April 6, 2020 Post-Webinar Q&A:

Employer-Focused Questions for Texas Workforce Commission

Thank you to Angela Ford, Jerry Ramos and LaShae Lenzy for taking the time to address the questions that were not answered on the April 6 webinar due to time constraints.

COVID-19 RELATED

1) Can someone apply for unemployment if they are working in an essential area and their jobsite is shut down for COVID-19? Is it the same for under 500 and over 500 employees?
   **Answer:**
   Yes, an individual can apply for unemployment, if the jobsite is shut down due to COVID-19, regardless of the company size.

2) One of our jobsites has been shut down due to COVID-19. Although the employees are not laid off, can they file for unemployment since their worksite is closed?
   **Answer:**
   Yes, because the jobsite is shut down due to COVID-19, they are eligible to apply for the pandemic unemployment assistance.

3) If we responded to a claim and didn’t expressly mention that the layoff was related to COVID-19 even though it was, do we need to log back in or appeal to let you know it was, or does it not matter because we’re protected against the rate going up anyway?
   **Answer:**
   When possible, it would be best to log back in & make TWC aware that the layoff is related to COVID-19. However, if your tax rate is increased, you will have the opportunity to submit an appeal & at that time, notify TWC that the layoff was related to COVID-19.

4) Would exempt employees that have received pay reductions due to COVID-19 be eligible for unemployment benefits?
   **Answer:**
   Employees need to have their weekly hours and wages reduced in order to participate in a Shared Work Plan.

   If your business has slowed down due to the pandemic and you need to reduce employee working hours, you may be able to avoid laying off employees by submitting a shared work plan. The Shared Work program provides Texas employers with an alternative to layoffs.
TWC developed this voluntary program to help Texas employers and employees withstand a slowdown in business. Shared Work allows employers to:

- Supplement their employees’ wages lost because of reduced work hours with partial unemployment benefits.
- Reduce normal weekly work hours for employees in an affected unit by at least 10 percent but not more than 40 percent; the reduction must affect at least 10 percent of the employees in that unit.

https://www.twc.texas.gov/news/covid-19-resources-employers

5) What happened to the $3T package being easy for small businesses?? Our company has 3 W-2 employees and 5 1099 vendors. The SBA changed the PPP requirements to have each 1099 vendor and owners who take an Owner’s Draw file separately. All of our vendors are Spanish only speakers who I will have to file for because neither the SBA nor the banks have enough people on staff to help these people.

Answer:

Please see the SBA site for more information. We recommend the FAQs they have published:


UNEMPLOYMENT

6) Can you get intermittent unemployment benefits payout? Can you pause your payouts for a period and pick them back up again?

Answer:

Yes, your claim is good for a complete year

7) Is there any circumstance that allows for salaried exempt employees to qualify for unemployment if they receive a temporary pay cut?

Answer:

To be eligible for benefits based on your job separation, you must be either unemployed or working reduced hours through no fault of your own. Examples include layoff, reduction in hours or wages not related to misconduct, being fired for reasons other than misconduct, or quitting with good cause related to work.

8) How long will it take to receive your 1st unemployment check?

Answer:

The waiting week is the first payable week of an individual’s claim for Unemployment Benefits. Under normal circumstances, TWC cannot pay for the first week of a claim until an individual receives two times their weekly benefit amount and returns to full-time work or has exhausted their benefits. However, by waiving the waiting week, Gov. Abbott has provided the opportunity for TWC to provide immediate relief to Texans who need it.

9) Is the 12-18 months lookback how long someone has worked in Texas? Or at our company? If it is a new hire who just started with us, would they even be eligible for unemployment?

**Answer:**
To determine if a claimant is financially eligible, to receive UI benefits, TWC will review any wages earned during the base period, which is the first four of the last five completed calendar quarters, before the start date of the claim. If the claimant worked outside the state of Texas during this base period, the claimant can request to have the missing wage information transferred to TWC.


10) How much can a construction worker draw from Texas unemployment and how long will it try for the paperwork to go through?

**Answer:**
TWC will calculate your weekly benefit amount (WBA), by finding the base-period quarter with the highest total wages. Divide that number by 25 and round to the nearest dollar. It cannot exceed the maximum allowed by law.


11) How much of a delay can employee plan on before receiving the 1st unemployment payment?

