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Minnesota House of Representatives

Unemployment Assistance Q&A

UI - THE BASICS

- We know that the COVID-19 pandemic creates a number of **new challenges** for businesses, workers, and government.
- DEED's Unemployment Insurance (UI) program assists **workers who can't work**, have their **hours reduced** or **lose their jobs** as a result of the pandemic.
- **The state's UI program is prepared and ready to assist these workers.**
- If you are **unemployed** or have your **hours reduced**, you may **apply for unemployment benefits** by visiting: www.uimn.org
- We'll continue to post updates regularly on DEED's website (mn.gov/deed) in the coming weeks.

SHARED WORK – AVOIDING LAYOFFS

Shared Work is a program offered by the MN Unemployment Insurance (UI) Program to help employers avoid a layoff.

About Shared Work

- **Employers** submit an application and a list of the selected employees that will **work reduced hours** during a temporary slowdown. They are **paid unemployment benefits to offset part of their reduced wages**.
- Employers **divide available work hours** among a group of employees instead of a layoff.
- Employers **pay wages** for the hours the employees work.
- Employees receive **partial unemployment insurance benefits while working reduced hours**. The benefits usually pay about one-half of the employees lost income due to the reduced hours.

Benefits of Shared Work

- Allows employers to keep experienced and trained staff
- Avoids future hiring and training costs
- Allows employers to increase operations quickly when business conditions improve
- Avoids a layoff which creates goodwill and financial stability for the workforce and the community

COMMON QUESTIONS ABOUT UNEMPLOYMENT INSURANCE

EMPLOYER COSTS ASSOCIATED WITH COVID19

If my employee receives unemployment benefits as a result of a Covid19-related issue, will my UI costs increase?

- Employers are usually responsible for the cost of unemployment benefits paid to their workers. However, those costs are not borne by employers immediately. The Walz-Flannigan administration is looking into ways to reduce the financial impact of the Covid19 pandemic on employers. It's important that you consider the health and safety of your workers and customers first rather than any potential UI costs.

HOOR REDUCTIONS DUE TO COVID19

Business is slowing down and I have no choice but to reduce employee hours. Will the affected employees be eligible for unemployment benefits?

- Workers who have their hours substantially reduced may be eligible for unemployment benefits.

TEMPORARY LAYOFFS DUE TO COVID19

My business is instituting temporary layoffs. Will the affected employees be eligible for unemployment benefits?

- Workers who are affected by temporary layoffs are usually eligible for unemployment benefits, assuming all other eligibility requirements are met.

PERMANENT LAYOFFS DUE TO COVID19

My business is instituting permanent layoffs. Will the affected employees be eligible for unemployment benefits?

- Workers who are affected by permanent layoffs are usually eligible for unemployment benefits. They should apply for benefits.

VOLUNTARY LAYOFFS DUE TO COVID19

My business allows employees to take a voluntary layoff to prevent the layoff of another employee. Will workers who take voluntary layoffs be eligible for unemployment benefits?

- Unemployment benefits may be available to workers who take a voluntary layoff to avoid the layoff of another worker (and meet certain other requirements).

AVOIDING LAYOFFS DUE TO COVID19

Is there anything DEED can do to help my business avoid layoffs?

- If you meet eligibility requirements, you may be able to enroll in the [Shared Work Program](#). This program offers an alternative to layoffs in which employees work reduced hours during a temporary slowdown. Employees are paid unemployment benefits to offset part of their reduced wages.
- Employers with questions about the Shared Work Program should contact us at shared.work@state.mn.us.

GOVERNMENT-IMPOSED QUARANTINES DUE TO COVID19

My employee is unable to come to work because they are subject to mandatory quarantine. The employee has enough vacation/sick/PTO pay to cover the leave period. Will the employee be eligible for unemployment benefits?

- If an employee has vacation pay, sick pay, or paid time off (PTO) available, they should consider using that time to cover the leave period. Otherwise, unemployment benefits will only pay about half of their average weekly wage (up to a statutory maximum, currently \$740).
- Workers who are receiving vacation pay, sick pay, or personal time off (PTO) pay equivalent to their normal rate of pay are ineligible for unemployed benefits.

My employee is unable to come to work because they are subject to mandatory quarantine. The employee has enough vacation/sick/PTO pay to cover part of the leave period, but not the entire leave period. Will the employee be eligible for unemployment benefits?

- It depends on the situation. If the employee is required to take a leave of absence that is only partially paid, the employee may be eligible for unemployment benefits for the unpaid time. The employee may wish to use their vacation/sick/PTO hours to cover as much of the leave period as possible, since unemployment benefits will only pay them about half their average weekly wage (up to a statutory maximum, currently \$740).

My employee is unable to come to work because they are subject to mandatory quarantine. The employee does not have any vacation/sick/PTO time to use during the leave period. Will the employee be eligible for unemployment benefits?

- It depends on the situation. If the employee is required to take a leave of absence that is unpaid, the employee may be eligible for unemployment benefits. We are suggesting that workers who find themselves in this situation apply for unemployment benefits. We will help if we can.

EMPLOYER-MANDATED LEAVES OF ABSENCES DUE TO COVID19

I want to require an employee to take a leave of absence because they have (or may have) Covid19. Will they be eligible for unemployment benefits?

- If the employee has vacation pay, sick pay, or paid time off (PTO) available, they should consider using that time to cover the leave period. Otherwise, unemployment benefits will only pay about half of their average weekly wage (up to a statutory maximum, currently \$740).
- Workers who are receiving vacation pay, sick pay, or personal time off (PTO) pay equivalent to their normal rate of pay are ineligible for unemployed benefits.

