

Unemployment Insurance and COVID-19

March 30, 2020 – The impact of the COVID-19 (coronavirus) on North Dakota’s workforce and employers has raised a variety of questions related to the Unemployment Insurance program. Although the situation is fluid and could change over time, the following are answers to some of the more frequently asked questions that we have been receiving from workers and employers. *As information changes, we will update this document. New information will be **in color**.* These FAQs are being adjusted based on guidance provided in the CARES Act. **Information will be changing rapidly.**

1. **UPDATED** I was receiving Unemployment Insurance benefits prior to the COVID-19 pandemic. I have now used up all of my benefits from my claim and am still not back to work. Are there any extensions of benefits available for me?

With the passage of the CARES Act those who have current Benefit Year Ends and have exhausted their benefits would most likely be eligible to receive the PEUC extension of 13 additional weeks of regular UI. Other regular claims would be potentially eligible for PEUC at the point they exhaust. We are awaiting guidance on claims where the benefit year has expired and how they might be processed.

CARES Act – Unemployment Insurance Benefits

The CARES Act includes expansion of unemployment insurance benefits:

- **Expands eligibility for unemployment insurance and provides people with an additional \$600 per week on top of the unemployment amount already offered by North Dakota Unemployment benefits.**
 - **Pandemic Emergency Unemployment Compensation (PEUC) – provides an additional 13 weeks of benefits for regular claims that exhaust benefits and whose benefit year has not expired**
 - **Weekly benefit amount is the same as what was paid on the regular claim**
 - **Eligible to receives the \$600 supplemental payment for each week certified**

- **Pandemic Unemployment Assistance (PUA)**
 - **Available to those who do not qualify for a regular unemployment claim**
 - **Receives the \$600 supplemental payment for each week certified and found eligible**
- **The additional unemployment compensation provided is not considered “income” for purposes of Medicaid and CHIP**

2. I am a business owner and I pay into the Unemployment Insurance system. Can I file a claim if I must shut down my business?

Yes. Governor Burgum signed an Executive Order on Friday, March 20th to assist business owners in the receipt of Unemployment Insurance by temporarily eliminating income reduction requirements for business owners.

3. If my business declines, or I need to close, lay off staff, or cut staff hours, will my Unemployment Insurance account be charged for any benefits paid to employees I had to lay off?

No. Governor Burgum signed an Executive Order on Friday, March 20th directing that individual base period employers accounts for rated employers will be relieved of charges (I.e. No Charged) on claims filed as a direct or indirect result of COVID-19. Employers who have chosen reimbursing as their method of financing are not eligible for non-charging / pool charging of benefits at this time

4. Will my employees be eligible for benefits if they cannot work even if my business remains open and I have work for them?

Yes, generally your employees will be eligible for benefits, if they cannot report for work because they no longer have childcare available to them. If childcare is available, and they choose to not use it, and do not report for work they would most likely be found ineligible as they are not available for work.

5. I am a contract worker. I receive a 1099 in lieu of a W2. Will I be eligible for unemployment benefits if no work is available for me?

Included in the CARES Act is Pandemic Unemployment Assistance which is a program for those who do not qualify for regular unemployment benefits. Job Service North Dakota is currently working to implement this program.

6. Would I be eligible for Unemployment Insurance benefits if I am quarantined and cannot work?

Yes, if you are quarantined and physically able to work but cannot work from the quarantine location do to other reasons, you would be eligible to receive benefits based upon recent federal guidance relating strictly to COVID-19.

7. Would I be eligible for Unemployment Insurance benefits if I become ill with the COVID-19 virus and cannot work?

Yes, if you cannot work due to contracting COVID-19 but will be returning to your employer, you would be eligible to receive benefits based upon recent federal guidance relating strictly to COVID-19.

8. Would I be eligible for benefits if my employer shuts down or lays me off because of the COVID-19 situation?

If your employer shuts down or lays you off due to lack of work caused by the impact of COVID-19 on the business, you will generally be eligible for Unemployment Insurance benefits.

9. I have a claim and I was required to do four work search contacts each week. Do I have to do my work search during the pandemic?

No. Governor Burgum signed an Executive Order on Friday, March 20th that temporarily waives the work search requirement for all claimants. Job Service has adjusted our systems so that you will not be asked to enter any work searches you have completed when you certify your weekly eligibility.