Clerk

From: Thierman Buck Law Firm <website@laborlawyer.net>
Sent: Sunday, June 7, 2020 10:39 PM
To: info
Subject: Contact Us Page Submission

You have a new message from the CONTACT US page of your website:

Name: Carlos amador

Email:

Phone:

Employer: Gig worker uber

I applied on may 16 still waiting for pua my famiy applied at same time they got it already I tried called both phone number end 81 and 82 I emailed no body give us answer I have 3 months without pay rent insurance , car etc I have 2 years old daughter and 14 years son before to come back to work I want make sure every is safe I can let my kids get the virus more for my 2 years daughter u know what that thing can do to her I afraid to lose one of them unemployment don't care about us they lie and made fake promises this too much pls we need someone to stand by us and fight for our rights federal promise and sent the fund already and the unemployment holding it that's not fair we have needs

Law Clerk

From: Thierman Buck Law Firm <website@laborlawyer.net>
Sent: Wednesday, June 10, 2020 9:06 AM
To: info
Subject: Contact Us Page Submission

Follow Up Flag: Follow up
Flag Status: Flagged

You have a new message from the CONTACT US page of your website:

Name: Carrie Bump
Email:
Phone:
Employer:

Hi,

I know that you had the original lawsuit filed against DETR for the PUA payment portal. I was wondering if you are doing anything at this time for those of us (the 75 percent of us) who have still not had our claims approved and paid out. The CARES Act allowed for them to pay first and adjudicate on the back end as long as you met very low requirements. Surely 75 percent of us did not fail to meet those requirements. The phone lines are also nearly impossible to get through to, but for those who do manage to get through, they're being told glitches unchecked boxes and that's the sole reason why we aren't being paid. Once they get through, the box is checked and payment is made. But again, it's nearly impossible to get through. Personally, I've made well over 1000 calls since the line opened on 06/01 and still cannot get through. Is there any type of lawsuit for these cases where they are withholding our money for their technical glitches, or for really no apparent reason?

Thanks!

Law Clerk

From: Elicia Jack < >
Sent: Thursday, June 11, 2020 10:17 AM
To: info
Subject: Uber/Grubhub worker

Follow Up Flag: Follow up
Flag Status: Flagged

I have applied for pua my application was processed and approved that was in May I'm struggling and haven't been able to work because I'm at risk with covid I'm a diabetic with asthma and my doctor feels that I already had the symptoms in feb he recommended for not just my and my family safety but safety of others to shelter in place I have called the hotline for the past two weeks and unable to get through to speak to someone I haven't worked since May when the pandemic started my name is Evlicia Jackson I'm the mother of 3 kids struggling to maintain bills rent and other things my phone number is

Law Clerk

From: Alexandra Madison < >
Sent: Thursday, June 11, 2020 6:47 PM
To: info
Subject: PUA

Follow Up Flag: Follow up
Flag Status: Flagged

Good evening, my name is Alexandra Madison. I am an independent contractor who has applied for PUA. Someone shared your law firm in the PUA facebook group asking for us to share our current situations with the PUA system. Here is my story:

I am a performer in a show on the Las Vegas strip, and we were forced to close the show March 15th. I have not worked since March 14th. I filed for PUA the first day the system opened, May 16th. I uploaded more than enough documents to prove I was eligible including my tax return, 1099s, and 12 past weeks of pay stubs. I received a letter stating I was eligible for PUA a few days later. About a week later four unresolved issues appeared on my claim. These issues include Lack of work, working full time, PUA - other eligibility, and IP investigation case. The PUA other and the IP investigation fell off just a few days later, and the other issues fell off just last week. Since then, I uploaded a notice of closure written by Caesars Entertainment, a personal letter written by myself stating that I lost my job due to Covid, and I also have uploaded 3 forms of identification. People in the group that also had the IP investigation case have said that reps have told them that it meant their claim was under investigation for fraud which is why I uploaded my proof of identity.

