
The COVID19 Unemployment Update

President Trump declared COVID-19 (Novel Coronavirus) a National Emergency on March 13, 2020. The declaration provides new guidance and outlines flexibilities that states will have in administering their unemployment insurance programs. This bulletin is intended to answer frequently asked questions and provide links to resources related to the effect of COVID-19 on employer unemployment programs.

How does the national emergency affect unemployment in different states?

Per the [Department of Labor News Release](#), federal law now allows for increased flexibility for states to amend their laws to provide UI benefits in multiple scenarios related to COVID-19. For example, federal law allows states to pay benefits where:

- (1) An employer temporarily ceases operations due to COVID-19, preventing employees from coming to work;
- (2) An individual is quarantined with the expectation of returning to work after the quarantine is over; and
- (3) An individual leaves employment due to a risk of exposure or infection or to care for a family member. In addition, federal law does not require an employee to quit in order to receive benefits due to the impact of COVID-19.

What if an employee is receiving sick pay or paid family leave? Can they collect?

The DOL news release specifically provides guidance indicating that because they are receiving pay they are not considered unemployed and therefore are ineligible for unemployment benefits.

Can employees use Disaster Unemployment Assistance (DUA) to collect benefits?

No. While a National Emergency has been declared, we have not seen authorization from FEMA for DUA benefits related to COVID-19. It is important to note that for a claimant to collect DUA benefits, they must be found ineligible for regular unemployment benefits.

Federal Legislation regarding COVID19:

- [Coronavirus Preparedness and Response Supplemental Appropriations Act, 2020](#)
- [6 things to know about the coronavirus funding package](#)
- [DOL guidance for preparing workplaces for coronavirus](#)
- [OPM Memorandum, Guidance, and Q&A: Coronavirus Disease 2019 \(COVID-19\)](#)

Do employer-initiated quarantines or temporary shutdowns or mass layoffs entitle workers to unemployment benefits?

Yes. Any stoppage of work initiated by the employer will be seen as a lack of work, and therefore the individual affected will be eligible to collect unemployment benefits. To be eligible, all other unemployment eligibility requirements will have to be met by the individual, which can include being able, available, and actively seeking employment.

Depending on the size and length of the employer initiated work stoppage, some jurisdictions may require notification to the state unemployment agency as a mass separation and follow the WARN act.

What if an employee chooses to self-quarantine? Will they be eligible for benefits?

This will be dependent on the individual state agency and the specifics of that situation. For questions regarding a specific case, please contact your CCC Account Executive.

Various impacted states have put together resources to assist employers. You can find them here:

CALIFORNIA

- [EDD Coronavirus resources](#)
- [Coronavirus Disease \(COVID-19\) – FAQs on laws enforced by the California Labor Commissioner’s Office](#)
- [Information for Employers and Worker Benefits](#)

COLORADO

- [Coronavirus Efforts Under State Of Emergency](#)
- [Governor declares state of emergency](#)
- [Emergency Rules on Paid Sick Leave for COVID-19](#)

NEW JERSEY

- [Dept of Labor Benefits and the Coronavirus: What you should know.](#)

MONTANA

- [Law rule that would help with eligibility in COVID-19 situations](#)

OHIO

- [Webpage on coronavirus and UI benefits](#)

OREGON

- [Sick days 101: What the law says for workers and employers](#)
- [Related Business Layoffs, Closures, and Unemployment Insurance Benefits](#)
- [Scenarios & Benefits Available](#)

RHODE ISLAND

- [Workplace Fact Sheet for COVID-19](#)
- [Governor declares state of emergency \(including information about unemployment insurance\)](#)

WASHINGTON

- [Non-Pharmaceutical Interventions \(NPIs\)](#)
- [Governor Inslee announces support for workers and businesses impacted by COVID-19](#)
- [ESD COVID-19 Response: including link to emergency rules for unemployment insurance](#)
- [Employment Security Department COVID-19 Information](#)
- [Scenarios and benefits chart](#)
- [Resource list for businesses & workers impacted by COVID-19](#)
- [PASSED: WA HB 2965 - Concerning the State’s Response to the Novel Coronavirus](#)
- [PASSED: WA HB 2739 - AN ACT Relating to Adjusting Certain Requirements of the Shared Leave Program and Declaring an Emergency](#)

What if we want our employees to continue to work, but from home?

The following resources can assist you and your employee in determining the parameters of a telecommuting agreement.

- [Montana Department of Labor and Industry Telework Agreement Form](#)
- [NASWA’s Virtual & Telecommuting Work Agreement](#)

Information contained in the bulletin was gathered both independently, as well as utilizing resources obtained from NASWA and the Department of Labor. CCC is in contact with both national and state representatives regarding this issue and will keep you updated as more information becomes available.