

COVID-19 (Coronavirus) and Unemployment Insurance Benefits for Workers

Questions and Answers

Question 1: Can I get unemployment benefits if I am laid off due to issues related to the Coronavirus (COVID-19)?

Answer: Yes. Iowa unemployment benefits are available to individuals who are unemployed through no fault of their own. If an employer must shut down operations and no work is available, its employees would be eligible for unemployment benefits if they meet the monetary criteria.

Question 2: If my employer lays off employees due to the loss of production caused by the Coronavirus, will the employees be eligible for unemployment insurance benefits?

Answer: Yes. Benefits are available to any individual who is unemployed through no fault of his/her own. If an employer must lay off employees due to the loss of production caused by the Coronavirus, individuals may be eligible for unemployment benefits if they meet the monetary criteria.

Question 3: If my employer temporarily lays off employees due to any loss or lack of work due to COVID-19, will the employees be eligible for unemployment insurance benefits?

Answer: Yes. Iowa law allows for an employee to be on temporary layoff when work is not available.

Question 4: Can my employer require me to stay home for the COVID-19 incubation period?

Answer: Yes. Your employer can require you to stay at home for 14 days if you have traveled abroad or had contact with someone who visited an affected region. Please contact your employer regarding potential telecommuting, sick leave, paid time off ("PTO"), Family & Medical Leave Act ("FMLA"), Disability and other options they may be offering. If paid time off is not available, you may be eligible for unemployment benefits.

Question 5: If my employer requires me to stay home due to traveling abroad or being in contact with someone who visited an affected region, am I eligible for unemployment?

Answer: Yes. Your employer can require you to stay at home for 14 days if you have traveled abroad or had contact with someone who visited an affected region. Please contact your employer regarding potential telecommuting, sick leave, PTO, FMLA, Disability and other options they may be offering. If paid time off is not available, you may be eligible for unemployment benefits.

Question 6: If I am in mandatory quarantine because of suspicion of having COVID-19, will I be eligible for unemployment benefits?

Answer: Eligibility will be determined on a case by case situation. If the suspicion of having COVID-19 is legitimate and the facts show there is a high likelihood of being infected, you may be eligible for benefits for the incubation period of the virus. Please contact your employer regarding potential telecommuting, sick leave, PTO, FMLA, Disability and other options they may be offering. If paid time off is not available, you may be eligible for unemployment benefits.

Question 7: If I am ill because of COVID-19 and unable to work, will I be eligible for unemployment benefits?

Answer: Yes. Please contact your employer regarding potential telecommuting, sick leave, PTO, FMLA, Disability and other options they may be offering. If paid leave is not available from your employer, you may not be eligible for a state unemployment claim but would likely be eligible for Pandemic Unemployment Assistance (“PUA”).

Question 8: If my employer shuts down the business operations because another employee is sick with COVID-19, would I be eligible for benefits?

Answer: Yes, you would be eligible for benefits.

Question 9: If I am unable to work due to my employer shutting down due to health concerns related to the COVID-19, do I need to complete work searches?

Answer: If you file a claim as a result of COVID-19, you will not be required to search for work. If your status changes with your employer and you do not plan on returning to work, please contact us.

Question 10: What if my employer reduces the hours of work because business has slowed down, will I still be eligible for benefits?

Answer: Maybe. Iowa allows for partial unemployment benefits. You need to report your wages earned each week when making your weekly claim for benefits. This type of income includes: wages; holiday pay; sick leave; stand-by pay; tips, gratuities, commission, and incentive pay; and, any compensation other than cash (i.e. room and board, cell phone). You may earn up to 25 percent of your weekly benefit amount (“WBA”) before the benefit payment is reduced, but there is still a requirement to report all earnings even if under 25 percent. Earnings higher than 25 percent will reduce your benefit payment. If you earn \$15 or more over your WBA, you will not receive a benefit payment for that week. For example:

Your WBA is \$400 and you earn \$370.

25% of \$400 is \$100. \$100 is not deducted from the WBA.

$\$370 - \$100 = \$270$. The remaining \$270 is deducted from the WBA.

$\$400 - \$270 = \$130$.

\$130 is the payment amount for the week.

Question 11: I was laid off due to COVID-19. I used some vacation time during this layoff; do I need to report this if I file for unemployment?

Answer: Vacation pay is reportable for unemployment insurance purposes. Please refer to the answer above.

