



Unemployment Insurance Protections Responding to the Coronavirus State Developments (March 19, 2020)

On March 12, 2020, the U.S. Department of Labor issued a [guidance](#) to the states clarifying the measures that can be taken to ensure that workers who lose their jobs or are temporarily separated from work due to the coronavirus can better access unemployment insurance (UI) benefits. Below is a summary of the most helpful state provisions adopted as of March 19, 2020. The National Employment Law Project (NELP) has also published a set of recommendations for state reform ([“Coronavirus and Unemployment: Options for Policymakers to Mitigate Job Loss”](#)). States are actively taking up these issues, thus we caution that the document may not be comprehensive, and it will continue to be updated. Please contact Maurice Emsellem (emsellem@nelp.org) or Paul Sonn (psonn@nelp.org) with any additional state items that reflect actions taken to expand unemployment benefits in response to the pandemic.

As the table below illustrates, states across the country have adopted a range of helpful policies to expand access to UI benefits:

- Over the past week, at least 12 states have taken action (either legislatively, by executive order, or by administrative authority) to waive the one-week waiting period that all but six states impose for most workers to collect UI benefits.
- Especially comprehensive executive orders were issued by Governors in Louisiana, Michigan, Ohio and other states, covering the waiting week and work search waivers and other issues. For example, Louisiana and Ohio indicated that the COVID-19 benefits would not be “charged” to the employer’s “experience rating,” and Michigan’s Executive Order improved the work sharing program and required the state to provide 26 weeks of UI (rather than the more limited 20 weeks required under current law).
- Massachusetts and Washington have proposed and adopted emergency regulations, which include strong language clarifying the rights of workers to collect UI while in “standby” status and awaiting a determination to return to work from their employers.
- Several states (including California, Washington) have developed especially well-designed outreach material, flyers and FAQs, communicating in simple and clear terms the rights of workers to access UI and other benefits in response to COVID-19.

State	Waiting Week	Quarantine & Other Covered Circumstances	Work Search/Suitable Work	Other Measures	Sources
California	Waiting week is waived for those unemployed due to COVID-19	-Quarantined workers entitled to UI -Case-by-case determination for workers who can't work to care for children and other circumstances	Workers who are temporarily unemployed due to COVID-19 and expected to return to work with their employer within a few weeks are not required to actively seek work each week.		Executive Order N-25-20 (March 12, 2020): https://www.gov.ca.gov/wp-content/uploads/2020/03/3.12.20-EO-N-25-20-COVID-19.pdf State Fact Sheets/FAQs: https://www.edd.ca.gov/about_edd/coronavirus-2019.htm https://www.edd.ca.gov/about_edd/coronavirus-2019/faqs.htm https://www.edd.ca.gov/about_edd/coronavirus-2019.htm
Kansas	Waiting week is waived for those unemployed due to COVID-19		Workers unemployed due to COVID-19 and have taken all necessary steps to return to work for the regular employer, do not have to look for other work.		Kansas Fact Sheet: https://www.dol.ks.gov/docs/default-source/default-document-library/ui-covid19-faqs.pdf?sfvrsn=3b4c881f_10
Louisiana	Waiting week waived for those unemployed due to COVID-19		Work search requirement waived for those unemployed due to COVID-19	Benefits “non-charged” to employers.	Governor’s Proclamation JBE 2020-27 (March 13, 2020) https://gov.louisiana.gov/assets/ExecutiveOrders/27-JBE-2020-COVID-19.pdf State Fact Sheet: https://www.laworks.net/Downloads/PR/COVID_19_Information.pdf

Massachusetts	Waiver of one week waiting period enacted by law on March 18 th , with effective date of March 10 th .	<p>-Emergency regulations and accompanying policy memo allow people impacted by COVID-19 to collect unemployment if their workplace is shut down and expects to reopen in four to eight weeks.</p> <p>-If the individual has left work due to a reasonable risk of exposure or infection, (i.e. self-quarantine) or to care of a family member with COVID-19, no medical documentation will be required. The claimant must establish only that his or her actions were reasonable under the circumstances.</p>	-Emergency regulations provide that the requirement to search for work is fulfilled so long as the claimant is on “standby” and takes reasonable measures to maintain contact with the employer.		<p>Emergency Regulations: 430 CMR 22.00 (to be published on-line)</p> <p>State Agency Policy Memo: https://www.mass.gov/service-details/learn-about-massachusetts-covid-19-workforce-measures</p>
Michigan	Michigan is one of six states (GA, IA, MD, NV, NJ, WY) that by law does not require a waiting week for all workers.	<p>-Workers who have an unanticipated family care responsibility, including those who have childcare responsibilities due to school closures, or those who are forced to care for loved ones who become ill.</p> <p>-Workers who are sick,</p>	Work search requirement suspended.	<p>-Benefits will be increased from 20 to 26 weeks.</p> <p>-Employers non-charged benefits.</p> <p>-Work sharing authorized without regard to the positive fund</p>	<p>Governor’s Executive Order 2020-10 (March 16, 2020) https://www.michigan.gov/whitmer/0,9309,7-387-90499_90705-521790--,00.html</p>

