

ILLINOIS DES SHARES NEW COVID-19 UNEMPLOYMENT FAQs

On Monday, March 23, 2020, the Illinois Department of Employment Security ("IDES") published guidance in the form of **FAQs** that address the COVID-19 related reasons an Illinois resident might qualify for unemployment benefits.

TEMPORARY LAYOFFS

The guidance clarifies that an individual who is *temporarily laid off* because of COVID-19 may qualify for unemployment benefits so long as that individual is able and available for and actively seeking work. Such an individual will not be required to register with the state employment service and will be considered actively seeking work so long as he or she is prepared to return to work as soon as it becomes available.

EMPLOYEES WHO QUIT BECAUSE OF COVID-19

An employee who voluntarily quits work based on a *general* concern about COVID-19 would likely be disqualified from unemployment benefits. Rather, the individual would have to establish facts that demonstrate a "good reason" for quitting and that the reason was attributable to the employer. Further, individuals are generally required to make a reasonable effort to work with their employers in an effort to resolve the reasons the employee is considering quitting.

OTHER COVID-19 RELATED REASONS AN EMPLOYEE MIGHT RECEIVE BENEFITS

Individuals may also be eligible for unemployment benefits if they are:

- Confined to home after being diagnosed with COVID-19;
- Confined to home to care for a spouse, parent or child who has been diagnosed with COVID-19;
- Confined to home because of a government-imposed or government-recommended quarantine; or
- Needed to stay home to care for a child whose school has temporarily closed.

These individuals must meet the standard eligibility requirements, including that they are able and available to work, registered with the state employment service, and actively seeking work from the confines of their homes. The individual would be considered able and available for work if there was work that he or she could perform from home and there is a labor market for that work. IDES provides the following examples: transcribing, data entry and virtual assistant services.

WILL EMPLOYER CONTRIBUTION RATES BE AFFECTED?

Under normal circumstances, the contribution rate of an experience-rated employer is based, in part, on the amount of unemployment benefits paid out to the employer's former employees. To date, IDES has not indicated that there will be any COVID-19 related exceptions to the normal process.

IDES OFFICES CLOSED

The IDES has closed its offices to the public until further notice in an effort to promote social distancing. Individuals who wish to apply for unemployment benefits are encouraged to review the IDES **filing requirements** and apply **online**. IDES has indicated that, for the time being, the online filing process will be closed for daily processing from 8:00 PM to 10:00 PM.

If you have any questions or require any assistance, please do not hesitate to contact:

- **Jake Kolisek** at (317) 977-1428 or **jkolisek@hallrender.com**;
- **Jon Bumgarner** at (317) 977-1474 or **jbumgarner@hallrender.com**; or
- Your regular Hall Render attorney.