I still have not received a letter for approval, and my claim shows in progress. No one from the department has reached out to me requesting more information. I have tried calling many times and can never get through. My claim number is in the early 1000's, and people with claim numbers over 50,000 have already received payment. My boyfriend who also filed the first day and has a claim number in the 2000s has already received his payment, and he never even received a letter for approval. The director of DETR announced in her conference that they are going through claims in the order they are received. This is completely false, and the majority of us who filed the first day have not been paid.

Thank you for your time.

Regards,
Alexandra Madison

Law Clerk

From: Taylor Tillery < >
Sent: Thursday, June 11, 2020 9:14 PM
To: info
Subject: Regarding class action lawsuit to detr

Follow Up Flag: Follow up
Flag Status: Flagged

My name is Taylor tillery. I am a uber and lyft driver in Las Vegas. I applied May 16th for pua and at first I had the issues "working full time" and pua eligibility. They dropped off a week ago but still in progress and no payment. My boyfriend an Uber and lyft driver applied the same day and had "working full time" issue but as soon as that fell off a week ago he got paid. So the only thing I can think is because I have claimed some wages because I have a 2 year old and needed money for rent and food and a few weeks I exceeded the 203 benefits I was awarded which is fine, I don't expect pay for that but now I have bills that need to be paid and no back pay or pay for the weeks I barely made anything. So this is my example of why did two people of the same profession not have the same results and equally get what we are entitled to? If you have any questions or need any information my number is and I'm available anytime.

Thank you for fighting for us and looking into this. This has been the most stressful 3 months of my life.

Sincerely,
Taylor tillery

Sent from my iPhone

Law Clerk

From: Allison Thomas < >
Sent: Friday, June 12, 2020 11:50 AM
To: info
Subject: @@@ Response to Blog re: GIG WORKERS DENIED UNEMPLOYMENT COMPENSATION

Follow Up Flag: Follow up
Flag Status: Flagged

To Whom It Concerns:

June 12, 2020

I am reaching out to you in response to your blog regarding gig workers (dated 6/11/2020). Like many other people residing in Nevada, I am a self-employed single mother still waiting for my PUA benefits. I applied early morning May 16, 2020 and received a letter stating my monetary benefits are approved for \$469 per week plus the \$600 per week from the CARES Act. I am currently on week 12 with no income.

Since that time, I have called the 2 numbers provided for the PUA multiple times every day, all day and have only spoken to 1 person, one time 2 weeks ago. She alerted me that nothing could be done and I had to "just wait." I have a house in forbearance which ends July 1, 2020 (with no possible way to pay for my back mortgage bills), my credit cards are all maxed out, and I am nearly out of all my savings. And still, I call every day hundreds of times, write emails, (including to Governor Sisalak and Senator Rosen) and I still have not received any answer, any movement, or explanation why I must now live in desperate fear day to day.

I have been working in my current field (medical transcription work) since 2013 and have every single invoice and proof of income leading up to the day I no longer received work due to Covid-19 (my work comes from NY). Everything asked to provide regarding my proof of employment and income I provided; therefore, there is zero reason my claim has not had any progress for close to a month.

I am at a loss of what to do - I am getting desperate at my current situation. I am scared I will not be able to feed my child soon and will lose my home because the State of Nevada is still holding onto funds I am entitled to and so desperately need.

Please advise if there are any class action suits regarding this issue. There are thousands of people in the exact same position I am through no fault of our own.

Thank you.

