

Michigan Chamber Of Commerce

Navigating

Unemployment Benefits

During COVID-19

Webinar

FAR

management, inc.

P.O. Box 380770

Clinton Township, MI 48038

Phone: (586) 412-0400

Email: bgmerick@farmgt.com

The Challenge

- 3.3 Million new unemployment claims filed in just one week nationwide
- Unemployment Agency systems were not designed to handle this volume
- Agency personnel is staffed for low levels of unemployment filings.
- Trying to meet the challenge is requiring Agency to make changes on a daily basis

Executive Order

- **2020-10 (COVID-19)**
- Suspensions of MES Act Sections
 - 29(1)(a) Voluntary Quit Provision
 - 48 (3) Leave of Absence
 - 27(7)(c) 20 to 26 weeks
 - 28(1)(c) Registration Requirement
 - Rules 210 Time To File

What If Someone Self-Quarantines

- Must be considered to have left work involuntarily for medical reasons if they leave work because of self-isolation or self-quarantine are immunocompromised, displaying the symptoms of COVID-19, having contact in the last 14 days with someone with a confirmed diagnosis of COVID-19, the need to care for someone with a confirmed diagnosis of COVID-19, or a family care responsibility as a result of a government directive.

What If Someone Self-Quarantines

- An individual must be deemed laid off if they became unemployed because of self-isolation or self-quarantine in response to elevated risk from COVID-19 due to being immunocompromised, displaying the symptoms of COVID-19, having contact in the last 14 days with someone with a confirmed diagnosis of COVID-19, the need to care for someone with a confirmed diagnosis of COVID-19, or a family care responsibility as a result of a government directive. The employer of an individual covered by this subsection must seek a registration and work search waiver from the Unemployment Insurance Agency.

Requirements

- Medical evidence is not required
- Proof of child care issues is not required

Executive Order

2020-10 Covid-19

- Effective immediately, and continuing until April 14, 2020 at 11:59 pm, an employer or employing unit **must not be charged for unemployment benefits if their employees become unemployed because of an executive order requiring them to close or limit operations.**

Temporary Leave Designation

- Not Unemployed – Eligible For Benefits
- Federal Disaster Assistance
- Federal Benefit Assistance
- Employees Remain Connected To The Employer
- Laid Off

Executive Order

2020-11 Covid-19 School Closings

- Beginning on March 16, 2020, all elementary school buildings and secondary school buildings in this state must close to students for educational purposes through April 5, 2020. This requirement includes all public, nonpublic, and boarding schools in the state. This requirement does not apply to residential facilities at schools and childcare providers at schools.

Schools

- Most school districts are continuing to pay personnel while they remain closed under Government order.
- Concurrent employment issues

Executive Order

2020-17 Covid-19

Temporary restrictions on non-essential medical and dental procedures

Executive Order

2020-20 Covid-19

- **Temporary restrictions on the use of places of public accommodation**
- Beginning as soon as possible but no later than March 22, 2020 at 9:00 am, and continuing until April 13, 2020 at 11:59 pm, the following places of public accommodation are closed to ingress, egress, use, and occupancy by members of the public:
 - Restaurants, food courts, cafes, coffeehouses, and other places of public accommodation offering food or beverage for on-premises consumption;
 - Bars, taverns, brew pubs, breweries, microbreweries, distilleries, wineries, tasting rooms, special licensees, clubs, and other places of public accommodation offering alcoholic beverages for on-premises consumption;
 - Hookah bars, cigar bars, and vaping lounges offering their products for on-premises consumption;

Executive Order

2020-20 Covid-19

- **Temporary restrictions on the use of places of public accommodation**
- Theaters, cinemas, and indoor and outdoor performance venues;
- Libraries and museums;
- Gymnasiums, fitness centers, recreation centers, indoor sports facilities, indoor exercise facilities, exercise studios, and facilities offering non-essential personal care services;
- Casinos licensed by the Michigan Gaming Control Board, racetracks licensed by the Michigan Gaming Control Board, and Millionaire Parties licensed by the Michigan Gaming Control Board; and
- Places of public amusement not otherwise listed above.

Executive Order

2020-20 Covid-19

- For purposes of this order:
- “Non-essential personal care services” includes but is not limited to hair, nail, tanning, massage, traditional spa, tattoo, body art, and piercing services, and similar personal care services that require individuals to be within six feet of each other. This does not include services necessary for medical treatment as determined by a licensed medical provider.
- “Place of public accommodation” means a business, or an educational, refreshment, entertainment, or recreation facility, or an institution of any kind, whether licensed or not, whose goods, services, facilities, privileges, advantages, or accommodations are extended, offered, sold, or otherwise made available to the public. Place of public accommodation also includes the facilities of private clubs, including country clubs, golf clubs, boating or yachting clubs, sports or athletic clubs, and dining clubs.
- “Place of public amusement” means a place of public accommodation that offers indoor services or facilities, or outdoor services or facilities involving close contact of persons, for amusement or other recreational or entertainment purposes. A place of public amusement includes an amusement park, arcade, bingo hall, bowling alley, indoor climbing facility, skating rink, trampoline park, and other similar recreational or entertainment facilities.

Executive Order

2020-21 Covid-19

- **Temporary requirement to suspend activities that are not necessary to sustain or protect life**
- This order takes effect on March 24, 2020 at 12:01 am, and continues through April 13, 2020 at 11:59 pm.
- Subject to the exceptions in section 7, all individuals currently living within the State of Michigan are ordered to stay at home or at their place of residence. Subject to the same exceptions, all public and private gatherings of any number of people occurring among persons not part of a single household are prohibited.