**Answer:**
The waiting week is the first payable week of an individual’s claim for Unemployment Benefits. Under normal circumstances, TWC cannot pay for the first week of a claim until an individual receives two times their weekly benefit amount and returns to full-time work or has exhausted their benefits. However, by waiving the waiting week, Gov. Abbott has provided the opportunity for TWC to provide immediate relief to Texans who need it.


12) My understanding is that all exempt staff are inherently not paid by the hour per FLSA standards, and that a reduction in hours would eliminate their exempt status. So our organization has elected to reduce the pay our exempt staff to be in compliance with those standards. But someone said that reduced pay doesn't qualify for unemployment benefits. So, I am unclear on how to navigate this for our staff. When I called TWC two weeks ago, I was told that reduced pay without reduced hours may qualify for unemployment benefits. We used that information to make decisions on how we would continue employment for our staff while being financially viable.

**Answer:**
To be eligible for benefits based on your job separation, you must be either unemployed or working reduced hours through no fault of your own. Examples include layoff, reduction in hours or wages not related to misconduct, being fired for reasons other than misconduct, or quitting with good cause related to work.
13) I have questions about the possibility of and the appropriate sign up process for unemployment coverage of salary reductions. Also, the necessity of the process of continuing to search for other work during the salary reduction period if you are still working 40+ hours a week.

Answer: 

14) We have an employee who has worked for us for 18 months, here in ATX. Last week, he relocated to New York City. We are considering implementing a workshare program for all of our employees in the next couple of weeks and are wondering, can he be covered under Texas unemployment since nothing has yet been paid into the NY system? And if so, for how long?

Answer:  
Possibly. When TWC receives the employee’s information it reviews it to determine the employee’s eligibility and the amount of weekly benefit amount.

For more information see:
https://www.twc.texas.gov/if-you-worked-texas-live-another-state-or-canada

15) If we reduce our employee wages for a period of two weeks, can they still file for UI Claims?

Answer:  
Yes;  

16) What is the process to apply for benefits if you are a self-employed/sole proprietor/freelance worker?

Answer:  
Individuals who are self-employed, are contract workers, or previously worked in a position that did not report wages, may qualify for unemployment under the new stimulus bill.

If an individual applied for unemployment benefits but lacked the necessary wages to qualify, no action is needed from them. We will determine if they qualify under the new stimulus act and notify them by mail or electronic correspondence of their eligibility. Most likely by the end of April.

If an individual under this scenario has not applied yet, they should apply using the TWC website Apply for Benefits page at or by calling the UI Tele-Center at 1-800-939-6631.

Please visit the following site:
17) What is the minimum threshold of earnings amount before someone is eligible for benefits?

**Answer:**
Unemployment benefit eligibility is based on past wages, job separation and ongoing eligibility requirements. Prior to April 5, past wages are calculated on a base period of October 2018-September 2019. However, starting on April 5, 2020, the base period changes to January 2019-December 2019. If you were previously denied unemployment benefits due to monetary ineligibility and worked during the January 2019-December 2019 base period, TWC encourages you to visit the unemployment benefit services portal on April 5 to reapply online.


18) I have an employee that is the highest earner that has been denied while lower earners were approved. What could have gone wrong?

**Answer:**
Unemployment benefit eligibility is based on past wages, job separation and ongoing eligibility requirements. Prior to April 5, past wages are calculated on a base period of October 2018-September 2019. However, starting on April 5, 2020, the base period changes to January 2019-December 2019. If you were previously denied unemployment benefits due to monetary ineligibility and worked during the January 2019-December 2019 base period, TWC encourages you to visit the unemployment benefit services portal on April 5 to reapply online.


19) Given the demand on TWC systems, what is the expected impact of the TWC News Release inviting employees who have previously been not eligible for benefits based on financial data to reapply now that the base year includes Q4 2019?

**Answer:**
Unemployment benefit eligibility is based on past wages, job separation and ongoing eligibility requirements. Prior to April 5, past wages are calculated on a base period of October 2018-September 2019. However, starting on April 5, 2020, the base period changes to January 2019-December 2019. If you were previously denied unemployment benefits due to monetary ineligibility and worked during the January 2019-December 2019 base period, TWC encourages you to visit the unemployment benefit services portal on April 5 to reapply online.

CARES ACT

20) If we reduce our employee pay for a period, can they still apply for UI benefits even if they are work their regular hours. How is UI benefits calculated and how do these benefits work with the CARES Act. Can we adjust our employee’s hours during this time and can they apply for UI benefits to help offset losses in their wages?