~Best,
Allison Thomas

Law Clerk

From: Melissa Reynolds < >
Sent: Monday, June 15, 2020 9:05 AM
To: info
Subject: Pua

Follow Up Flag: Follow up
Flag Status: Flagged

Hello thank you for helping people in this situation. I filed 5/19 uploaded two years of taxes ss#birth certificate drivers license. My payments have been in progress since I filed my first weekly certifications on 5/23. I had ip special project issue that went away on its own on 5/26 then a second eligibility letter, my weekly benefit amount is 469. still no updates I can't get through on the phone and I've sent several messages through the emplynv platform, without any response. I just filed my 19th week and I have no update in sight. I'm ready to move forward with a lawsuit. I have no outstanding issues and I'm now waiting on over \$15,000. I'm about to lose my car, can't register or pay insurance either. I've lost my home already my phone is turned off I can't afford food for my family, I'm worried if apply for food stamp benefits I'll have more issues with pua. Please help thank you so much! I can't go back to work until we open up. Could be months.

Melissa reynolds

Law Clerk

From: Anthony Ojeda < >
Sent: Tuesday, June 16, 2020 2:12 PM
To: Law Clerk
Subject: Re: Thierman Buck Law Firm

Follow Up Flag: Follow up
Flag Status: Completed

Here is my story and a bunch of screen shots from the PUA Facebook groups with all the misleading information and lack of payment for those who filed in the very beginning. It's all available for you to use in the Class Action Lawsuit. I appreciate everything you guys are doing and I'm praying to god something happens soon because I'm about to lose everything.

The day they launched the site 5/16/2020 thousands of people applied for PUA benefits. Since then only a few amount of people have been paid, they have been caught in flat out lies, and false information on not only their press conference but the interviews on the news. What they are telling people and the numbers they are coming up with are completely false. I am part of a Facebook group with almost 10k members and the contradictions from what is said in writing and on the news conference has many many many people not only angry but depressed and for me it has caused me to seek therapy at [REDACTED] in Las Vegas.

When this first started they said that payments will start going out immediately and they would adjudicate on the back end. This is completely a lie. They're not paying people, the phone lines for the adjudication are impossible to reach and causing an extreme amount of stress and anxiety. I call Monday to Friday from 8am to 8pm and can not get through to speak to anyone about my claim. On the claim itself it says I have No outstanding issues but on my summary it says I have unresolved issues. I was able to get through on the number ending in 81 which is basically their call center. Who I've spoken to after trying to get a hold of for weeks said my claim looks great and there are no issues. DETR told people payments were going out multiple different times with that number they project on the media being completely false. They (Heather) are making it out to seem like everything is going great and people are getting paid and this is simply not the case at all.

People who filed AFTER the initial day (5/16) have had no issues and got their money within that same week of filing. I'm going to copy a link of the Facebook group and within 30 seconds you will see hundreds and of people who have lost all hope and upset about not being able to get through any phone lines for week and have no chance of getting their money.

As I mentioned earlier this has caused me to experience anxiety and panic attacks which I've never experienced before. I now see a therapist at [REDACTED] every Tuesday and have an appointment with a psychiatrist on the 17th. This is largely due to the false claims and lack of answers and payment from DETR. It's extremely unfair and my mental health has taken a turn for the worst because of it. I'll attach the link below. Thank you for your time and god bless

<https://www.facebook.com/groups/nevadapua/?ref=share>

Law Clerk

From: Rick Fitzgerald < >
Sent: Tuesday, June 16, 2020 3:56 PM
To: Law Clerk
Subject: Pua fileing no issues. No payment.

Follow Up Flag: Follow up
Flag Status: Flagged

Hi. I'm Rick fitzgerald. Phone I applied for pua on 5-22 from 3-15 to present date. Have been approved. Actually 5 letters of approval. And as of today. Still no pay. And nothing has changed on my portal. Have tried many times. Too many to count. To get through to pua adjudication. Only got through 1 time. Thought all was fine. But nothings changed. I tried calling back. No answer. Almost 8-9 hrs a day. Did get through to the 81 number. She hung up on Me. I'll send you the pictures on my portal. And all the approval letters. Just let me know what You need Thank you. Rick