Executive Order

2020-21 Covid-19

Shelter In Place Order

- No person or entity shall operate a business or conduct operations that require workers to leave their homes or places of residence except to the extent that those workers are necessary to sustain or protect life or to conduct minimum basic operations.

How To Assist Employees File For Benefits

- Provide Them With UIA Form 1711
- Direct Them To File With MIWAM.GOV
- Expect Delays
- Best Time To File 10:00 p.m. to 6:00 a.m.
- Application For Benefits Waives The Work Search And Registration Requirements



GRETCHEN WHITMER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF LABOR AND ECONOMIC OPPORTUNITY
UNEMPLOYMENT INSURANCE AGENCY

JEFF DONOFRIO
DIRECTOR

UNEMPLOYMENT COMPENSATION NOTICE TO EMPLOYEE

A claim for unemployment benefits begins the week it is filed. Therefore, you should file your claim during your first week of unemployment.

You may file your new, additional, or reopened claim on the Unemployment Insurance Agency (UIA) website at www.michigan.gov/uia. Sign in with MILogin to register or access your Michigan Web Account Manager (MiWAM).

Once your claim is filed, you must do the following:

1. Register for work by creating your profile at www.mitalent.org. Visit a Michigan Works! **IN-PERSON**. You must complete both the online profile and go in-person to a Michigan Works! or your benefits will not be paid.
2. Certify/Report for benefits biweekly online through your MiWAM account or by calling Michigan Automated Response Voice Interactive Network (MARVIN) at 1-866-638-3993.
3. You must be able, available and seeking work to be eligible for benefit payment.
4. Each week, document and send UIA your work search activity for that week. You must look for work in each week you certify for benefits.

Waiver: If the box has been checked, the employer requested you receive a waiver from the registration for and seeking work (RSW) requirements based on the information below:

Last day worked: _____ Anticipated return to work date: _____
Layoff reason: Lack of Work

If you have questions, contact UIA through your MiWAM account or by calling, 1-866-500-0017. For telephone or Local Office hours of operation, visit www.michigan.gov/uia. TTY service is available at 1-866-366-0004.

To Be Completed by the Employer

Complete the following information in the spaces below. Each employee, when separated from your employment should receive a completed copy of this form or an equivalent written notice. A \$10.00 penalty for non-compliance may be imposed by UIA.

Your **10-digit** UIA Employer Account Number (EAN): _____

Your **9-digit** Federal Identification Number: _____

Employer's Name with Doing Business As (DBA) Name and complete mailing address of where wage and separation information is available.

Name DBA

Employer's Address City, State, Zip Code

Name of Contact Person Telephone Number

Reason for Separation

Employers, direct any questions to the Office of Employer Ombudsman (OEO) through your MiWAM account at www.michigan.gov/uia or call 1-855-484-2636. TTY service is available at 1-866-366-0004.

How To Determine How Much An Employee May Receive

- Take the highest calendar quarter in wages earned and multiply that figure by 4.1%
- \$6,000 was the high wage quarter, then multiply by 4.1% and they would be eligible for \$246 in weekly benefits
- Maximum WBA is \$362
- If anyone earns more than \$8,800 or more in a high quarter then they would be eligible for \$362
- Quick And Dirty Reasonable Estimate: Weekly gross wage and multiply it by approximately 55% and that will give you a reasonable estimation

Monetarily Qualifying

- Employees must have worked in at least 2 of the last 5 completed calendar quarters
- Employees must have earned at least \$3,744 in one of those quarters
- Employees must have earned at least \$5,616 in 4 of the last 5 completed calendar quarters
- Wages may be earned with multiple employers

Concurrent Employment Issues

- Multiple employers
- One of those employers has placed an employee on Temporary Leave
- Employee may remain working for you
- How to handle

Underemployment

- Reduced hours
- For every \$1 earned it reduces unemployment benefits by 50 cents.
- \$300 in WBA – Earn \$200 in wages then employee receives \$400 in wages and unemployment benefits

Work Share Program

- May keep your employees working with reduced hours, while employees collect partial **unemployment** benefits to make up a portion of the lost wages
- Many of the requirements of the program have been waived
- Must apply for it through MIWAM
- Administrative time to execute and plan the program out
- Better payout for employees than underemployment, but requires a great deal of planning on employer

Seeking Work Waiver

- Employers do not have to seek a work waiver so that employees don't have to seek work while unemployed
- Application for benefits automatically meets the seeking work requirement

Self Employed Or Contractor

- Presently, State of Michigan does not allow benefits for self-employed or contractors
- Federal legislation may potentially allow self employed or contractors to receive unemployment benefits – state to develop and make known rules and process for filing after legislation passes

Federal Legislation

- Still being negotiated
- Final version is still to be determined
- Potentially will allow claimants to receive \$600 a week in additional benefits on top of existing WBA
- Potentially will allow self employed and contractors to receive unemployment benefits
- Potentially will allow students from college and high school benefits because they can't obtain a new job due to National Emergency
- Potentially extended program for 4 months
- Federal government to pay for benefits

What If Someone Is On A Leave And Wants To Return

- First employee must request to return from their leave early
- Provide medical evidence they can work if on medical rules
- If work isn't available for them then an employee could be placed on Temporary Leave and eligible for unemployment benefits

Duration of Benefits

- If an individual filed for benefits after March 16th, 2020 then they are eligible for 26 weeks of benefits
- Federal legislation may potentially extend that by 13 weeks
- Federal legislation may make that extension permanent

Verify Charging To Your Account

- Review your weekly charge statements to verify your account isn't being charged for benefits for employees receiving benefits as a result of this emergency
- Expect delays on any protests