Answer:
The Texas Workforce Commission (TWC) encourages employers to enroll in Shared Work program as an alternative to layoffs. The voluntary Shared Work program was developed to help Texas employers and employees withstand a slowdown in business such as the impact of COVID-19.

Shared Work allows employers to supplement their employees’ wages lost because of reduced work hours with partial unemployment benefits. Under the program employers can reduce normal weekly work hours for employees in an affected unit by at least 10 percent but not more than 40 percent. Shared Work unemployment benefits are payable to employees who qualify for and participate in an approved Shared Work Plan. Workers may choose not to participate. Employees who qualify will receive both wages and Shared Work unemployment benefits.

The employer can use the Shared Work Plan only for employees whose hours have been reduced. Shared Work benefits can be paid only for wages lost because of a reduction in the employee’s regular hours. Regular hours may not exceed 40 hours. An employee who normally works overtime may not receive shared work benefits for a reduction in their overtime hours.

Shared work employees must:

Submit their unemployment claims on Unemployment Benefits Services
Be eligible for regular unemployment benefits
Accept all work offered by the participating employer
Be able and available for work with the employer
For more information on the Shared Work Program or to apply for the program visit https://twc.texas.gov/businesses/shared-work

21) If we are ultimately granted payroll assistance through the PPP of the CARES Act, how does that effect employees and their unemployment benefits if we do/ do not rehire? Is there any drawback to the Part Time employee to being rehired?

Answer:

Please see the following site for more information about the CARES Act:
22) There doesn’t seem to be a place for them to enter information as a contract worker and the site instructs to submit standard claim and TWC will determine if they are eligible under CARES Act. Many people in the community have reported to me that they had to submit a standard claim and worried their contract employer will report they didn’t work for them as an employee because they were a 1099 contract worker. How will you handle this?

Answer:

Please visit the following site for more information:


23) When can people expect to receive the $600 from the federal program? Is it being funded yet?

Answer:

TWC is taking action to implement the new law and working with the Department of Labor to implement the act while continuing to work tirelessly to process unemployment insurance claims caused by the coronavirus (COVID-19) pandemic. If you are already signed up and qualified for Texas unemployment benefits, no action is needed from you. We will determine if you qualify and notify you by mail or electronic correspondence of your eligibility.


24) What is the expected go live date of the $600 benefit?

Answer:

TWC is taking action to implement the new law and working with the Department of Labor to implement the act while continuing to work tirelessly to process unemployment insurance claims caused by the coronavirus (COVID-19) pandemic. If you are already signed up and qualified for Texas unemployment benefits, no action is needed from you. We will determine if you qualify and notify you by mail or electronic correspondence of your eligibility.


25) Will reduced hour employees be eligible for the $600 federal benefit? And I'm unclear on how this benefit will be administered.

Answer:

Please visit the following site for more information:

26) Do the employees under the reimbursing employers also qualify for the $600 per week?

**Answer:**

Please visit the following site for more information:


**SHARED WORK PLAN**

27) We have several employees who have a reduction in hours due to COVID-19. Can those employees file for unemployment to help compensate for the lost hours, or would this need to be done under Shared Work rules, even though it is due to COVID-19?

**Answer:**

The [Shared Work program](https://www.twc.texas.gov/businesses/shared-work) allows employers to reduce normal weekly work hours for employees in an affected unit by at least 10 percent but not more than 40 percent; the reduction must affect at least 10 percent of the employees in that unit.

Shared Work allows employers to supplement their employees’ wages lost because of reduced work hours with partial unemployment benefits. Under the program employers can reduce normal weekly work hours for employees in an affected unit by at least 10 percent but not more than 40 percent. Shared Work unemployment benefits are payable to employees who qualify for and participate in an approved Shared Work Plan. Workers may choose not to participate. Employees who qualify will receive both wages and Shared Work unemployment benefits.

The employer can use the Shared Work Plan only for employees whose hours have been reduced. Shared Work benefits can be paid only for wages lost because of a reduction in the employee’s regular hours. Regular hours may not exceed 40 hours. An employee who normally works overtime may not receive shared work benefits for a reduction in their overtime hours.

Shared work employees must:

- Submit their unemployment claims on [Unemployment Benefits Services](https://www.twc.texas.gov/businesses/shared-work)
- Be eligible for regular unemployment benefits
- Accept all work offered by the participating employer
- Be able and available for work with the employer

28) If the payroll tax employer needs to apply for the Shared Work plan (we are a PEO) is there an expedited process due to the current COVID-19 situation?

