



## Frequently asked questions about coronavirus (COVID-19) for workers and employers

*This guidance is for general informational purposes only, and is not to be used as a substitute for relevant state statutes. March 2020*

### **UNEMPLOYMENT INSURANCE (UI)**

#### **FOR WORKERS:**

*How do I apply for Unemployment Insurance benefits or get more information about the process and requirements?*

- Please go to [www.iselectui.com](http://www.iselectui.com)

*Do I need any paperwork from my employer before I can file for unemployment benefits?*

- Do not delay filing your claim for unemployment benefits even if your employer has not issued you any paperwork. It is important to file as soon as you become unemployed to avoid being denied benefits.
- For faster processing of your claim, please have your employer's registration number and a return to work date readily available when you file your claim online.

*How can I contact the Department of Labor for questions related to my claim?*

- You should first visit our Online Assistance Center at [www.iselectui.com](http://www.iselectui.com)
- We also offer Live Chat on [www.iselectui.com](http://www.iselectui.com) for questions concerning unemployment compensation, including the impact of coronavirus (COVID-19) on the program.
- You may also submit your general question to [dol.webhelp@ct.gov](mailto:dol.webhelp@ct.gov). A response can be expected in 3 to 5 business days, depending on volume.
- When in-person assistance is required, you may go to your nearest American Job Center. Locations can be found [here](#).

***If I need to take time off from work because I come down with COVID-19 and have no paid time off through my employer, can I collect unemployment benefits?***

***If I get terminated from my job because I come down with COVID-19 can I collect unemployment benefits?***

- You may file for unemployment benefits and a determination will be made concerning your eligibility. Determinations will be made on a case-by-case basis. However, please note that an individual must be physically able and available for full time work in order to qualify for unemployment benefits.
- For faster processing of your claim, please have your employer's registration number and a return to work date readily available when you file your claim online.
- Your employer should provide you with an Unemployment Separation Package, found [here](#), but do not delay filing if you do not have it.

***My employer is requiring that I self-quarantine for 14 days even though I am not sick, and I am not getting paid. Can I collect unemployment benefits?***

***My employer closed its doors and is requiring all employees to stay home for 14 days. My employer does not offer teleworking, and we are not getting paid. Can I collect unemployment benefits?***

- You may file for unemployment benefits and a determination will be made concerning your eligibility. Determinations will be made on a case-by-case basis.
- For faster processing of your claim, please have your employer's registration number and a return to work date readily available when you file your claim online.
- Your employer should provide you with an Unemployment Separation Package, found [here](#), but do not delay filing if you do not have it.

***I am unable to work because of a family member's illness. Can I collect unemployment benefits?***

- If you are unable to work, you are most likely ineligible for UI until you are able to work. However, you may file for unemployment benefits and a determination will be made concerning your eligibility. Determinations will be made on a case-by-case basis.
- For faster processing of your claim, please have your employer's registration number and a return to work date readily available when you file your claim online.
- Your employer should provide you with an Unemployment Separation Package, found [here](#) if you do not have it.

***If my employer only permits me to work part-time rather than my full-time hours, will I be able to collect unemployment benefits?***

***If I have a full time and part time job and my full-time employer closes because of COVID-19, will I be able to collect while still working part time?***

- You should file for benefits as you may be eligible for partial unemployment. Please note: when working and filing, all hours and gross earnings must be reported. A portion of your gross earnings will be deducted from your weekly benefit rate.

***My employer may have retaliated against me because I filed for unemployment benefits. Is there any recourse?***

- Yes. It is illegal for an employer to retaliate against individuals who have exercised their rights under the Connecticut Unemployment Compensation Act. Conn. Gen. Stat. §31-226a provides individuals who believe that they have been retaliated against with an opportunity for a hearing.

## **FOR EMPLOYERS:**

***Can I require my employees to stay home if they are sick with COVID-19?***

- Yes, you can require your employee to stay home. However, you should issue the employee an Unemployment Separation Package, found [here](#).
- Your employee may file for unemployment benefits and a determination will be made concerning their eligibility. Determinations will be made on a case-by-case basis. However, please note that an individual must be physically able and available for full time work in order to qualify for unemployment benefits.

***If I have to close the doors of my business for 14 days because an employee is sick and other employees need to be isolated, how do my employees file for unemployment benefits?***

- Please direct your employees to [www.filectui.com](http://www.filectui.com) and click the blue button to file their new claim for unemployment benefits.
- For ongoing weekly continued claims filing, employees should go to [www.filectui.com](http://www.filectui.com) and click the green button.

- The agency issues important emails throughout the initial claim filing process. Please advise your employees to look for these emails and read them carefully for next steps.

***If I have to close the doors of my business for 14 days because an employee is sick and other employees need to be isolated, will I be liable for unemployment benefit charges?***

- You will be liable in the same way you would be for a layoff or a shut down.
- If the President declares a disaster that includes Connecticut and your company, it is possible you may not be liable.

***Is there an alternative to laying off my employees if business has slowed down as a result of COVID-19?***

- Yes. The Department of Labor offers a **SharedWork** program which is a smart alternative to a layoff. The program allows employers to reduce the hours of full-time employees by as much as 60 percent, while their workers collect partial unemployment benefits to replace a portion of their lost wages.
- All employers with two or more full-time or permanent part-time employees can participate in the program, which is not designed for seasonal separations. To qualify, the business' reduction of work cannot be less than 10 percent or more than 60 percent.

