

## COVID-19 Related Business Layoffs, Closures, and Unemployment Insurance Benefits

*Updated April 3, 2020*

The health and safety of workplaces is of utmost importance to the Oregon Employment Department. This summary provides general guidance to employers, workers, and job seekers who may be impacted by the COVID-19 coronavirus. This document will be updated as more information becomes available. The Oregon Employment Department is working with partner agencies nationwide and the U.S. Department of Labor to ask for additional unemployment benefits options related to COVID-19.

### **What can I do to keep my workplace safe and reduce the risk of spreading coronavirus?**

Steps each of us can take to prevent the spread of COVID-19 coronavirus are the same as those to [prevent common colds and the flu](#). The Centers for Disease Control (CDC) also gives a thorough overview of [best practices for businesses](#), including encouraging sick employees to stay home, routine cleaning of commonly used surfaces, and work travel-specific considerations.

In addition, the CDC encourages reducing workplace exposure by considering flexible worksites (e.g., telecommuting), flexible work hours such as staggered shifts, and alternatives to large group meetings where possible to increase the physical distance between people in the workplace.

## **CARES Act**

The CARES act was signed into law on March 27, 2020 and will expand Unemployment Insurance benefits. We are working to incorporate these new changes into our resource guides, and will issue a news release and additional online announcements about pandemic unemployment assistance and unemployment benefit extensions as we receive guidance from the U.S. Department of Labor.

If you have not already filed [an initial claim application](#), please do so. If you have filed, make sure you claim each week you want to request benefits. We will let you know your options under the federal legislation as soon as possible.

In the near future, we will provide guidance to our customers on the:

- Federal Pandemic Unemployment Compensation weekly benefit of \$600
- Benefits for self-employed individuals, including those working in the “gig” economy
- Expansion of unemployment benefits for individuals whose benefits will soon expire
- Benefits for individuals unable to start new work because of the pandemic

# Workers

The Oregon Employment Department provides Unemployment Insurance (UI) benefits to most workers who are out of work through no fault of their own. To get benefits, workers must meet some requirements. In general, to receive UI benefits for a week, you must be able to work, be available for work, and look for work you can do.

## **Can I get Unemployment Insurance benefits if I am receiving employer-paid leave, vacation or Paid Time Off (PTO)?**

No. Workers receiving those funds are not eligible for Unemployment Insurance benefits.

## **Can I get Unemployment Insurance benefits if I am receiving sick, vacation or Paid Time Off (PTO) from my employer?**

No. Workers who receive paid leave are not eligible for unemployment insurance.

## **What can I do if my workplace temporarily closes because of coronavirus?**

UI benefits may be available to those who are on a temporary layoff. These benefits occur for claimants whose employer stops operation for a short period of time, such as cleaning following a coronavirus exposure or by government requirement. Workers can get UI benefits, and do not need to seek work with other employers. You must be able to work, stay in contact with your employer, and be available to work when called back.

## **Do I have to look for other work if my employer temporarily closes because of the coronavirus?**

If your employer expects to re-open in the future, you do not actively have to look for another job to receive benefits. To get benefits, you must:

- Be able to work;
- Stay in contact with your employer; and
- Be available to work when your employer calls you back to work.

If you are not still in contact with your employer, you are currently considered to be actively seeking work if you are doing what you can to be prepared to return to new work or find new employment

- Note that when filing an [online claim](#), our systems require you to enter your work search. You can bypass this by marking the temporary layoff option.
- During your temporary layoff period, please keep a written work search log in case it is requested in the future.

## **If I am forced to remain in my home, either because I am sick or am under quarantine, will I be eligible for unemployment benefits?**

- Yes. A person will be considered available to work if they are:
- Quarantined by their health care provider, or by advice issued by public health officials to self-quarantine due to possible risk of exposure to, or spread of, the novel coronavirus, but they are not sick;
- Home sick because of the novel coronavirus or a condition with similar flu like symptoms and they have not turned down an offer of work since they began being at home due to the sickness; or
- Hospitalized, or in other institutionalized care, due to the novel coronavirus, but for less than half of the week, and they did not turn down an offer to work that week.