**Answer:**

[https://www.twc.texas.gov/businesses/shared-work](https://www.twc.texas.gov/businesses/shared-work)

29) Question regarding: Shared Work Plan. Our company proactively reduced pay and hours in order to avoid possible future layoffs. Specifically, we reduced “hourly/nonexempt” employees work hours from 40 hrs. to 32 hrs. weekly. And Exempt employees pay about 20-25%. We have had questions regarding the Shared Work Plan - 1) is this only applicable for
hourly employees - as there is a question "Total Number of Employees in the Unit or Organization Affected by Work Reduction" - only hourly employee’s hours have been reduced. Exempt employees have not experienced "work reduction" just pay reduction. And, 2) specifically the question: Is your request for a Shared Work Plan an alternative to a layoff? - at this point for our company, we have not done this as a current "alternative" to layoff, but more to avoid future layoffs. Would our employees be eligible? Should we fill out the Shared Work Plan program - and this would just be for hourly employees? Can you just explain the program a little more?

**Answer:**

Shared Work allows employers to supplement their employees’ wages lost because of reduced work hours with partial unemployment benefits. Under the program employers can reduce normal weekly work hours for employees in an affected unit by at least 10 percent but not more than 40 percent. Shared Work unemployment benefits are payable to employees who qualify for and participate in an approved Shared Work Plan. Workers may choose not to participate. Employees who qualify will receive both wages and Shared Work unemployment benefits.

The employer can use the Shared Work Plan only for employees whose hours have been reduced. Shared Work benefits can be paid only for wages lost because of a reduction in the employee’s regular hours. Regular hours may not exceed 40 hours. An employee who normally works overtime may not receive shared work benefits for a reduction in their overtime hours.


30) We had a new salaried employee start 1 week prior to the COVID-19 outbreak. Are they eligible to be reduced in hours under Shared Work program? Alternatively, is this employee eligible for full unemployment if they are laid off?

**Answer:**

Possibly. Please visit the following site for more information:
https://www.twc.texas.gov/businesses/shared-work

31) I have heard the $600 additional benefit is available for the Shared Work program as well...is this true and when does it begin?

**Answer:**

Claimants who do not qualify for the Shared Work program or regular UI may be eligible for Pandemic Unemployment Assistance (PUA). PUA is a program authorized by the Coronavirus Aid, Relief, and Economic Security Act (CARES Act) that provides unemployment benefits to individuals who do not qualify for or have exhausted their regular UI benefits. These claimants must file an individual regular UI claim (outside of the Shared Work program) and TWC will determine PUA eligibility. While receiving PUA, these claimants must request payment every two weeks and report their work and earnings. TWC will deduct any earnings from their weekly PUA benefit amount.

https://www.twc.texas.gov/news/covid-19-resources-employers

32) So, what happens if employees submitted under Shared Work has applied for unemployment benefits on their own?
The employee/employer may be contacted to verify the information that is submitted in both claims.

https://www.twc.texas.gov/businesses/shared-work

33) Can furloughed employees still be eligible for benefits if the company did not participate in the shared work program?

Answer:
Yes

EMPLOYER BENEFITS SERVICES (EBS)

34) When will EBS be available to employers to respond to Unemployment Claims and Wage verifications?

Answer:
EBS is available 24 hours a day, seven days a week. We also encourage you to sign up for Electronic Correspondence so you can receive your TWC communications online as soon as possible. If you are new to EBS, you will need to create a TWC EBS Administrator account when you first log on.

35) Having enrolled in the Employer Benefits Services, we have not been able to access our accounts for about 1 week. Is it possible for us to receive our electronic correspondence sent by postal service with a revised date to allow us to verify the accuracy of work separation information as well as either contest or report the duration the employee will be receiving pay?

Answer:
EMPLOYERS should contact TWC online at uicentral.twc.state.tx.us. If they do not have Internet, they may call the Tele-Center at 800-939-6631 or call the unique 1-800 number on the claim notice that was mailed to the employer when the claim was initially filed.

36) We are enrolled in Employer Benefit Services and have not been able to access our inboxes for a week. Is this a known issue and when will it be resolved? If now - how do I access my inboxes?

Answer:
EMPLOYERS should contact TWC online at uicentral.twc.state.tx.us. If they do not have Internet, they may call the Tele-Center at 800-939-6631 or call the unique 1-800 number on the claim notice that was mailed to the employer when the claim was initially filed.
37) I recently filed an unemployment claim as a 1099 contractor but received a message stating “TWC needs additional information to complete your claim for Unemployment Benefits” and to call TWC. TWC’s phone system has been overwhelmed. Is there a way to resolve this other than through a phone call?