Sent from my iPhone

Law Clerk

From:
Sent: Tuesday, June 16, 2020 5:00 PM
To: Law Clerk
Subject: DETR lawsuit
Attachments: Screenshot_20200616-163452_Chrome.jpg; Screenshot_20200616-163447_Chrome.jpg; Screenshot_20200616-163526_Chrome.jpg; Screenshot_20200616-163545_Chrome.jpg; Screenshot_20200616-163531_Chrome.jpg; Screenshot_20200616-163740_Drive.jpg; Screenshot_20200616-082918_AOL.jpg

Follow Up Flag: Follow up
Flag Status: Flagged

Hello my name is Terri Patton. My boyfriend and I are self employed junk haulers and have been for nearly 3 years now. I applied for PUA back on May 18th 2020. I'm including my monetary determination letter and what my claim looks like and has for over 2 weeks now. I have called the adjudication line and the rep line numerous times, and was only able to get through to the reps. I asked the same question, which was why am I not being paid when all my issues fell off like everyone else's, and got 3 different answers. No one can fix the "glitches" or answer the questions thousands of us have been asking for weeks. Our livelihood has been majorly impacted by this and we are depending on all this back pay to get our business back up and running again. To be able to eat, pay bills, get diapers for our son, etc. This whole ordeal has been mentally exhausting. I'm experiencing depression and anxiety due to this all. We moved out of the efficiency apartment that we were living in due to constant knocks demanding rent and the stress of our stuff being thrown out back at the end of April. We would have never been able to catch up on back rent due to absolutely no work coming in since March. We have a 21 month old son and are now living in a 5th wheel on a friends property. We haven't recieved a dime from PUA or anyone since COVID-19 and the shutdowns. We went from living comfortably without any government assistance to below poverty on food stamps and WIC and now waiting on and desperately depending on PUA to pay us what we are owed. No answers at all what so ever. I sent my ID, social security card, mail with my current address, bank records and a ledger. I also wrote and submitted that I filed in the state of Nevada inside the United States. There is absolutely no reason I should be denied and beyond ridiculous that people who applied well after me and thousands of others are being paid and being paid without uploading any documents. This has gone on far too long and the stress and mental anguish is taking a toll on my health. Thank you,

Terri
You can contact me at _____

Law Clerk

From: Toni Young < >
Sent: Tuesday, June 16, 2020 8:40 PM
To: info
Subject: DETR PUA Non-Payment

Follow Up Flag: Follow up
Flag Status: Flagged

With respect to your Class Action lawsuit against the Nevada DETR, below is the pertinent information with respect to my PUA claim:

Claim #: [REDACTED]
Filed initial claims backdated to March 15, 2020: 05/23/2020
Claim Under Review: No
Unresolved Issues: Yes
Outstanding Claim Issues: No Outstanding Issues Have Been Found For This Claim
Benefit Pay Date: In Progress (3/21 - 6/13/2020)
Payment Type: Active Issues

Conflicting information gleaned from the PUA Facebook page of other claimants with the same issues (Unresolved Issues: Yes, Payment Type: Active Issues) - the most common information indicates this is a clerical error of a box left unchecked by the initial reviewer, but people who are able to speak with a representative are given different answers - no consistency with respect to how this is being managed. Multiple daily attempts to call the PUA Adjudicators' contact number repeatedly ends in a hangup at between 5:32-5:40 minutes. No way to find out the status of this claim, no contact from DETR-PUA since Determination Letter indicating eligibility and WBA, no real answers forthcoming from the DETR press releases. What IS consistent is the increasing desperation of people who have been forced into unemployment from their self-employment due to the COVID-19 shutdown with no relief in sight, with more than a few expressing suicidal indicators.

I have also assisted neighbors and friends in navigating the PUA website to enter their claims (as it can be very confusing for many), and ALL have experienced the same issues. Frustration is turning into despair and many are giving up on ever seeing this resolved.

I hope this helps in your endeavor to force DETR to address these issues and get people paid so they can get back on their feet again.