**What if my employer is paying me while they are closed?**

Generally, you will not be eligible for benefits if your employer is paying you to remain away from the site or as stand-by pay.

**Will I be eligible for unemployment benefits if my employer remains open but I don't want to come to work because of the risk of exposure to the coronavirus?**

You may be eligible for benefits. You can file a claim, and the Employment Department will gather information from you and your employer to see if benefits would apply.

**What if I am allowed to work from home for my job to reduce risk of getting coronavirus, and I don't want to work offsite?**

Generally you will not be eligible for unemployment benefits. You can file an [initial claim](#) to determine the possibility of receiving benefits.

**What if I can take vacation or other leave pay while my employer is closed?**

If you are getting vacation or other leave pay while your employer is closed, you generally are not able to also receive unemployment insurance benefits.

**Can employees with COVID-19 coronavirus take sick leave?**

The Oregon Bureau of Labor and Industries issues guidance related to Oregon's [sick time](#) and other leave time laws.

**What if I have COVID-19 coronavirus, and I got it at my workplace?**

Contact the Workers' Compensation Division of the Department of Consumer and Business Services for information on filing a [workers' compensation claim](#) related to coronavirus. They can also be contacted at 800-452-0288 or [workcomp.questions@oregon.gov](mailto:workcomp.questions@oregon.gov).

**Will I get unemployment benefits if I become seriously ill with COVID-19 coronavirus and I have to quit my job?**

You will generally not be eligible for unemployment benefits if you quit your job. You can file still an [initial claim](#) to find out if you can receive benefits.

**What if my employer goes out of business as a result of COVID-19 coronavirus?**

Generally, you will be eligible for unemployment benefits. To find out if you are eligible, file an [initial claim](#). We will gather information from you and your employer about your circumstances to determine your eligibility.

**Are any benefits available if I'm out of work due to the coronavirus and I'm self-employed?**

Under the new federal CARES Act, Self-employed individuals are now eligible for benefits and should [file an application for a benefits claim](#). The Employment Department is currently reviewing all the new federal legislation and will provide more information once we receive the required U.S. Department of Labor guidance so that we can carry out these changes as quickly as possible.

**I am a school employee and schools are closed. Can I file for unemployment benefits?**

Unemployment benefits may be available to school staff who are out of work due to the closure and are not actively seeking work with other employers. You must be able to work, stay in contact with your employer during the temporary layoff, and be available to work when called back. If your district spring break is during the closure, other provisions may apply.



### **If I am a school employee, can I get unemployment benefits during spring break?**

Generally, you will not be eligible for benefits during the normal spring break period if you are expected to return to your job after the break. You may be eligible and can [file a claim](#) for other weeks during the closure that are not part of your normal spring break.

### **I am a home healthcare worker. Can I receive unemployment benefits?**

Whether you are paid by the Department of Human Services, another agency, or an independent contractor, you can [file a claim](#) for unemployment benefits. The Employment Department will review each case and determine if you can receive benefits based on current law and the circumstances of the COVID-19 coronavirus.

## **Job Seekers**

The Oregon Employment Department provides Unemployment Insurance (UI) benefits to most workers who are out of work through no fault of their own. To get benefits, workers must meet some requirements. In general, to receive UI benefits for a week, you must be able to work, be available for work, and look for work you can do.

### **How can I look for work when there is a Stay Home, Save Lives order because of the COVID-19 pandemic?**

A person will be considered “actively seeking work” if they are willing to look for work when state and local emergency declarations related to the coronavirus expire or otherwise are no longer in effect.

### **Can I qualify for Unemployment Insurance benefits if I all I can only work part-time?**

Yes. A person will be considered “available to work” if they normally work less than full-time and are only available for less than full-time work.

