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RLG FAQs - Unemployment Benefits **(current as of April 9, 2020)**

Q: Are there specific eligibility requirements for these extended UI benefits?

A: Yes. Generally, individuals are entitled to unemployment benefits if they are no longer working through no fault of their own and are able and available to work. The CARES Act requires states to be flexible in their requirement that workers be able and available to work where they are unable to search for work because of COVID-19, including because they are sick, quarantined or unable to work due to stay-at-home mandates.

To be eligible for expanded benefits under the CARES Act, workers must be unemployed, partially unemployed, or unable to work for one of the following reasons:

- The individual has been diagnosed with COVID-19 or is experiencing symptoms of COVID-19 and is seeking a medical diagnosis;
- A member of the individual's household has been diagnosed with COVID-19;
- The individual is providing care for a family member or a member of the individual's household who has been diagnosed with COVID-19;
- A child or other person in the household for which the individual has primary caregiving responsibility is unable to attend school or another facility that is closed as a direct result of the COVID-19 public health emergency and such school or facility care is required for the individual to work;
- The individual is unable to reach the place of employment because of a quarantine imposed as a direct result of the COVID-19 public health emergency;
- The individual is unable to reach the place of employment because the individual has been advised by a health care provider to self-quarantine due to concerns related to COVID-19;
- The individual was scheduled to commence employment and does not have a job or is unable to reach the job as a direct result of the COVID-19 public health emergency;
- The individual has become the breadwinner or major support for a household because the head of the household has died as a direct result of COVID-19;
- The individual has to quit his or her job as a direct result of COVID-19; or
- The individual's place of employment is closed as a direct result of the COVID-19 public health emergency.

Q: How much compensation can individuals receive in UI benefits as a result of the CARES Act?

A: It can vary by state. The Act provides an additional federally-funded \$600 per week on top of the weekly benefit amount determined by the state. This additional \$600 per week is taxable and will expire on July 31, 2020.

Q: What if a worker already received UI benefits this year?

A: The benefit payments under the CARES Act are retroactive for weeks of unemployment, partial employment, or inability to work due to COVID-19 reasons starting on or after January 27, 2020. There is a 39-week cap on UI benefits through December 31, 2020, which includes weeks during which the worker received regular or extended UI benefits.

Q: Are laid off and furloughed workers eligible for UI benefits, whether part-time or full-time?

A: Unpaid laid off and furloughed workers, whether part-time or full-time, may be eligible to receive UI benefits under the Act. Each state will make the determination when the employee applies for benefits. It is also possible for an employer to continue to pay an employee's health benefits during a temporary layoff or furlough, which would still allow the employee to receive UI until they are called back to work.

Q: We reduced the hours of our employees due to the COVID-19 related impact to our business. Can these employees apply for UI benefits?

A: Yes, employees can apply and each state will determine if the employee should receive partial UI benefits under the Act.

Q: Can someone laid off before the CARES Act was passed qualify for the new UI benefits?

A: Yes. The Act provides benefits to qualified applicants starting on or after January 27, 2020.

Q: We laid off employees due to a COVID-19 related downturn in our business. Is this going to affect our tax rate?

A: It depends. UI benefits under the CARES Act are funded by the federal government, therefore states may not charge employers for benefits paid under the CARES Act. However, each state will make independent decisions based on its state's benefits (not CARES benefits), which are paid out to employees.

Q: We are an essential business, and I have an employee who refuses to come to work, even though work is available and we are following CDC guidelines for distancing, sanitization, and safety. Is this employee eligible for UI benefits?

A: Generally no, unless the individual is unable to work due to qualifying reasons listed above.

Q: Are workers allowed to collect UI benefits when they are receiving compensation through paid sick leave and/or expanded family and medical leave under the FFCRA?

A: Generally no, however individuals receiving paid sick leave or other paid leave benefits for less than their customary workweek may be eligible for unemployment insurance benefits. Each state

will make this determination and must treat any paid sick leave or paid leave received by the individual in accordance with income restrictions.

Q: One of our employees is working remotely; however, I just received an unemployment insurance claim for her. Is she eligible?

A: Maybe. If an individual has been offered the option of teleworking with pay and does telework with pay, but is working less (and being paid less) than the individual would normally receive prior to the COVID 19 pandemic, the individual may be eligible for a reduced benefit.

Q: Is it possible for individuals to receive more in UI benefits than they received in their normal paycheck?

A: The additional \$600 in weekly benefits is designed to keep as many workers as whole as possible through the emergency. It's possible that some individuals may temporarily receive more benefit than their normal paycheck. It's likely that the thought process here was that those on UI do not usually receive health insurance, retirement, or other important benefits available when actively working.

Q. What are the different types of benefits under CARES?

A. The CARES Act created three programs that work together to extend benefits to those previously ineligible, expand access to benefits, and provide additional compensation to those qualified to receive benefits:

Pandemic Emergency Unemployment Compensation (PEUC)	Provides an additional 13 weeks after regular unemployment compensation benefits are exhausted.	Ends December 31, 2020
Pandemic Unemployment Assistance (PUA)	Extends benefits to self-employed, gig workers, freelancers, and independent contractors.	Ends December 31, 2020
Federal Pandemic Unemployment Compensation (FPUC)	Provides an additional \$600 per week above the current state benefit.	Ends July 31, 2020

Please note that these are fast-moving times, and the information provided is only accurate as of the day posted (April 9, 2020). The information provided does not, and is not intended to, constitute legal advice; instead, all information is prepared and provided for general informational purposes only.

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