

Unemployment Frequently Asked Questions (FAQ)

- 1. Am I eligible for unemployment benefits?**
 - Employees whose hours have been reduced as a result of the COVID-19 pandemic, can file for unemployment benefits.
 - If you are unemployed or working fewer than 32 hours a week and earning less than the weekly amount that unemployment benefits pay, you can file a claim for unemployment benefits. If your earnings are also reduced, you may be able to receive unemployment benefits.
 - If you are a traditional employee whose employer takes taxes out of your paychecks and reports your income on a W-2 tax form, you should file a regular unemployment claim. Whether or not you qualify to be paid is determined based on statements from your and any employers you worked for in the last 18 months. Even if you do not qualify for regular unemployment benefits, you may be eligible for the expanded benefit programs available through the CARES Act. You will be notified by the Colorado Department of Labor and Employment if that happens.

- 2. What are the requirements to file a regular unemployment claim?**
 - For regular unemployment, the basic requirements include:
 - Earned at least \$2,500 in wages in Colorado from 10/2018 through 09/2019 or from 01/2019 through 12/2019
 - If you worked only outside of Colorado during that time frame, you will have to file a claim in the state you worked.
 - You must be working fewer than 32 hours and earning less than the weekly benefit amount on your claim.
 - You must be able to work and be available to work except that COVID-19 is preventing you from doing that.

- 3. What if I currently have work authorization under the Deferred Action for Childhood Arrivals (DACA).**
 - If you have valid work authorizations, you may be eligible to receive benefits if you are not working or your hours have been reduced through no fault of your own.
 - The Colorado employment security act includes the following categories of eligible people:
 - Lawful Permanent Residents (known as LPRs or green card holders)

- People with work authorization
- DACA recipients and others who have been granted deferred action
- Refugees, conditional entrant refugees, refugee-parolees, and people granted asylum
- VAWA recipients
- Agricultural workers

4. What if I am a foreign employee? I plan to apply for legal permanent residence status, and I am eligible for unemployment benefits. Will this be considered under the public charge determination in my future immigration proceedings?

- Lawfully received unemployment benefits are not considered under the public charge rule. However, not all foreign individuals lawfully working in the U.S. are eligible for unemployment benefits. It is incumbent upon you to make sure you do not receive unemployment benefits unless you are lawfully eligible for them. The receipt of unemployment benefits for which you are not eligible could have a negative impact on future immigration benefits, such as permanent residence.

5. How do I file for unemployment?

- Step 1: Collect any income-related information like paystubs, etc.
- Step 2: Fill out an application online (Please note your assigned filing days based on the first letter of your last name).
 - You cannot file between the hours of 6 PM to 8 PM as the system is down for maintenance.
 - Unemployment Benefits are taxable income, so you will need to answer whether you want taxes to be withheld or not (and if so, whether you want state taxes, federal taxes, or both to be withheld)
 - Be prepared to provide your work history for the last eighteen months
- Step 3: Review your claim before submitting it and write down your payment request dates.
- Step 4: Register with your local Workforce Center
 - If filing online, please complete your Workforce Center registration with Connecting Colorado at www.connectingcolorado.com/.

6. I filed a regular unemployment claim. What happens next?

- The Colorado Department of Labor and Employment will send you a personal identification number (PIN), which you must use to access unemployment benefits and services.
 - Because of the high volume of claims being received, it is taking longer than usual to send the PIN and other paperwork. The Colorado Department of Labor and Employment asks for your patience and that you wait for the PIN to arrive. You will not miss out on any weeks of payment based on the delay and will make sure measures are in place for you to request payment for all weeks you are not working.

- Once your PIN is generated, The Colorado Department of Labor and Employment will email or call you with it. The Colorado Department of Labor and Employment will also mail it.
- Use this PIN to create your MyUI Claimant account at <https://myui.coworkforce.com/Registration>
 - MyUI offers 24/7 convenient online access to your claim, fast and secure payment request, and answers to many questions about your claim.
 - You can also use the PIN to change your payment method to direct deposit.
- Request payment every two weeks: To receive payment, you must request it.
 - Online through MyUIClaimant at <https://myui.coworkforce.com/Welcome>
 - By phone at 303-813-2800 or 1-888-550-2800 (for those outside the Denver-metro area).
- A debit card from U.S. Bank: You can receive your unemployment benefit payments on this card and use it like any other debit card. For more information, go to www.coloradoui.gov/payment.
- You will also receive mail showing your income history and potential benefits in the base period of your claim.
 - If you agree with the document, no further action is required;
 - If you disagree with the reported earnings, please fill out the back of this form, attach proof, and return it to the address provided.

7. Will I be required to look for work even if my employer has promised me my old job back as soon as the business is reopened?

- If you are unemployed because your employer is closed to the public or otherwise unable to operate in their normal capacity as a direct result of an order by the Governor because of the COVID-19 pandemic, you may be job-attached for as long as the place of business is required to remain closed. During the COVID-19 pandemic, The Colorado Department of Labor and Employment is waiving the requirement to perform work-search activities. You must still register for work at connectingcolorado.com or with a local workforce center if the office is accepting in-person customers.