Question 12: How will Iowa Workforce Development (“IWD”) know if I have correctly reported my wages?

Answer: Any claim filed is subject to audit or investigation. Your employer reports wages paid to each employee every quarter. IWD has a computer program that cross matches wages paid and wages reported when a claim is filed. If IWD determines that you fraudulently reported wages, you will be overpaid benefits and will be subject to a 15% penalty, ineligibility for future benefits, and criminal prosecution.

Question 13: I am eligible for state benefits due to a layoff with my regular employer but also have self-employment income. What do I need to report on my weekly claim?

Answer: You only need to report gross wages you receive from an employer. You do not need to report your self-employment income.

Question 14: I am self-employed and receiving PUA benefits. It will take time before my business will build back to pre-pandemic levels. Am I still eligible for benefits?

Answer: Maybe. Partial benefits are available under PUA. So long as the reduced income is still related to a COVID-19 reason, you would still qualify. If you have income of \$15 or more over your WBA, you will not receive a benefit payment for that week. You should report any gross income earned or that you expect to earn for services performed that week and gross income received that week for services provided prior to filing for unemployment insurance benefits.

Question 15: I am self-employed and receiving PUA benefits, how will IWD know if I have correctly reported my income?

Answer: IWD will be auditing and investigating claims that have been filed. You certify on each claim you file that you are providing accurate and truthful information. If you are found to have fraudulently claimed unemployment benefits you could be subject to civil and criminal penalties.

Question 16: Is COVID-19 considered a disaster, and can I receive Disaster Unemployment Assistance if I am not eligible for unemployment insurance benefits?

Answer: A disaster has not been declared by the President for individual assistance. If the president of the United States declares the COVID-19 a national disaster, and if individuals experience a loss of work in Iowa as a result, they may be eligible for unemployment benefits and/or Disaster Unemployment Assistance (“DUA”).

Question 17: What if I contract the COVID-19 while on the job; would I be available for benefits?

Answer: Please contact your employer regarding potential telecommuting, sick leave, PTO, FMLA, Disability, Worker’s Compensation and other options they may be offering. If paid time off is not available, you may be eligible for unemployment benefits.

Question 18: What if I have COVID-19 and have to quit, am I eligible for benefits?

Answer: Each situation will be handled based on the facts of the separation. You can file for unemployment insurance benefits if you are laid off or separated from your employer and you are not currently working. A determination will be made based on the reason for separation. If you are not eligible for state benefits, you may still qualify for benefits under PUA.

Question 19: I have returned to work but think my work environment is unsafe, can I quit and still get unemployment benefits? I do not have a pre-existing medical condition or any COVID-19 related illness.

Answer: You should first talk with your employer about your concerns and, if necessary, your doctor. If your employer is taking steps to create a safer workplace, for example, providing extra wash stations, additional sanitation, PPE such as masks or gloves, or following social distancing recommendations, you probably will not be eligible for unemployment benefits if you choose to quit employment. If your employer is refusing to follow safety measures and OSHA guidelines recommended by state or federal governments for your industry, then you may be able to receive unemployment benefits. However, whether you are eligible for unemployment benefits is very fact specific and will be determined on a case-by-case basis. If your employer contests the claim, it will require a fact finding interview before benefits will be paid. This is true regardless of what type of unemployment benefit you are eligible for.

Question 20: What if I believe my workplace is unsafe and I have a pre-existing or underlying medical condition that makes me high risk for COVID-19? Can I quit then and still get unemployment benefits?

Answer: You should talk with your doctor and your employer about your concerns. If your employer denies you an objectively reasonable accommodation required by your doctor due to a preexisting medical condition, or if is unable to provide you a safe working environment (such as working from home), you probably will be eligible for unemployment benefits if you choose to quit employment should your employer refuse to continue your furlough.

Question 21: What if I have a fear of work, or doing my job because I fear that I may come into contact with the COVID-19. I don't have an underlying medical condition; I just don't want to work while this is going on. If I leave work or refuse to work would I be eligible for benefits?

Answer: Should you choose not to attend work, or return to work, this would be considered a voluntary quit, job abandonment, or refusal to return to work. Please contact your employer regarding potential telecommuting, sick leave, PTO, FMLA, Disability and other options they may be offering. If you do not qualify for paid leave, you will be required to work and if you quit instead, you will not be eligible for unemployment benefits.