Best regards,
Toni Young

Toni Young
[REDACTED]

"The thing you really believe in always happens...and the belief in a thing makes it happen." - Frank Lloyd Wright

Law Clerk

From: Beverly Feldman < >
Sent: Wednesday, June 17, 2020 9:31 PM
To: info
Cc: Beverly Feldman
Subject: PUA CLAIM LAWSUIT

Follow Up Flag: Follow up
Flag Status: Flagged

CLAIM # [REDACTED]

I'd like to be added to the PUA Gig Workers Class Action Lawsuits . Claim # [REDACTED] . My claim effective date is 02/23/20. I've been stuck "In Progress" with NO Outstanding issues for at least 2.5 weeks now. They don't respond to emails. The phone line is essentially impossible to get thru to & drops your calls after 5:30 minutes. Been trying to call for over 3 weeks now with no answers & hang ups. I'm owed 16 weeks of back pay.
Thank you, Beverly Feldman

Beverly Feldman

Law Clerk

From: Paul Manning < >
Sent: Saturday, June 20, 2020 1:57 PM
To: info
Subject: DETR

Follow Up Flag: Follow up
Flag Status: Flagged

I'm an independent 58-year-old contractor with Lyft. I stopped working on March 11th when W.H.O declared a Pandemic. I was concerned with getting infected with COVID-19; I spent 3 month in the hospital a few years ago for a respiratory illness. While hospitalized I was exposed to (MRSA) Methicillin-Resistant Staphylococcus Aureus. Out of those 3 months I spent in the hospital I was on a ventilator in ICU for 6 weeks. I left the hospital with permanent lung damage and needed the assistance of oxygen for over a year after discharge.

My doctors advised me to avoid any chance of being exposed to COVID-19 due to my underlying health issues. So now I've had no income for a total of **101** days even through the federal government has passed a bill to provide benefits that the state of NV has held up for well over 3 months.

In addition to my concerns with getting infected with COVID-19 Lyft's business had decreased by 90%. 80% of my income was from the Strip 25% was from McCarran. With the Casino closed and McCarran's flights down 96% it put me at a standstill.

I drive a Luxury Vehicle that cost me \$358 a week just to cover my operating expenses, this does not include my fuel cost.

My last few weeks of driving I grossed \$301.61 which does not even cover my expenses, prior to the shutdown my weekly income average \$1,189.00 over the past 2 years. I have uploaded supporting 1099's and other documents to DETR to support the stated income.

When I made the decision to stop driving I was not sure how I was going to survive finically, I had about 1 month of savings to cover my basic living expenses. I was not that worried because I could not imagine this lasting more the 30 days.

When Trump signed the "CARES ACT" on March 27th providing unemployment benefits for Gig workers I was relieved. I was not very happy that I was forced to seek federal help but seeing the government shutdown the country leaving me no chose.

In my 58 years I've never filed for any kind of assistance from government, never any unemployment. EVERY!!!

After my hospitalization I was entitled to file for disability but chose not to because I had sufficient resources.

I filed for PUA the first day it was available 5/16, it took DETR 50 days to initiate the ability for Gig works to file. Nevada was almost the last state to implement the PUA for gig workers. Heather Korbolic the director of DETR had given statements to the press that NV was not the last state to implement the PUA's ability to file. Some reason being the 40th state was acceptable to her.

So by this time my financial anxiety was very high. On 5/22 I received e-mail from DETR indicating my claim was approved and provided a PUA Monetary Determination of \$469 wkly.

A week later DETR initiated the ability for PUA to file weekly claims. So at this point now it's been 57 days since the CARES act was signed. At this point I had not had any income for over 2 months.

Car Payment, Health Insurance, Vehicle Insurance, Phone and Rent past due.

A few days after I was able to file my DETR portal indicated under Issues Description

"IP-Investigation Case Special Project" But stated that my claim was not under review and there were no outstanding issues that had been found with my claim. But it stated "UNRESOVED ISSUES: YES." Totally Contradictory!

