

ADVANCED

To Our Clients and Friends,

We want to provide some basic information pertaining to employment questions that may come up in your practice over the coming weeks. Our colleagues at Larkin Hoffman Attorneys have provided the following points, and they included some helpful links:

- Employees who have had their hours substantially reduced should still be eligible for under-employment benefits and should apply for unemployment.
- The governor issued an order yesterday relaxing some of the unemployment rules, including:
 - Suspending the normal non-payable week before benefits set in;
 - While people on unemployment are expected to look for replacement work,
 - They are not required to look for work that puts their health at risk (i.e. searching that contradicts social distancing, etc.);
 - If the layoff or change in hours is temporary, continuing to communicate with the employer meets the requirement;
 - Individuals required to leave for quarantine, care for others, etc. can still qualify;
 - Employers are not penalized in the calculations for future unemployment tax rate as a result of pandemic-caused unemployment benefits;
 - The five-week benefit limitation for employers is waived.
- Employers may offer to let their employees use paid-time-off. The employees would not be eligible for unemployment while receiving PTO.
- You might also consider applying for the Shared Work Program which allows employers to temporarily reduce hours while employees receive partial unemployment for the remaining hours.
- Here are some reference resources:
 - The MN governor's executive order:
https://mn.gov/governor/assets/2020_03_16_EO_20-05_Unemployment_Insurance_tcm1055-423379.pdf

- The Iowa governor's executive order:
<https://governor.iowa.gov/sites/default/files/documents/Public%20Health%20Proclamation%20-%202020.03.17.pdf>
 - The North Dakota governor's executive order:
<https://www.governor.nd.gov/sites/www/files/documents/EO%202020-03.pdf>
 - The South Dakota governor's executive order:
<https://sdsos.gov/general-information/executive-actions/executive-orders/search/ShowImage.aspx?CabId=523E2A2A&DocGuid=20200313-1747-3785-7183-b14b37c5ebd9&Thumbnail=0&Image=1>
 - The Wisconsin governor's executive order:
https://docs.legis.wisconsin.gov/code/executive_orders/2019_tony_evers/2020-72.pdf
 - The Minnesota Office of Unemployment's Covid-19 site for employees:
<https://www.uimn.org/applicants/needtoknow/news-updates/covid-19.jsp>
 - The Minnesota Office of Unemployment's Covid-19 site for employers:
<https://www.uimn.org/employers/employer-account/news-updates/covid-19.jsp>
 - Iowa Covid-19 site for employees and employers
<https://www.iowaworkforcedevelopment.gov/updates-and-resources-about-covid-19>
- Wisconsin Office of Unemployment's Covid-19 site for employees & employers:
<https://dwd.wisconsin.gov/ui/>
- South Dakota Covid-19 site for employees and employers
https://dlr.sd.gov/covid_19_resources.aspx
 - Information about the Shared Work Program in MN:
<https://www.uimn.org/employers/alternative-layoff/index.jsp>
 - Information about the Shared Work Program in WI:
<https://dwd.wisconsin.gov/uitax/workshare.htm>
 - Information about the Shared Work Program in IA:
<https://www.iowaworkforcedevelopment.gov/sites/search.iowaworkforcedevelopment.gov/files/content-files/VSW%20Flyer%20-%20COVID-19.pdf>

Best wishes from all of us.



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