If you are not eligible for state unemployment benefits, you may apply for PUA. Some of the reasons you may refuse to work that might result in unemployment benefit eligibility for PUA include, but are not limited to:

1. You are diagnosed with COVID-19 or are experiencing symptoms.
2. A member of your household has been diagnosed with COVID-19.
3. You are providing care for a member of your household who was diagnosed with COVID-19.
4. You or a member of your household are in a higher risk category and have been advised by your healthcare provider to self-quarantine due to concerns related to

COVID-19.

5. You lack necessary childcare related to COVID-19.
6. You cannot reach the place of employment due to a quarantine related to COVID-19.
7. You had COVID-19 and have recovered, but it caused complications rendering you objectively unable to perform essential job duties.

More information and instructions on how to apply for PUA are available at:

<https://www.iowaworkforcedevelopment.gov/pua-information>

Question 22: I believe that I may make more money on unemployment benefits than I would working, can I decide to go on unemployment?

Answer: No. You must be laid off, temporarily laid off, or have reduced hours from your employer to qualify for benefits. Should you walk off the job, refuse to work, or refuse to return to work without being eligible for paid leave; you will be disqualified for benefits. Leaving employment solely to collect unemployment benefits is fraud and could result in a loss of benefits as well as criminal and civil penalties.

Question 23: I am called back to work and my employer wants to make changes to the way I do my job. Can I quit and receive unemployment insurance benefits?

Answer: You may be eligible to receive unemployment benefits if there is a substantial change in the contract of hire and you quit your position. For example, if the employer reduces your pay by 25 to 30%, permanently changes your assigned shift without your agreement, moves you to a new facility with a substantially longer commute, or other drastic modification to the type of work for which you were hired would constitute a substantial change in your contract of hire. However, minor changes, for example moving to a new line, working one or two extra hours a day, or changing your work location in the same facility, etc., likely would not constitute a change in the contract of hire and you would not be eligible for unemployment benefits. The issue of what is substantial is very fact specific and is determined on a case-by-case basis.

Question 24: If I am paid unemployment insurance benefits, and later it is determined that I am disqualified from those benefits, will I need to pay back the benefits I received?

Answer: Yes. If the final decision is that you are not eligible, you will have to return those benefits.

Question 25: If it is determined that I have committed fraud by withholding relevant facts related to my claim, what happens?

Answer: If you are determined to have committed a fraud to obtain unemployment insurance benefits, you will be referred for criminal prosecution. You will also be unable to apply for benefits again until you have repaid those benefits plus the 15% federally mandated penalty on the fraudulently obtained benefits.

Question 26: If I am currently receiving unemployment benefits and am unable to find a job due to companies not hiring because of COVID-19, am I eligible for an extension?

Answer: The CARES Act includes Pandemic Emergency Unemployment Compensation (“PEUC”) which extends benefits for claimants who have exhausted their state unemployment benefits and their claim has not expired. For more information, please visit:

<https://www.iowaworkforcedevelopment.gov/peuc-information>.

Question 27: I was diagnosed with COVID-19, and I was hospitalized and/or quarantined. My employer fired me for not showing up to work or calling them. Am I eligible for benefits under this scenario?

Answer: This scenario would be treated as a separation and would be adjudicated according to Iowa Unemployment Law. If you were not eligible under state law, you would likely be eligible for benefits under PUA.

Question 28: I was possibly exposed to COVID-19 and my employer found out and told me not to come to work for 2 weeks. Am I eligible for benefits since my employer won’t let me come into work?

Answer: You should work with your employer on what leave may be available during the time they will not let you return to work. If paid time off is not available, you may be eligible for unemployment benefits.

Question 29: What if my dependent, family member or child has school cancellations and I have to stay home and care for them, would I be eligible for unemployment?

Answer: Please contact your employer regarding potential telecommuting. You are most likely eligible for paid leave for two weeks under the Families First Coronavirus Response Act (FFCRA). You must contact your employer to provide the necessary documentation regarding your situation. If telecommuting or paid leave is not available, you may file for unemployment insurance benefits. If you are not eligible for state benefits, you may still be eligible for benefits under PUA.

Question 30: I am not eligible for state unemployment benefits due to a prior separation from employment or because I am not able to and available for work due to a COVID-19 reason, am I still eligible for benefits under the CARES Act?

Answer: Maybe. If you are not eligible to receive state benefits, you need to apply for PUA. For more information please visit: <https://www.iowaworkforcedevelopment.gov/pua-information>. You will go to Step 3 and fill out the questionnaire when you select to “Submit Proof of Income.”