SO I have been trying to seek information for my concern of this "UNRESOVED ISSUES: YES."

Since 5/27 and when I should receive payment. Below is a call log to date.

5/24- I e-mailed PUA support with questions concerning message of "UNRESOVED ISSUES: YES."

I received a reply from DETR a few days later advising me that this e-mail support only is for resetting passwords, even though I clearly chose PUA issue in my request. The support had a dropdown menu to allow you to choose the reason for the support request. I replied to the email stating my request was not for a password reset. I reply to this e-mail stating again what my request was for. I got an email back stating the same thing, " This e-mail support only is for resetting passwords.

27- Call support with concern of the following: 68 calls to connect.

IP-Investigation Case Special Project

Claim under review- NO

Unresolved Issues – **YES**

Outstanding claim Issues – **No** outstanding issues have been found for this claim.

After being unsuccessful reaching support via e-mail I called support.

I was told not to worry these were programing errors and there were no issues with my claim and I could receive payment very soon. Was told that I would receive an e-mail within 4 to 6 hours with a final approval.

/29- Called support for the following: 64 calls to connect.

Final approval letter not received as promised on 5/27

Weekly Benefits Certification: Benefit Pay Date: In Progress

Payment Summary: Pay Type: In Progress

Unresolved Issues – **YES**

Outstanding claim Issues – **No** outstanding issues have been found for this claim.

After not receiving my final approval letter as promised on 5/27 I once again called support.

Was told by support to contact PUA Adjudication on 6/1, was given a reference #4606

Was concerned with these instructions because I had read DETR's Director informing only claimants who have been instructed through their online unemployment portal should call Adjudication Support Line.

1- Called PUA Adjudication from 8am to 8pm 108 times. Was not successful reaching them.

2- Called PUA Adjudication from 8am to 8pm 96 times. Was not successful reaching them.

When calling support they would first thank you for calling and ask you to hold for a live representative.

Every minute or so they would come on the line and inform you that all representatives were busy and to continue to hold for a live representative.

Then between 5 and 6 minutes every time they would say "sorry all representatives are busy" and hang up and suggest you try your call later.

3- Called PUA Adjudication as instructed: 72 calls to connect.

Instructed by PUA Support on 5/29 to call Adjudication.

I gave her the reference number I received from PUA support, she said she was not sure what this reference number related to that it was not protocol for PUA support to instruct claimants to call PUA Adjudication and if DETR requested claimant to call Adjudication they would do it via the claimant's online portal's email. I spent 35 minutes on the phone with her reviewing my account; she said she did not find any outstanding issues and all these issues on my portal will clear my account within a day or so and that I should get paid very soon. She said she would send a note to her upper supervisors regarding the delay with my claim.

I told her that I was promised a final approve letter on my previous call to support. She said no problem she would send one out within the next few hours.

9- Called PUA support for the following: 63 calls to connect.

Payment and Pay Date: In Progress

Unresolved Issues – YES

Outstanding claim Issues – No outstanding issues have been found for this claim.

Final approval letter.

After seeing no changes to my account and for the second time not receiving my final approval letter I called once again. Was told that he could not find any reason why I had not been paid. He placed me on hold and conferred with his supervisor. He came back on the line and said he and his supervisor could not find any issues with my claim. He informed me that the "Unresolved issues was due to a glitch "ip-Investigation that was removed on 6/5/20. I ask him then why is it still showing as an unresolved issue? His reply was he was not sure why this was still showing on my claim but assured me that it was nothing to worried about and I should receive payment very soon.

He said he would e-mail me a final approval letter within 2 hours.

5/15- Called PUA Adjudication for 96 times. Was not successful reaching them.

Looking for answers on Final Approval letter and outstanding claim Issues.

5/16- Called PUA Adjudication for 89 times. Was not successful reaching them.

Looking for answers on Final Approval letter and outstanding claim Issues.

5/17- Called PUA Adjudication 81 times. Was not successful reaching them.