**Answer:**

Please visit the following site for updated information:


38) How will you handle employers who are reporting back on claims for 1099 that they are not employees and report fraud since it's the same form?

**Answer:**

Please visit the following site for more information:


39) There is no special process for 1099 claims. I know people in the community who said their 1099 employer was going to report fraud.

**Answer:**

Please visit the following site for more information:


40) I’m wondering when benefits to contractors, freelancers, etc. will be available to file for, and will that process be different from the current unemployment system?

**Answer:**

Please visit the following site for more information:


41) How employer respond to TWC if their contractor filed unemployment?

**Answer:**
Please visit the following site for more information:


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**FURLOUGH**

42) If I applied under "reduced hour" but is now being furloughed, do I submit another application?

**Answer:**
No, the claim is good for one year

43) If we are required to go on furlough what type of notification would we have to provide our employees and what benefits would they still be eligible for?

**Answer:**
If you must close your business either temporarily or permanently and need to lay off employees, you may be able to submit a mass claim for unemployment benefits on their behalf. The Mass Claims program streamlines the unemployment benefit claims process for employers faced with either temporary or permanent layoffs. Employers can submit basic worker information on behalf of their employees to initiate claims for unemployment benefits. You can submit a mass claim request on Employer Benefits Services 24 hours a day, seven days a week.

To submit a Mass Claim Request:

Log on to Employer Benefits Services and select Mass Claims Request. Note: We have waived the requirement that you must submit your Mass Claims Request at least five days prior to the planned layoff.

To submit a Mass Claim Request manually:

Note: If you have already laid off staff, you cannot use Employer Benefits Services (EBS) to submit a Mass Claim.

https://www.twc.texas.gov/news/covid-19-resources-employers

44) One of our employees furloughed on March 25 was employed with us for 7 months, but had been unemployed for a year prior to that as she cared for her new born child. She has been denied unemployment by the TWC. Is there anything we can do as her employer to appeal this? Or other way to assist her?
**Answer:**
Under the Coronavirus Aid, Relief, and Economic Security (CARES) Act dated March 27, 2020, individuals who are self-employed, seeking part-time employment, or who otherwise would not qualify for regular Unemployment Compensation (UC) or Extended Benefits (EB) under state or federal law or Pandemic Emergency Unemployment Compensation (PEUC) under section 2107 may be eligible for assistance under PUA. Coverage may also include individuals who have exhausted their benefits under regular UC or EB claims under state or federal law, or PEUC.

https://www.twc.texas.gov/news/covid-19-resources-employers

45) We furloughed 88 employees on March 31 from X company and one of them was with us for 8 months prior to being furloughed and was denied unemployment due to having been unemployed for a year after having her child. Can we assist in appealing this decision? She was furloughed due to the COVID-19 impact on our restaurant customers.

**Answer:**
EMPLOYERS should contact TWC online at uicentral.twc.state.tx.us. If they do not have Internet they may call the Tele-Center at 800-939-6631 or call the unique 1-800 number on the claim notice that was mailed to the employer when the claim was initially filed.

Under the Coronavirus Aid, Relief, and Economic Security (CARES) Act dated March 27, 2020, individuals who are self-employed, seeking part-time employment, or who otherwise would not qualify for regular Unemployment Compensation (UC) or Extended Benefits (EB) under state or federal law or Pandemic Emergency Unemployment Compensation (PEUC) under section 2107 may be eligible for assistance under PUA. Coverage may also include individuals who have exhausted their benefits under regular UC or EB claims under state or federal law, or PEUC.

https://www.twc.texas.gov/news/covid-19-resources-employers

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**PTO**

46) If I use my PTO, will that affect my unemployment benefits? Are PTOs considered earnings?

**Answer:**
Yes, if the claimant is receiving a normal salary, they would not be considered unemployed.


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**FMLA**

47) Can expanded FMLA be used intermittently?

**Answer:**
When it is medically necessary, employees may take FMLA leave intermittently – taking leave in separate blocks of time for a single qualifying reason – or on a reduced leave schedule – reducing the employee’s usual weekly or daily work schedule. When leave is needed for planned medical treatment, the employee must make a reasonable effort to schedule treatment so as not to unduly disrupt the employer’s operation.
Leave to care for or bond with a newborn child or for a newly placed adopted or foster child may only be taken intermittently with the employer’s approval and must conclude within 12 months after the birth or placement. [Link to FAQ #6](https://www.dol.gov/agencies/whd/fmla/faq#6)

48) For employers smaller than 25 employees, has any guidance been issued for requesting an exemption from expanded FMLA requirements?