Question 31: If I am eligible, when would I receive my \$600 additional payment?

Answer: The \$600 payment has started issuing on most eligible claims which includes most unemployment benefits except training extension benefits and business closure benefits. If you have elected to have taxes withheld from your benefits, your payment will be reduced. If you believe your claim is eligible for the additional \$600 and you have not received it, please contact customer service at uiclaimshelp@iwd.iowa.gov.

Question 32: If I am eligible and receive my \$600 benefit, do I still get my full unemployment?

Answer: Yes, the \$600 benefit is in addition to unemployment, and it is not deducted from the weekly benefit amount that you would receive.

Question 33: If I receive the \$600 per week payment or any other federal stimulus benefit payment and it is later determined that I should not have received it, do I have to repay the money?

Answer: Yes, any unemployment insurance benefit payment you receive and it is later determined that you were not eligible to receive, you will be required to repay.

Question 34: If I am disqualified from receiving state or federal unemployment benefits, will I still receive payment from the federal stimulus for \$600 per week?

Answer: No. You must be eligible for state or federal unemployment insurance benefits to be eligible to receive the additional \$600 per week.

Question 35: If needed, would RESEA and/or Promise Jobs appointments be able to be conducted via phone call?

Answer: We are working through guidance related to programs and the use of technology for service delivery and will update as soon as that is available.

Question 36: If colleges continue to close or go online only, how will that affect the local office as far as partner staff?

Answer: Title I Adult, Dislocated Worker, and Youth programs, as well as the Trade Adjustment Assistance (“TAA”) program, continue to provide services to lowans during this unprecedented time. Services should be provided virtually and over the phone as applicable.

Question 37: With colleges considering closing and moving to all online courses. What will happen if Title I partners follow that order and do not come into the centers?

Answer: Title I Adult, Dislocated Worker, and Youth programs, as well as the TAA program, continue to provide services to lowans during this unprecedented time. Services should be provided virtually and over the phone as applicable.

Question 38: I am a teacher who is on Spring Break. Am I eligible for unemployment benefits?

Answer: No, not during a scheduled break due if you have a signed contract and due to reasonable assurance rules. If you are still filing for benefits due to work not being available after spring break, you will be eligible for benefits only if you are not receiving a paycheck from your employer. However, if your employer recalls you, you must be able to return to work. If you are not able to return to work upon recall your eligibility for benefits could be questioned.

Question 39: I am a teacher who is off of work due to COVID-19, not a scheduled break. Am I eligible for unemployment insurance benefits during the time my school is closed?

Answer: Maybe. If the school is going to continue paying you then you would need to report your weekly earnings during this time and will likely have too much income to qualify for benefits. If the school district will not be paying you then yes, you could be potentially eligible for benefits. However, if your employer recalls you to work, you must be able to return. Otherwise your eligibility could be questioned.

Question 40: I am a teacher's aide/ para educator and my school is closed. I will not be paid for the time my school is closed. Am I eligible for unemployment insurance benefits?

Answer: If you are on a scheduled school break such as Spring Break week, you will not be eligible for that week. If you are not on a scheduled break then you would be eligible for benefits. However, if your employer recalls you, you must be able to return to work. If you are not able to return to work upon recall your eligibility for benefits could be questioned.

UPDATE: At this time, IWD is not charging employers for claims made by their employees due to Covid 19 related unemployment. We have established a trigger for the balance of the Unemployment Insurance Trust Fund at which point, it will be necessary to begin to charge employers accounts for respective unemployment claims. We have established the trigger at \$950M and the trust fund balance is currently at \$1.10B or \$180 million dollars over that trigger of \$950 million. This decision was made to assist with our recovery by minimizing any increases they may face in the unemployment tax rate which is based in large part on the trust fund balance. CARES Act claims for the self-employed and the \$600 weekly benefit will not be paid from the trust fund.

Additional information can be found at iowaworkforcedevelopment.gov. Please check our page daily as we are updating all information as we receive it.

The above Questions and Answers are designed to assist in answering basic questions that we have received. Nothing within this guidance is legal advice; nor intended to be used for the same. Should you have questions, please refer to the Iowa Employment Security Law found at Iowa Code § 96. Further guidance and information is also available on the Federal Department of Labor which can be found at www.dol.gov/coronavirus.

Updated May 30, 2020