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Categories:

Blogs
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Expanded Unemployment Assistance Under the CARES Act

The Coronavirus Aid, Relief, and Economic Security Act (CARES Act), a sweeping third-wave relief package in response to the COVID-19 pandemic, became law March 27. To read the full overview of the bill, click here.

The CARES Act expands on who qualifies to receive unemployment insurance benefits, the amount an individual may be eligible to receive, and the length of time the benefits can be paid.

Under the CARES Act, payments are available for individuals who would not otherwise qualify for unemployment benefits, such as independent contractors or those who are self-employed, but who are unemployed, partially employed, or unable or unavailable to work for the following reasons:

- The individual has been diagnosed with COVID-19, or is seeking a medical diagnosis for symptoms of COVID-19;
- A member of the individual's family has been diagnosed with COVID-19;
- The individual is providing care for a family or household member who has been diagnosed with COVID-19;
- A child or other person in the household for whom the individual has primary caregiving responsibility is unable to attend school or another facility because it closed as a result of COVID-19, and the school or facility is required for the individual to work;
- The individual is unable to reach his or her place of employment because of a quarantine
- The individual is unable to reach his or her place of employment because a health care provider has advised the individual to self-quarantine;
- The individual was scheduled to commence employment and does not have a job or is unable to reach the job as a direct result of the COVID-19 public health emergency;

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- The individual has become the breadwinner or major support for a household because the head of the household has died as a direct result of COVID-19;
- The individual has to quit his or her job as a direct result of COVID-19; or
- The individual's place of employment is closed as a direct result of the COVID-19 public health emergency.

The Secretary of Labor may establish additional criteria. However, individuals do not qualify if they are able to telework with pay or if they are receiving paid sick leave or other paid benefits (for example, under the Families First Coronavirus Response Act).

Assistance for individuals who meet the expanded qualifications may be available retroactively for weeks beginning on or after January 27, 2020.

Additionally, the CARES Act increases traditional unemployment benefits as follows:

- Individuals who qualify for unemployment (including for the expanded reasons described above) will be paid the weekly amount calculated under state law plus an additional $600 per week for up to four months.
- Individuals may receive up to a total of 39 weeks of benefits (including any week for which the individual received regular compensation or extended benefits under state or federal law).
- Individuals will not be subject to a one-week waiting period before beginning to receive benefits.

The additional unemployment assistance provided for by the CARES Act expires on December 31, 2020.

For more information concerning the potential application of the CARES Act to your workforce please feel free to reach out to Catherine Burgett, Tessa Castner, or any member of the Labor & Employment practice group.

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To provide guidance and support to clients as this global public-health crisis unfolds, Frost Brown Todd has created a [Coronavirus Response Team](). Our attorneys are on hand to answer your questions and provide guidance on how to proactively prepare for and manage any coronavirus-related threats to your business operations and workforce.

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