**Answer:**
[Link to guidance](https://www.dol.gov/agencies/whd/fmla/pandemic)

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**MASS CLAIM**

49) I've submitted a Mass Claim for laid off employees 7 days ago on 3/30/20. I haven't gotten a follow up from TWC regarding confirmation of receiving the claim or how employees can proceed with their claim. I did get an automatic response to a question saying employees can submit for payment 2 weeks after the claim. Is that two weeks after the claim was submitted? Or 2 weeks after we receive confirmation that the claim has been processed? What should be communicated to employees? What is the time frame when we'll hear back on the claim?

**Answer:**
Please visit the following sites for more information:
[Link to TWC mass claim guidelines](https://www.twc.texas.gov/news/covid-19-resources-employers#massClaimsAndSharedWorkPrograms)

[Link to additional TWC guidelines](https://www.twc.texas.gov/news/covid-19-resources-employers)

50) What are the benefits for employers filing a mass claim and what does that process look like?

**Answer:**
[Link to additional TWC guidelines](https://www.twc.texas.gov/news/covid-19-resources-employers)

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**PAYCHECK PROTECTION PROGRAM (PPP)**

51) If an employee has applied for unemployment due to reduced work hours but their employer is approved for the Paycheck Protection Program (PPP) program, will their wages from PPP affect their unemployment? (I’m keeping this here because I think ultimately it is a UI question. Maybe they just don’t have an answer yet.)

**Answer:**
[Link to PPP FAQ](https://www.sba.gov/sites/default/files/2020-04/Paycheck-Protection-Program-Frequently-Asked-Questions_04%2029%2020.pdf)

52) My wife owns a small business, and recently had to fire someone for performance reasons. They’ve filed a TWC Unemployment claim and we’ve responded. Will we be responsible for paying their UI? If so, for how long? What are our options? We believe we were justified in letting this person go, after numerous discussions on our concerns about their performance. My wife’s business has also started the application process for the new SBA PPP program.
Will firing an employee for reasons unrelated to the current pandemic hurt our application with SBA?

**Answer:**
You will receive a notice from us asking why the person was separated. It is critical that you respond so that we can investigate to determine whether they are eligible. We encourage you to sign up for electronic correspondence when you receive our notice.


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**OTHER QUESTIONS**

53) Some of my employees submitted their TWC benefit request with “disaster” and others “permanent layoff”. Those that submitted with disaster are not charging the employer account. Those that submitted permanent layoff. Included in my work separation notices to TWC I’ve noted “disaster” on those “permanent layoff” claims but the employer account is still being charged. Who can I contact at TWC (via fax) to request the permanent layoff be considered due to Disaster so that the employer’s account is no longer charged?

**Answer:**
Benefits paid to a former employee as a result of COVID-19 will not be included in the employer’s future tax rate calculations.

Please note employers will receive a Notice of Maximum Potential Chargeback regarding the reason for claimant separation(s). Employers should provide a detailed reason to assist our Benefits Department in making any COVID-19 Chargeback determinations.

https://www.twc.texas.gov/news/covid-19-resources-employers

54) My son was laid off and his boss has sent his information to TWC he has now been asked to go back to work only twice a week. Can he still file? He will not be working enough hours to pay his bills. He was told he did not qualify until April 5? We have not been able to talk to anybody. Can you help?

**Answer:**
Can he still file? Yes
He was told he did not qualify until April 5?

See the following for more information:


55) If an organization chooses to pay 80 hours of full pay (instead of 2/3) for employees who stay home with children (due to school closure), does that still meet the FFCRA requirement?

**Answer:**

Please visit the following site for more information:

56) I have seen several recent claims that stated the claimant was laid off due to a Presidential declared disaster. Some stated that the Employer Account would not be charged. Others made no reference to that. Are these claims made after the disaster declaration date chargeable to employer or will they not be chargeable?

**Answer:**
Benefits paid to a former employee as a result of COVID-19 will not be included in the employer's future tax rate calculations.

Please note employers will receive a Notice of Maximum Potential Chargeback regarding the reason for claimant separation(s). Employers should provide a detailed reason to assist our Benefits Department in making any COVID-19 Chargeback determinations.