## **PAID SICK LEAVE (PSL) AND OTHER ABSENCES**

***Does the Paid Sick Leave (PSL) law cover my absence due to COVID-19?***

- For covered service workers and employers with 50 or more employees, PSL will cover certain absences caused by COVID-19.
- PSL provides up to 40 hours of leave for certain workers per year for the following reasons:
  - A service worker's illness, injury or health condition
  - The medical diagnosis, care or treatment of a service worker's mental illness or physical illness, injury or health condition
  - Preventative medical care for a service worker
  - A service worker's child's or spouse's illness, injury or health condition
  - The medical diagnosis, care or treatment of a service worker's child's or spouse's mental or physical illness, injury or health condition
  - Preventative medical care for a child or spouse of a service worker

***My employer, who has 20 employees in CT, sent me home because I had a fever and then terminated my employment. Can he do that?***

- Employees in CT are generally considered at-will employees, which means that either the employer or the employee is free to end the relationship at any time unless there is an applicable contract or collective bargaining agreement.
- Therefore, in most cases, an employer who is not covered by the CT FMLA (over 75 employees in CT), federal FMLA (50 or more employees in a 75-mile radius) or CT's Paid Sick Leave law (50 employees in CT) may terminate an employee for any reason as long as such termination is not based on an employee's protected status such as the employee's race, color, religious creed, age, sex, gender identity or expression, marital status, national origin, ancestry, present or past history of mental disability, intellectual disability, learning disability, physical disability, including, but not limited to, blindness or status as a veteran or any other applicable contract or law.
- The employer may institute a more lenient absenteeism policy.

## **WAGES AND HOURS**

***If my employer decides not to open the business for the day or my specific work shift, and notifies me not to report for work, must I be paid?***

- If you are a non-exempt "hourly" employee, no. An employer is not required to pay a non-exempt employee for the time in which he or she performs no work.
- If you are an exempt employee and you have worked for any portion of the week, yes. The employer is required to pay you the full weekly salary if you work for any portion of the week.
- Also, it is not permissible for the employer to make any deduction for the time that the exempt employee is absent from work from the employee's accrued Paid Time Off ("PTO") benefits, because Conn. State Agencies Regs. § 31-60-14(b)(2)(A) does not permit a deduction "of any kind" when a lack of work is occasioned by the operating requirements of the employer.

***If an employer decides to keep the business open, but the employee elects not to report for work, must the employee be paid?***

- No. For the non-exempt employee, an employer is not required to pay a non-exempt employee for the time in which he or she performs no work. For the exempt employee, the employer may make a deduction in pay in full-day increments pursuant to Conn. State Agencies Regs. § 31-60-14(b)(1)(B) because the employee is asking for the day off for personal reasons.

***I am shutting down my business for 14 days. Do I have to pay a non-exempt or exempt employee who does not work at all during the 14 days?***

- No. Employees are not required to be paid for any work week in which he or she performs no work at all during the week.

***If I need to send one of my employees home during her shift because she is coughing but I am requiring her to work from home, must I pay that employee?***

- Yes, in the same manner as she was paid when she worked on the employer's premises.
- If she is a non-exempt, "hourly" employee, she must be paid for the actual amount of time that you are requiring her to work. You are not required to pay a non-exempt employee for the time in which he or she performs no work.
- If she is an exempt "salaried with qualifying duties" employee, the employer is required to pay her the full weekly salary if she works for any portion of the week. No deductions can be made from the exempt employee's Paid Time Off (PTO) fringe benefit leave banks to cover the time off, pursuant to Conn. State Agencies Regs. § 31-60-14(b)(2)(A).

### **FAMILY MEDICAL LEAVE ACT (FMLA)**

***Does the CT FMLA protect my job if my employer sends me home because I have a fever?***

You may be protected if:

- You are an eligible employee, who worked for the employer for at least 12 months and 1,000 hours in the past year
- The employer is a covered employer for FMLA purposes (75 or more employees in CT) and you have FMLA time available

Your employer may require you to submit a medical certification from your health care provider, in order to determine if this is a serious health condition under the FMLA.

If your health care provider substantiates a serious health condition, FMLA will protect your job. Also, your employer may institute a more lenient medical certification policy if it so wishes.

***Does the FMLA protect me if my employer sends me home because I told him that my 17-year-old daughter just returned from travel to a Level 3 country and has a cough and a fever?***

You may be protected if:

- You are an eligible employee, the employer is a covered employer for FMLA purposes, and you have FMLA time available.
- Your employer may require you to submit a medical certification from your daughter's health care provider, in order to determine if she has a serious health condition under the FMLA.
- If her health care provider substantiates a serious health condition, the FMLA will protect your job. Also, your employer may institute a more lenient medical certification policy if it so wishes.

***If I send an employee home because he told me that his 17-year-old daughter just returned from travel to a Level 3 country but she has no signs or symptoms of COVID-19, does FMLA protect his job?***

- At this time, if his daughter does not have a serious health condition under the FMLA, then his job will not be protected. You may institute a more lenient absenteeism policy if you so wish.

**More information about COVID-19 and federal FMLA is available from the USDOL Wage and Hour Division here:**

**[www.dol.gov/agencies/whd/fmla/pandemic](http://www.dol.gov/agencies/whd/fmla/pandemic)**