



## **COVID-19 (Coronavirus) Unemployment FAQs**

### **UNEMPLOYMENT**

**Q: Can I apply for unemployment if my work hours were reduced or eliminated due to COVID-19?**

A: In general, yes. However, for every week you claim you must still be physically able to work. So, if you are so sick with COVID-19—or any other serious illness—that you physically can't work, you are not eligible to receive benefits for as long as you're too sick to work.

Congress is currently debating emergency legislation that would offer paid sick leave. Unfortunately, nothing has been passed so far. In the absence of emergency legislation, employers in the U.S. are not required to provide paid sick leave to their employees.

**Q: What if I'm sick but haven't been tested, or am waiting for test results, for COVID-19?**

A: If you have mild symptoms and could otherwise work, but your employer, your doctor, or a government agency has instructed you not to work, then you are still eligible for unemployment.

For example, Tom has a slight fever and a sore throat. He told his employer, a nursing home, that he has those symptoms. His boss told him not to come in, even though with his mild symptoms Tom is technically still capable of performing his job. His boss told him that it's just too risky for him to do so because he might infect the nursing home residents. Because his employer told him not to come in, Tom is eligible to collect unemployment.

**Q: What if my employer still wants me to come in for work but I don't feel comfortable doing so due to the COVID-19 outbreak?**

A: Unless you have a doctor's note verifying that you have an illness or disability that prevents you from coming to work, you will *not* be eligible to collect unemployment if you do not continue working where work is available. In other words, you can't self-quarantine and then collect unemployment; you must have a doctor's note stating that it is medically necessary for you to miss work.



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**Q: What if I have an illness or disability that puts me at high risk for COVID-19 and my doctor has ordered me not to work?**

A: If your doctor has confirmed in writing that you do have an illness or disability which prevents you from working, you may be eligible to collect unemployment. However, you still need to theoretically be “able” to work at some job, just not your current job.

For example, Juana has a doctor’s note verifying that she is immunocompromised and that she should therefore be excused from work for the next three weeks. Juana currently works in a crowded factory. So long as she would be able to perform work of some kind—say as a delivery driver where she doesn’t need to work in close contact with others—she is eligible for unemployment.

**Q: What if a family member gets sick and I need to care for them, but I can’t due to my current work schedule? If I quit my current job, will I be eligible for unemployment?**

A: Maybe. First, you will need a doctor’s note verifying your family member’s illness or disability. Second, that family member must be a member of your immediate family. Third, you must first give your employer the opportunity to accommodate you. Finally, you must remain available to work full-time.

Consider Matt, who works in retail. His mom contracted pneumonia and needs Matt to care for her during the day. The store Matt works at is only open during the day, and his boss tells him they don’t have any evening or night work available for him. Because Matt is available for full-time work during second or third shift, he can quit his first-shift retail job and collect unemployment while he looks for a job with a schedule that allows him to care for his mother during the day.

**Q: What if my doctor is too busy and isn’t able to see me or provide a doctor’s note in time for me to file my claim?**

A: To be eligible, DWD is mandating that a doctor’s order, an employer, or a government agency specifically direct you by name to not report to work. If you can’t get something in writing, call your doctor’s office, explain the DWD requirement, and ask the doctor or nurse for a phone consultation and verbal order putting you off work until you can be seen.



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**Q: Am I eligible for unemployment if I quit my job because I no longer have childcare for my young children?**

**A:** Probably not, although we don't know yet how the DWD will be handling these situations.

Ordinarily, a worker is not eligible for unemployment if he quits his job to care for his minor children. This may be true even now that most schools have closed due to the COVID-19 outbreak, but the DWD hasn't provided any guidance so we just don't know for sure. An exception exists for a situation in which the worker is required to change shifts, and that shift change leaves him without childcare.

For example, Amy has a seven-year-old son who is in second grade. Last week, her son's school closed due to the COVID-19 outbreak. Amy works 9 to 5 as a paralegal. She has no one to care for her son since he's no longer in school, and quits her job. It's unclear whether she'll be eligible to collect unemployment given the current public health emergency. In normal times, she would *not* be eligible.

Alang works as a day-shift nurse. He has two three-year-olds. His employer, a hospital, required him to change to nights. Alang's daughters currently go to daycare while he's at work and daycare would not be available at night. So, rather than change to the night shift, Alang quit his job and plans to apply to other day-shift positions at nearby hospitals. He is eligible for unemployment.

**Q: Am I still required to search for work every week? Does that change if I have COVID-19, or if I think I have COVID-19?**

**A:** From March 12, 2020 until Governor Evers declares that the public emergency is over, *all* claimants are exempt from the work-search requirement. This means you do *not* need to perform four work search activities each week as you normally would be required to do.

**Q: Does the waiting week still apply?**

**A:** Yes. Wisconsin still has a one-week waiting period, so you will have to wait a week after filing your initial claim to begin receiving benefits.



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**Q: Do I still have to register with the Job Service?**

A: Yes. All claimants must register with the Job Service of Wisconsin. This means that you must create and submit a résumé. If you need help creating a résumé, contact the Job Centers of Wisconsin.

**Q: Are the Job Centers of Wisconsin still open?**

A: Yes. Even during the COVID-19 pandemic, so far the Job Centers of Wisconsin will remain open.

**Q: I received a notice from the Department of Workforce Development (DWD) that I am required to attend a Job Re-employment Session (RES). Do I still have to comply, even though the governor has declared a public health emergency due to COVID-19?**

A: Yes. You must still comply with the Re-Employment Session requirements. These sessions are now being conducted by phone, so you may not be required to go to the Job Center in person. Read the notice you received carefully, and if you have questions contact the DWD.

**Q: Help! I'm really confused with all of these unemployment requirements, or I've received an initial determination that has found me ineligible to collect benefits. What should I do?**

A: You may be eligible for free legal assistance. Call 211 and tell the operator that you're looking for assistance with an unemployment claim.