8. Will I have to serve a waiting week? How long before I receive unemployment?

- During the COVID-19 pandemic, the Colorado Department of Labor and Employment is waiving the standard waiting-week requirement before benefits can be paid. This waiver applies to all claimants regardless of the reason for

filing for any waiting week not yet served as of 03/15/20 and later until the Governor's Executive Order expires.

- It may take as little as 2 weeks but as many as 6 to complete the processing, depending on how many employers are a part of the claim. Our goal is to get payments out within 2 weeks.

9. How much does unemployment pay?

- Unemployment benefits are approximately 55 percent of a person's average weekly wage over a 12-month time period. [Estimate your potential payments](#). The maximum benefit amount available is \$618 per week.
- In addition to your weekly benefit amount, the CARES Act made an additional \$600 available each week you receive unemployment benefits from 03/29/2020 to 07/25/2020. You have to request payment on your normal schedule. If you received payment for weeks of unemployment going back to the week beginning March 29, the Colorado Department of Labor and Employment will back pay you for that week. This benefit is called Federal Pandemic Unemployment Compensation.

10. What will be the effective date of my unemployment claim? Do I have to report the federal stimulus money I received when I request payment of benefits?

- A claim is usually effective based on when you file the claim. In this case, your claim is effective based on the day you stopped working or when your hours were reduced as a direct result of COVID-19.
- No, the stimulus money is not earnings and does not have to be reported. It has no impact on your claim.

11. My benefits are exhausted. How do I get an extension?

- The federal CARES Act added 13 weeks of unemployment benefits to any claim that ran out of benefits. These added 13 weeks can be paid between 03/29/2020 and 12/26/2020. The Colorado Department of Labor and Employment are still adding these benefits to our system and are not yet ready to pay them.
- If you have been requesting payment, continue to do that as scheduled. The Colorado Department of Labor and Employment will add the benefits to your claim.
- You may also try to file a Pandemic Unemployment Assistance claim.

12. What if my employer is requiring me to return to work but I don't feel safe?

- Per Safer at Home Executive Order D 2020 044, no vulnerable individuals can be compelled by their employer to return to work if their work requires in person work near others.
- Employers must accommodate vulnerable individuals with remote work options, if the work can be done remotely.

- If the workplace is particularly unsafe -- e.g., if it had an outbreak -- unemployment benefits might be available, depending on the facts, and OSHA safety rules might limit requirements to return.
- If you refuse to return to work and quit due to unsatisfactory or hazardous working conditions, you may be eligible for unemployment to the degree of risk involved to your health.
- If an employer requires work from an employee entitled to paid leave (due to illness or a quarantine/isolation order) under the Colorado HELP Rules, that would be unlawful under those rules.
- Any other possible violations of social distancing, or other health and safety orders, should be reported to the federal Occupational Safety and Health Administration or County health officials. <https://www.osha.gov/contactus/bystate/CO/areaoffice>

13. My workplace wants me to come back but with schools closed I have no childcare, what are my options?

- Per Safer at Home Executive Order D 2020 044 employers must make accommodations to the greatest extent possible for workers who are experiencing a lack of childcare due to school closures- such accommodations include but are not limited to remote work options and or flexible scheduling.
- Federal law now provides up to 12 weeks of paid leave for childcare needs due to a coronavirus-related closure of a school or childcare establishment.
- The CARES Act also provides unemployment benefits under Pandemic Unemployment Assistance to those unable to work due to COVID-19.

14. What if I tested positive for COVID-19, or displayed flu-like symptoms and my employer or a health official asked me to self-quarantine?

- Typically, to receive regular unemployment benefits, you must be able and available to return to work for your employer. An emergency rule went into place requiring employers in certain industries to pay up to four days of sick leave. A federal law also goes into effect on April 2 requiring many employers to pay sick time. All the information can be found using the link below under the Families First Coronavirus Response Act (FFCRA): <https://www.msudenver.edu/hr/covid-19guidanceforallhrfunctions/>

15. I've heard there are employers hiring, and I want to supplement my income. What do I do?

- If you are looking for work, there are employers who are hiring. Go to connectingcolorado.com and register. You will have to provide an email address and a social security number. Indeed.com has a feature to search employers hiring immediately. The Colorado Department of Labor and

Employment also encourages you to check out jobs available with the State of Colorado.

Source Information

- Colorado Department of Labor and Employment - <https://www.colorado.gov/pacific/cdle/ui/worker-faqs>
- HR website – COVID-19 Guidance for all HR Functions - <https://www.msudenver.edu/hr/covid-19guidanceforallhrfunctions/>
- Fact sheet from Meyer Law office - <https://www.facebook.com/MeyerLawOffice/posts/in-these-difficult-times-the-meyer-law-office-has-been-receiving-a-lot-of-questi/2610030145774174/>