

## Common Questions Employees are asking their Employers (Week 5)

1. I worked less than 32 hours this week and thought I was eligible for unemployment, however my benefits were denied.

Employees working less than 32 hours are eligible for unemployment, however if their gross earnings from working are equal to or greater than their max weekly unemployment benefit, then they may not qualify for that week. \_

A partial benefit payment will be made for any week you work less than 32 hours and your earnings are less than your weekly benefit amount. The system will deduct 50 percent of your earnings from your benefit payment. The amount not paid for that week stays in your account.

For example:

### **Employee's max weekly benefit is \$600**

Employee works 32 hours, earns \$1, does not qualify

Employee works <32 hours, earns \$900, does not qualify

Employee works <32 hours, earns \$600, does not qualify

Employee works <32 hours, earns \$450, DOES QUALIFY

### **Earns benefits as follows:**

50% of \$450 = \$225

\$600 - \$225 = \$375

Receives \$375 from Minnesota UI and \$600 from Federal benefit

This link is to a page on the MN Unemployment Website addressing partial benefits.

<https://www.uimn.org/applicants/getpaid/report-work/index.jsp>

Are you curious what your estimated weekly benefit is? There is a tool available at uimn.org on the applicant landing page that can estimate an individual's weekly benefit.

## Welcome Applicants!

This is the official resource for information about Minnesota Unemployment Insurance (UI) benefits.

UI benefits provide a temporary partial wage replacement to workers who become unemployed through no fault of their own.

If you have become unemployed or had your hours greatly reduced, complete the Application Process – we will determine whether or not you are eligible and notify you.



## 2. I am making more on unemployment. Do I have to return to work?

Yes. The benefits are there to assist individuals who are unable to work due to no fault of their own as a result of COVID19. When work is available they must return to work. A few things to be aware of;

1. Unemployment is a weekly benefit that is available to individuals who do not have work available for that week. If you offer them work and they turn it down they may lose their benefit eligibility.
2. The additional flat amount of \$600 available through the CARES Act is temporary and is scheduled to end July 31, 2020. Employees should be aware that they may be risking their job for a temporary unemployment benefit set to expire this summer.
3. If an employee refuses to return to work you can consider that a resignation and therefore would not qualify for unemployment.

## 3. Is there a notice my employer should provide me if I have been laid off or furloughed from employment?

Yes. Effective April 6, 2020 MN Governor Tim Walz issued an Executive Order requiring MN employers to provide separated employees who may be eligible for unemployment a notice of their availability of unemployment compensation.

Refer to link below for a copy of the Executive Order (bottom of page 1):

<https://www.leg.state.mn.us/archive/execorders/20-29.pdf>

Refer to link below for an example from the Department of Labor of what should be included in the notice

[https://wdr.doleta.gov/directives/attach/UIPL/UIPL\\_13-20\\_Attachment\\_III.pdf](https://wdr.doleta.gov/directives/attach/UIPL/UIPL_13-20_Attachment_III.pdf)

#### 4. My spouse works as a healthcare provider and **may** have been exposed to COVID19. Can I come into work or should I stay home?

Ideally this person would be allowed to work from home. If this is not possible due to the nature of their job, then this may be at company discretion. If you allow them to stay home a couple things to consider;

1. If they are not being treated for symptoms or have been advised by a health care professional to self-isolate, then they are not eligible for emergency paid sick leave, however you could have them use available PTO/Vacation/Sick time.

2. Be consistent. If you have another employee in the same situation make sure you are consistent in your approach and practices.

If the employee continues to come into work the Centers for Disease Control and Prevention has some recommendations for providing a safe work environment.

<https://www.cdc.gov/coronavirus/2019-ncov/community/guidance-business-response.html>

#### 5. I have an underlying condition that is not safe for me to come into work. Do I qualify for Emergency Paid Sick Leave (EPSL)?

If this individual has been directed by a healthcare professional to self-isolate due to underlying health condition, then YES. Here are a couple links to reference for a flow chart to help with Families First Coronavirus Response Act (FFCRA) decisions.

If the individual can telework and can continue to work from the security of their home, then they would not qualify for EPSL.

<https://roelawgroup.com/wp-content/uploads/2020/04/FFCRA-Decision-Tree.pdf>

<https://www.felhaber.com/wp-content/uploads/FFCRA-Paid-Leave-Flow-Chart.pdf>