

Unemployment Insurance and COVID-19

March 13, 2020 – The impact of the COVID-19 (coronavirus) on North Dakota’s workforce and employers has raised a variety of questions related to the Unemployment Insurance program. Although the situation is fluid and could change over time, the following are answers to some of the more frequently asked questions that we have been receiving from workers and employers. *As information changes, we will update this document.*

Please note that unemployment insurance laws vary from state to state and eligibility for benefits may be different between states. Both the federal government and the state of North Dakota are working as diligently and as quickly as possible to respond to this rapidly developing situation. Newly released information may impact the information provided below.

Frequently asked Questions from Workers:

1. Would I be eligible for benefits if my employer shuts down or lays me off because of the COVID-19 situation?

If your employer shuts down or lays you off due to lack of work caused by the impact of COVID-19 on the business, you will generally be eligible for Unemployment Insurance benefits.

2. Would I be eligible for Unemployment Insurance benefits if I become ill with the COVID-19 virus and cannot work?

Unfortunately, under this scenario at this time you would generally not be eligible for benefits.

3. Would I be eligible for Unemployment Insurance benefits if I am quarantined?

Unfortunately, under this scenario at this time you would generally not be eligible for benefits.

4. I am receiving Unemployment Insurance and I am required to do a work search. Do I need to continue to look for work during the COVID-19 situation?

Yes, a component of the Unemployment Insurance program is that you must be able to work, actively seeking work, and/or available to return to your employer immediately if they should call you back to work during a short term or seasonal layoff. Please note that during this time period where social distancing needs to be practiced, we recommend that you make your search via the internet, email, and by making phone contacts.

5. I am a contract worker. I receive a 1099 in lieu of a W2. Will I be eligible for unemployment benefits if no work is available for me?

Contract workers are not eligible to receive regular unemployment benefits. At this time no other unemployment benefit program has been activated that would allow contract workers to receive benefits.

Frequently asked Questions from Employers:

6. Will my employees be eligible for benefits if they cannot work even if my business remains open and I have work for them?

Please see the FAQ responses under the Employee section above.

7. If my business declines, or I need to close, lay off staff, or cut staff hours, will my Unemployment Insurance account be charged for any benefits paid to employees I had to lay off?

Yes, your account would be charged for the percentage of benefits paid that mirrors the percentage of wages you paid to your employee during the employee's Unemployment Insurance base period.