

**ILLINOIS DEPARTMENT OF EMPLOYMENT SECURITY:
LEGISLATIVE FAQ (PART ONE)**

APRIL 17, 2020

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IDES Helpline: (800) 244-5631

IDES Website: <https://www2.illinois.gov/ides/Pages/default.aspx>

UNEMPLOYMENT INSURANCE ELIGIBILITY

Q: Is there any financial relief being offered for an individual who is still working, but has had their hours cut in half due to COVID-19? Are they eligible to apply for unemployment for hours they have lost?

A: Anyone who is unemployed or underemployed should file for unemployment and IDES will determine eligibility. If an individual's earnings are less than their weekly benefit amount, they may qualify for unemployment benefits, though the benefits may be reduced.

Q: Does an individual need to be providing proof of job search?

A: Every 2 weeks claimants must certify that they were able to work and actively sought work during the prior two weeks. They are also required to register with Illinois Job link, keep a "Job Search" record and provide a copy if requested.

At the start of the COVID crisis, IDES adopted emergency rules suspending the requirement that a claimant register with Illinois Job Link if their unemployment is due to a temporary lay-off resulting from COVID-19. To meet the A&A requirements, someone temporarily laid off due to COVID just has to be ready to return to work.

Q: Do people need to register at Illinoisjoblink if they are just waiting for their employer to reinstate them?

A: IDES suspended the requirement that a claimant register with Illinois Job Link if their unemployment is due to a temporary lay-off resulting from COVID-19.

Q: Would someone who works part-time and receives disability benefits through Social Security still be eligible for unemployment benefits?

A: An individual who works part-time and whose weekly wages are less than their weekly benefit amount could be eligible for full or partial benefits depending on the amount of the weekly wages. Social Security benefits are no longer considered disqualifying income and would not influence the part-time worker's benefits

Q: If someone has contracted COVID-19 and is required to self-isolate, can they apply for unemployment? Does IDES require a doctor's note?

A: They may be eligible for UI or PUA if they can still work (data entry, virtual assistant, anything that can be done remotely from home). A doctor's note may be required for regular UI, depending on the circumstances of the separation. The rules for PUA are still being reviewed but it is our understanding that for PUA, we may be required to obtain a doctor's note.

Q: What options are available for an individual who would not regularly qualify for unemployment because they did not work at their place of employment long enough to pay into unemployment insurance, but also would not qualify as a contract worker?

A: PUA is not limited to independent contractors; this individual is potentially eligible for PUA if their unemployment is related to COVID-19.

Q: Is there a specific window in which an individual must apply for unemployment after losing their job due to the COVID-19 pandemic?

A: If an individual is out of work through no fault of their own, under IDES rules (56 IAC 2720.105), the individual is required to file for unemployment "no later than the end of the first week in which the claimant is separated from work." If the claim is filed after that, under the same rule, the claim will begin in the week in which it was filed unless it is backdated.

IDES will backdate a claim if the claimant was unable to file due to system or staffing limitations, or because the system did not yet exist.

Q: Workers who were laid off and now have been offered a job cannot begin working until they get background checks. Unfortunately, drug screening and background checks are not happening until after April 30th. This leaves the individual with no job, no benefits, and they cannot pay their bills because they are being denied by IDES. What is the solution for this gap in coverage?

A: This individual should file a claim for benefits. Regular benefits or PUA benefits may be available in this circumstance.

Q: If an individual has been laid off from their full-time employment, but also has a part-time job, will they still qualify for unemployment benefits?

A: Potentially. An individual who works part-time and whose weekly wages are less than their weekly benefit amount could be eligible for full or partial benefits depending on the amount of the weekly wages

Q: Is the individual's approval of unemployment benefits dependent on their employer filling something out or being reachable when IDES calls?

A: When a claim is filed, IDES sends the employer a notice of the claim, so they are informed of the filing. If the employer disagrees with the reason for separation identified by the claimant, wants to question the employer's chargeability status, or if they believe the claimant is still employed, it is their decision whether to respond or protest the claim. Whether they respond, chose not to respond, or are unreachable during the adjudication process, IDES makes a determination of the claimant's eligibility based on the available data and information, including reaching out to the claimant at the scheduled interview time. Not all eligibility issues require employer input.

Q: If an employer continues to pay part-time employees, are they eligible to receive state benefits during the COVID-19 shutdown period? If not eligible for state benefits, will these employees be eligible for the federal \$600 benefit?

A: An individual who works part-time and whose weekly wages are less than their weekly benefit amount could be eligible for full or partial benefits depending on the amount of the weekly wages. Under federal law, anyone eligible for at least a \$1 WBA will be eligible for the \$600 FPUC. But if an individual's WBA is \$0, they do not qualify for FPUC.

Q: What is the recourse for a business owner if an employee has already received unemployment, and it was not as much as they would have made while working? Can the business use the funds to supplement the UE they already received for the weeks not worked?

A: If the individual is working and being paid wages, those amounts may offset UI benefits. If the employer pays them outside payroll (e.g., a gift), it wouldn't be considered wages.

