

In response to the ongoing COVID-19 situation, Alabama has announced additional/extended benefits which are available to affected employees. The Alabama Department of Labor and Alabama Works! have provided the below chart to help Alabama employees understand what new or extended benefits are available to them in various scenarios.



## COVID-19 Scenarios and Available Benefits

	UNEMPLOYMENT INSURANCE		FAMILY MEDICAL LEAVE ACT	STATE EMPLOYEES DURING STATE OF EMERGENCY
	CURRENT LAW	EMERGENCY RULE (UIPL 10-20)	AS AMENDED BY H.R 6201 (P.L. 103-3, 29 U.S.C sec. 2601)	MARCH 13 STATE OF EMERGENCY AND MARCH 15 EXECUTIVE MEMORANDUM
Employee is diagnosed with COVID-19.	✗	✓	✓	✓
Employee was exposed, quarantined, and plans to return to work. Employing business remains open.	✗	✓	✓	✓
Employee is caring for a sick family member.	✗	✓	✓	✗
Employee has a child in a school closed due to COVID-19 and has no childcare.	✗	✗	✓	✗
The employee has an underlying medical condition and has been advised by his or her physician to self-quarantine.	✗	✗	✓	✓
Worker refused to go to work and is self distancing but employer remains open.	✗	✗	✗	✗
Employer order to shut down by public official.	✓	✓	✗	✓
Employer shuts down due to employer slowdown and lack of demand.	✓	✓	✗	✗
The employee's hours are reduced due to business slow down or lack of demand.	✓	✓	✗	✗
The employer shuts down in defiance of a public health urging to close.	?	?	✗	✗

Figure 1. GREEN CHECK = Eligible; RED 'X' = Not Eligible; YELLOW '?' = TBD

In addition to the information included in the provided chart, the Governor's Office of Education and Workforce Transformation, in connection with the Alabama Department of Labor, issued a memorandum on Tuesday, March 24 entitled Workforce Flexibilities During the COVID-19 Outbreak. Below is a list of Frequently Asked Questions regarding unemployment benefits from that memo.

### **Coronavirus and Unemployment Insurance Benefits Alabama Department of Labor—Frequently Asked Questions**

**Question 1: Will workers qualify for unemployment benefits if the coronavirus (COVID-19) causes an employer to shut down operations?**

**Answer:** Alabama 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, individuals may be eligible for unemployment benefits.

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

**Answer:** Alabama unemployment benefits are available to any individual who is unemployed through no fault of their 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.

**Question 3: If an employee receives unemployment benefits as a result of a coronavirus-related business shutdown, will the employer's unemployment taxes increase?**

**Answer:** At this time, no further guidance has been issued. Until such a time, normal procedures will be followed. Congressional action expected on this topic may provide federal subsidization for benefits, so employers should monitor further bulletins closely.

**Question 4: If an employee receives unemployment benefits as a result of a coronavirus-related business shutdown, can the benefits be charged to the mutual account?**

**Answer:** At this time, no further guidance has been issued. Until such a time, normal procedures will be followed. Congressional action expected on this topic may provide federal subsidization for benefits, so employers should monitor further bulletins closely.

**Question 5: If an asymptomatic employee imposes a self-quarantine because of the coronavirus, but intends to return to work, will they be eligible for unemployment benefits?**

**Answer:** In most cases, no. Unemployment benefits are available to individuals who are totally or partially unemployed due to no fault of their own. In this example, the individual—not the employer—is choosing not to work and, therefore, would be ineligible. However, the facts of each circumstance are important. If the employer allowed this individual to telework, they would not qualify for

benefits because they would not be unemployed. If the employer required the individual to stay home but did not offer telework, the individual might be eligible for benefits if they met the monetary and weekly eligibility criteria.

**Question 6: If an employee is in mandatory quarantine because of suspicion of having the coronavirus, will they be eligible for unemployment benefits?**

**Answer:** Yes, they will be eligible and the period will be treated as a temporary layoff. Certain criteria and exceptions may apply and are subject to change.

**Question 7: If an employee is ill because of the coronavirus and unable to work, will they be eligible for unemployment benefits?**

**Answer:** Yes, they will be eligible. Certain criteria and exceptions may apply and are subject to change.

**Question 8: Is the coronavirus considered a disaster, and can I receive Disaster Unemployment Assistance?**

**Answer:** The president of the United States has declared the coronavirus a national disaster, but at this time there is no separate Disaster Unemployment Assistance available.

**Question 9: What types of proof may be required to substantiate a COVID-19 claim?**

**Answer:** In the case of an employee who is unemployed because of quarantine or illness, proof of a medical diagnosis from a health care professional for the claimant and/or the immediate family member, and/or confirmation of quarantine by the employer or applicable government entity will be required.

**Question 10: What is a partial claim?**

**Answer:** A partial claim is filed when an employee is laid off for a short period but is expected to be rehired at the same job.

**Question 11: How long can I receive benefits?**

**Answer:** Generally, up to three weeks, subject to verification.