### **What if I am unemployed and I am sick or quarantined with COVID-19 coronavirus?**

If you are sick due to the coronavirus, you are likely not able and available to work. That would mean you cannot receive unemployment insurance benefits. Being able to work means that you are physically and mentally able to do the work you are looking for or usually do, unless:

- You were sick or injured for less than half of the week; or
- You have a long-term condition preventing you from working, but you can still do some work.

If you had an opportunity to work, but did not because you were sick, you likely cannot receive unemployment insurance benefits for that week, but may be eligible for benefits for other weeks.

### **How can I meet my welcome process and job seeker registration or in-person meeting requirements if I am sick with coronavirus?**

Please call your [WorkSource Oregon center](#) to ask about completing your appointments by phone or Skype.

**I am looking for a job, and I have to stay home to care for a family member or my children due to lack of school or childcare. Can I still get unemployment benefits?**

Yes. If you are home because you are caring for a family member due to the effects of COVID-19, you are considered available for work and will want to report that on your weekly claim. If you are home solely because you lack childcare for your child or children due to school or daycare closure, you are considered available for work and will want to indicate that on your weekly claim.

**I am staying home by order of a medical professional or at the direction of the government. Will I be eligible for unemployment benefits?**

Generally, yes, you would be considered available for work. If you have turned down work with a new employer, that could affect your benefit eligibility. You will still need to actively seek work, unless you are temporarily away from your normal job.

**My unemployment benefits are almost done. Are benefit extensions available?**

If you have not already filed [an initial claim application](#), please do so. If you have filed, make sure you claim each week you want to request benefits. We will let you know your options under the federal CARES Act legislation as soon as possible.

**If I am trying to file a claim but I cannot get through by phone this week, can I report it next week and still get benefits for this week?**

If at all possible we encourage you to go online to file a [new claim or restart your existing claim](#). With the current climate our phone lines are busier than usual, we will check your situation and go back to the prior week when appropriate.

## **Employers**

**What is [WorkShare](#) and how can it benefit my employees and me?**

This program seeks to prevent layoffs. Employers voluntarily make an agreement with the Oregon Employment Department to temporarily reduce employee hours, and workers with reduced hours are eligible for partial unemployment.

**How does the CARES affect non-profit organizations, tribes, and local governments?**

The CARES Act provides federal funding to cover half of the costs of reimbursable benefits and provides additional flexibility for these entities to pay the other half over time. Workers for these entities are eligible for the weekly \$600 Pandemic Unemployment Compensation.

**What if I have to lay people off or temporarily close my business because of issues related to COVID-19?**

Those workers may be able to receive Unemployment Insurance benefits. UI benefits may be available to those who are on a temporary layoff. These benefits occur for claimants whose employer stops operation for a short period of time, such as cleaning following a coronavirus exposure, or by government requirement. In these cases, employees expect to be back to work in four weeks or less. Workers can get UI benefits, and do not need to seek work with other employers. They must be able to work, stay in contact with you as their employer, and be available to work when you call them back to the job.

**What if I permanently close my business because of COVID-19 coronavirus?**

The Higher Education Coordinating Commission has [rapid response services](#) to plan for job transitions needed when a business closure or mass layoff occurs, including cases of natural and other disasters. Local Rapid Response teams coordinate with employer, worker representative, Trade Act and Labor.

**I am a member of a limited liability company (LLC) and I have not requested to opt in to Unemployment Insurance. Can I file for benefits?**

Yes, anyone can file for Unemployment Insurance benefits. Currently excluded LLC members may elect coverage. Additional information is available from our Unemployment Insurance [Tax division](#).

**I am a member of a limited liability company (LLC) that has opted into Unemployment Insurance coverage, can I file for unemployment benefits?**

Yes, anyone can file for unemployment benefits. In this case LLC members could receive benefits if they meet all eligibility requirements.

**I still have questions. Who can I ask?**

The Employment Department has also created the [OED COVID19 Info@oregon.gov](mailto:OED_COVID19_Info@oregon.gov) mailbox for coronavirus questions related to employer and job seeker programs and services.