I want to require an employee to take a leave of absence due to actual or potential exposure to Covid19. The employee has enough vacation/sick/PTO pay to cover part of the leave period, but not the entire leave period. Will the employee be eligible for unemployment benefits?

- It depends on the situation. If the employee is required to take a leave of absence that is only partially paid, the employee may be eligible for unemployment benefits for the unpaid time. The employee may wish to use their vacation/sick/PTO hours to cover as much of the leave period as possible, since unemployment benefits will only pay them about half their average weekly wage (up to a statutory maximum, currently \$740).

I want to require an employee to take a leave of absence due to actual or potential exposure to Covid19. The employee does not have vacation/sick/PTO pay to use during the leave period. Will the employee be eligible for unemployment benefits?

- It depends on the situation. If you require an employee to take a leave of absence that is unpaid, the employee may be eligible for unemployment benefits. We are suggesting that workers who find themselves in this situation apply for unemployment benefits. We will help if we can.

VOLUNTARY LEAVES OF ABSENCES DUE TO COVID19

My employee has elected to take a paid leave of absence due to actual or potential exposure to Covid19. Will the employee be eligible for unemployment benefits?

- Workers who are receiving vacation pay, sick pay, or personal time off (PTO) pay equivalent to their normal rate of pay are generally ineligible for unemployed benefits.

My employee has elected to take a partially paid leave of absence due to actual or potential exposure to Covid19. Will the employee be eligible for unemployment benefits?

- It depends on the situation. We are suggesting that workers who find themselves in this situation apply for unemployment benefits. We will help if we can.

My employee has elected to take an unpaid leave of absence due to actual or potential exposure to Covid19. Will the employee be eligible for unemployment benefits?

- It depends on the situation. We are suggesting that workers who find themselves in this situation apply for unemployment benefits. We will help if we can.

VOLUNTARY LEAVES OF ABSENCES DUE TO FAMILY OBLIGATIONS

My employee has elected to take a paid leave of absence due a lack of childcare/school closures. Will the employee be eligible for unemployment benefits?

- Workers who are receiving vacation pay, sick pay, or personal time off (PTO) pay equivalent to their normal rate of pay are generally ineligible for unemployed benefits.

My employee has elected to take a partially paid leave of absence due a lack of childcare/school closures. Will the employee be eligible for unemployment benefits?

- It depends on the situation. We are suggesting that workers who find themselves in this situation apply for unemployment benefits. We will help if we can.

My employee has elected to take an unpaid leave of absence due a lack of childcare/school closures. Will the employee be eligible for unemployment benefits?

- It depends on the situation. We are suggesting that workers who find themselves in this situation apply for unemployment benefits. We will help if we can.

WORKERS QUITTING JOBS DUE TO COVID19

My employee quit their job because they are infected with Covid19. Will the employee be eligible for unemployment benefits?

- It depends on the situation. If the worker's serious illness or injury made it medically necessary to quit the job, they may be eligible for unemployment benefits.

My employee quit their job because a family member is infected (or may be infected) with Covid19. Will the employee be eligible for unemployment benefits?

- It depends on the situation. If the worker quit their job in order to provide necessary care because of the illness, injury, or disability of an immediate family member, they may be eligible for unemployment benefits.

My employee quit their job because they wanted to limit their risk of exposure to Covid19. Will the employee be eligible for unemployment benefits?

- It depends on the situation. If the worker's serious illness or injury (i.e., an immunodeficiency) made it medically necessary to quit the job, they may be eligible for unemployment benefits. We will evaluate the particular facts surrounding the worker's decision to quit and determine if they are eligible for unemployment benefits.

My employee quit their job due a lack of childcare/school closures. Will the employee be eligible for unemployment benefits?

- A worker who quits their job due to a lack of childcare may be eligible for unemployment benefits if 1) the worker made reasonable efforts to find alternative childcare and 2) the worker requested time off/other accommodations from you, but you denied those requests.

My employee quit their job because I refused to allow a telework arrangement. Will the employee be eligible for unemployment benefits?

- It depends on the situation. We will evaluate the particular facts surrounding the worker's decision to quit and determine if they are eligible for unemployment benefits.

DISCHARGES DUE TO COVID19

I want to discharge an employee who has (or may have) Covid19 to minimize risk to others. Will the worker be eligible for unemployment benefits?

- Discharging a worker for a medical condition may be a violation of federal and/or state labor laws. Workers who are fired due to a medical condition are also typically eligible for unemployment benefits.

My employee refuses to come to work out of fear of Covid19. If I discharge the employee, will they be eligible for unemployment benefits?

- It depends on the situation. We will evaluate the particular facts surrounding the discharge and determine if the worker is eligible for unemployment benefits.

My employee refuses to perform required job functions out of fear of Covid19. If I discharge the employee, will they be eligible for unemployment benefits?

- It depends on the situation. We will evaluate the particular facts surrounding the discharge and determine if the worker is eligible for unemployment benefits.

Teleworking Arrangements Due to Covid19

My employee is working remotely and is getting paid for their regular amount of hours and their regular pay rate. Will the employee be eligible for unemployment benefits?

- No.

My employee is working remotely and is getting fewer hours than they would ordinarily work. Will the employee be eligible for unemployment benefits?

- If you have substantially reduced the employee's hours, they may be eligible for unemployment benefits.

My employee is working remotely at a reduced rate of pay. Will the employee be eligible for unemployment benefits?

- If you have substantially reduced the employee's rate of pay, they may be eligible for unemployment benefits.

SCHOOL CLOSURES ASSOCIATED WITH COVID19

I am a school administrator. If I lay off employees due to Covid19, will they be eligible for unemployment benefits?

- If a worker is laid off by a school employer during the regular school term, they may be eligible for unemployment benefits.