Looking for answers on Final Approval letter and outstanding claim Issues

Payment and Pay Date: In Progress

Unresolved Issues – YES

Outstanding claim Issues – No outstanding issues have been found for this claim.

Final approval letter not received as promised.

5/18- Called PUA Adjudication 68 times. Was not successful reaching them.

Looking for answers on Final Approval letter and outstanding claim Issues

Payment and Pay Date: In Progress

Unresolved Issues – **YES**

Outstanding claim Issues – **No** outstanding issues have been found for this claim.

Final approval letter not received as promised.

5/19- Called PUA Adjudication 104 times. Was not successful reaching them.

Looking for answers on Final Approval letter and outstanding claim Issues

Payment and Pay Date: In Progress

Unresolved Issues – **YES**

Outstanding claim Issues – **No** outstanding issues have been found for this claim.

Final approval letter not received as promised.

5/20- Called PUA Adjudication 38 times. Was not successful reaching them.

Looking for answers on Final Approval letter and outstanding claim Issues

Payment and Pay Date: In Progress

Unresolved Issues – **YES**

Outstanding claim Issues – **No** outstanding issues have been found for this claim.

Final approval letter not received as promised.

I consider myself a resourceful person but have not been able to reach PUA Adjudication for 3 days consisting of 476 calls.

Law Clerk

From: Kelsey Swalling < >
Sent: Thursday, June 18, 2020 4:12 PM
To: info
Subject: PUA

Follow Up Flag: Follow up
Flag Status: Flagged

Hi my name is Kelsey Swalling(claim number [REDACTED]). I'm an independent contractor/sole proprietor living in Las Vegas. I filed my initial claim on the first day 5/16. I had PUA other eligibility show up and then subsequently fall off on 5/22(when I spoke to an adjudicator that is the date he gave me). I also ended up having the IP special case investigation issue pop up and then also fall off on 5/27, I believe(along with many other people not getting paid right now) since 6/2 I have had no outstanding issues on my claim and I was calling the adjudication center almost 10 hours a day every day, until I finally go through on 6/16. When I spoke to the adjudicator he informed me that there was nothing wrong with my claim and I did not need to upload anymore information I was just waiting for a DETR employee to issue me payments. So I have been sitting at a stand still for 3-4 weeks now with no payday and no issues. The adjudicator informed me he put a note on my case to hopefully help it move faster but I am not holding my breath as I have had no issues and been withheld my promised funds. I have depleted my savings because of this and I am behind on rent by two months and all other bills. I am afraid they will be asking for payments so as things are starting to open and I still cannot get back to work as we are still stuck in Phase 2. Thank you for your consideration into helping us Nevadans that were forced to stop working and we did as we were told and the state is not giving us money that is promised to us in a time we need it most.

Thank you,
Kelsey Swalling

Phone: [REDACTED]
Email: k [REDACTED]
Address: [REDACTED]

Sent from my iPhone

Law Clerk

From: amberannebosch < >
Sent: Wednesday, June 17, 2020 5:05 PM
To: info
Subject: PUA for self employed

Follow Up Flag: Follow up
Flag Status: Flagged

My name is Amber Bosch, I am self employed and was ordered by the governor to shut my doors effective March 21, 2020 like all other non essential businesses. I applied for DETR the very first day and continued every week I was shut down and was not qualified for regular UI. On May 15, 2020 PUA was opened and I put all of my information in that morning on Employnv.gov. I certified all of my weeks on May 26, 2020. I have no outstanding issues on my case but I do have "unresolved issues" marked yes on my case. I have called the office hundreds of times with not one single call answered. I got a letter that I qualify but still do not have a payment date or type. I did put my bank information in for direct deposit and clicked yes on having taxes taken out. I have sent multiple emails and have called hundreds of times to no avail.

If there is any other information you are seeking you can contact me at

Thank you for your time
Amber Bosch

Sent from my T-Mobile 4G LTE Device