		<p>quarantined, or immunocompromised and who do not have access to paid family and medical leave or are laid off.</p> <p>-First responders in the public health community who become ill or are quarantined due to exposure to COVID-19.</p>		balance requirement.	
New Mexico			New Mexico is waiving the work search requirements for up to four weeks.		<p>Governor's Press Release (March 17, 2020):</p> <p>https://www.governor.state.nm.us/2020/03/17/state-extends-eligibility-for-unemployment-insurance-benefits-to-workers-affected-by-covid-19/</p> <p>State Fact Sheet:</p> <p>https://www.dws.state.nm.us/Portals/0/DM/UI/COVID-19%20UI%20Fact%20Sheet.pdf</p>
New York	New York is waiving the waiting week for people who are out of work due to COVID-19) closures or quarantines.				<p>State website:</p> <p>https://labor.ny.gov/unemploymentassistance.shtm</p>

Ohio	Waiting week waived for workers collecting UI and shared work benefits.	Isolated or quarantined workers entitled to UI.	Work search waived for workers isolated or quarantined.	UI benefits are “non-charged” to employers.	Executive Order 2020-03D (March 16, 2020): https://governor.ohio.gov/wps/portal/gov/governor/media/executive-orders/executive-order-2020-03-d State Fact Sheet: http://ifs.ohio.gov/ouio/CoronavirusAndUI.stm
Pennsylvania	Waiting week suspended for all UI claims.		Work search and work registration requirements are temporarily waived for all UI claimants. Claimants are not required to prove they have applied or searched for a new job to maintain their benefits.		State Website Notice: https://www.uc.pa.gov/Pages/covid19.aspx
Rhode Island	Waiting week waived for UI and work-sharing claims related to COVID-19				Governor’s Press Release: https://www.ri.gov/press/view/37878 State Fact Sheet: http://www.dlt.state.ri.us/pdfs/COVID-19%20Workplace%20Fact%20Sheet.pdf
Texas	Waiting week waived pursuant to the Governor’s disaster declaration.		Work search requirement waived pursuant to the Governor’s disaster declaration.		State Website Notice: https://twc.texas.gov/news/twc-waives-certain-requirements-unemployment-benefits-services

Virginia	Waiting week for UI waived for claims related to COVID-19.				<p>Governor’s Press Release (March 17, 2020): https://www.governor.virginia.gov/newsroom/all-releases/2020/march/headline-854487-en.html?link_id=1&can_id=2e1254b501e1fd19ee0d0e56d58fa5bd&source=email-new-measures-to-combat-covid-19-and-support-impacted-virginians&email_referrer=email_752145&email_subject=new-measures-to-support-impacted-virginians-and-combat-covid-19</p>
Washington		<p>Workers may receive unemployment benefits if an employer needs to shut down operations temporarily because a worker becomes sick and other workers need to be isolated or quarantined as a result of COVID-19.</p>	<p>- The requirement to register for work and search for work is fulfilled so long as you are on standby and take reasonable measures to maintain contact with the employer (Emergency Regulations)</p> <p>-Workers that are asked to isolate or quarantine by a medical professional or public health official as a result of exposure to COVID-19 may receive unemployment</p>	<p>-New legislation expands access to shared-work for reasons related to the COVID-19 (HB 2739)</p> <p>-UI benefits related to COVID-19 are “non-charged” to employers.</p>	<p>Emergency Regulations: https://esdorchardstorage.blob.core.windows.net/esdwa/Default/ESDWA GOV/rule-making/emergency-rules-covid-19.pdf</p> <p>State Webpage: https://esd.wa.gov/newsroom/COVID-19</p> <p>State Fact Sheet/Flyer: https://esdorchardstorage.blob.core.windows.net/esdwa/Default/ESDWA GOV/newsroom/COVID-19/covid-19-scenarios-and-benefits.pdf</p>

benefits and work search requirements could be waived, so long as they have a return date with their employer. The return to work date can be the date the isolation or quarantine is lifted.

COVID-19 Scenarios & Benefits Available

The Employment Security Department will automatically calculate the original period of disability for any other agency or company. If the worker is responsible for their own loss of coverage.

COVID-19 SCENARIOS	Paid Sick Leave (required pay)		Unemployment Insurance		Paid Family & Medical Leave	Industrial Injuries (ILI)
	Current Law	Emergency Rule	Current Law	Emergency Rule	Current Law	Current Law
1 Worker is sickly ill with COVID-19	✓	✗	✓	?	?	?
2 Worker is severely ill with COVID-19	✓	✗	✗	✗	✓	?
3 Worker was exposed and quarantined. Business remains open	✓	✗	✓	✗	✗	?
4 Worker is caring for sick family member	✓	✗	?	?	✓	✗
5 Schools are closed for a public official because of COVID-19 and worker has no children	✓	✗	✗	✗	✗	✗
6 Worker is become quarantined and advised to self-quarantine	?	✗	✓	?	?	✗
7 Worker is afraid of gathering in a group and refuses to go to work (self-isolation)	✗	✗	✗	✗	✗	✗
8 Employer must shut down due to a quarantine by a public official	✓	✓	✓	✓	✗	✗
9 Employer shuts down due to a business slowdown or lack of demand	✗	✓	✓	✓	✗	✗
10 Employer reduces available hours due to business slowdown or lack of demand	✗	✓	✓	✓	✗	✗
11 Employer stays open in defiance of public health urging to close	✗	?	?	?	✗	✗
12 Health care workers and first responders are under quarantine	✓	✗	✗	✗	✗	✓

Employment Security Department
www.esd.state.il.us

The Employment Security Department is an equal opportunity employer/program. Auxiliary aids and services are available upon request to individuals with disabilities. Language assistance services for limited English proficient individuals are available free of charge. Washington Relay Service: 711

YES NO
✓ ✗
ESD
STATE OF ILLINOIS

COVID-19