Q: Is there a paper application process available for people to be able to apply and mail in their application?

A: Yes, but we strongly encourage a claimant to file through the online system to the best of their ability. This is the easiest, fastest, and safest way to file a claim.

The paper application can be found [here](#).

Q: If an individual is filing for unemployment for the very first time, do they have to certify before receiving payment?

A: Yes. After filing a claim for benefits, the claimant will receive a “UI Finding” which will indicate the day of the week the claimant is to certify and his or her first certification date.

Q: What should an individual do if they apply for unemployment on the IDES website, and it says that the individual’s information cannot be validated?

A: Call the IDES claimant call center at (800) 244-5631.

Q: Is there an option available for Spanish speaking individuals who are applying for unemployment benefits?

A: Yes. The claim application is also in Spanish.

Q: An individual receiving unemployment benefits has chosen to use a KeyBank card. They have been confirmed to receive unemployment benefits, but the money has not been loaded on the card. What are next steps for the individual?

A: After the claim is filed, claimants certify for payment of benefits every other week. The payment is typically received within 1 to 2 business days. Recently, one of the files IDES sent to our vendor, KeyBank, became corrupted during transmission, impacting some claimants. IDES identified these claimants and manually reissued payment. As of Monday, 04/13, this issue was resolved, and all missed payments had been reissued.

Direct deposit is also available, and highly recommended.

Q: How does an individual create a PIN for their KeyCard? Is there an option online to reset a PIN?

A: When claimants receive their card, the sticker on the front directs them to call 866-295-2955. This number allows the claimant to register their card and create a PIN. They can also call this number to reset their PIN and access other cardholder options. For security purposes, there is no way to change a PIN online.

Q: If someone were successful in filing their unemployment application, when can they expect to receive their first check?

A: Assuming eligibility, approximately two to three weeks after filing. Unemployment benefits are paid for weeks of unemployment, which typically occur after someone files for unemployment. So normally, after filing a claim for benefits, two weeks must pass before the individual can certify for their unemployment during those two weeks. After certifying, the individual receives payment within one to two business days.

Q: Can an individual find out how much they are expected to receive in unemployment benefits?

A: An individual that files for unemployment insurance benefits will receive a "UI Finding" from IDES, which will state the individual's weekly benefit amount, if any. Before applying for benefits or receiving a UI Finding, it is possible for an individual to view a ["Table of Weekly Benefit"](#)

[Amounts](#)” on the IDES website. This would require the individual to know their reported wages during each quarter of their base period.

Rather than guess or estimate the wages that were reported, if an individual is unemployed or underemployed, they should file a claim. After filing the claim, IDES will tell the individual the exact amount of benefits the individual is entitled to receive, if any.

Q: Will unemployment benefits for individuals be applied retroactively?

A: Yes, up to the limits allowed by federal law.

PUA claims will be backdated to the week they became eligible, which is typically the individual’s first week of unemployment, but no earlier than February 2, 2020, and will continue for as long as the individual’s remains unemployed as a result of COVID-19, but no later than the week ending December 26, 2020.

The first week for which FPUC may be paid is the week beginning March 29, 2020. The last week that FPUC may be paid is the week ending July 25, 2020.

The first possible week for which PEUC may be paid is the week beginning March 29, 2020. The last week that PEUC benefits may be paid is the week ending December 26, 2020.

Q: If it takes 2-3 weeks to receive a KeyBank card, how does that individual access their unemployment benefits immediately?

A: Unemployment benefits for prior weeks of unemployment, not future weeks of unemployment. When someone files for benefits, a debit card is mailed. After filing a claim for benefits, two weeks must pass before the individual can certify for their unemployment for those weeks. After certifying, the individual’s payment is put on their debit card within a day or two.

Payment by direct deposit is also available, and strongly encouraged.

Q: Can unemployment benefits be expedited if someone has a medical condition or other urgent need?

A: There is no mechanism for expediting unemployment benefits. Benefits are paid once someone certifies they have been unemployed for the previous two-week period.

Q: When will IDES have a system ready for self-employed workers to file unemployment?

A: Before IDES pays unemployment benefits, state or federal, the department is required to determine whether the individual is an employee or an independent contractor. Many individuals, up to 60% the last time USDOL looked into this, do not apply for unemployment because they believe they are not eligible. Many do not believe they are eligible because they have been told they are an independent contractor. However, the legal definition for independent contractor is narrower than the general public typically understands it to be.

Anyone who is unemployed or under-employed today should file for unemployment and IDES will determine their eligibility. Workers who are ultimately determined exempt from the unemployment system will be transitioned to the Pandemic Unemployment Assistance (PUA) program. IDES expects to be able to begin to pay PUA by the week of May 11th.

Please note that the earnings requirement for the regular unemployment are different for PUA, so IDES will need to reach out to these truly independent contractors to obtain proof of their income.

Q: Is Illinois still waiting on funding from the federal government, or is it a logistical issue for IDES regarding self-employed individuals' ability to apply for unemployment?

A: The Illinois unemployment insurance system has always been designed to exclude independent contractors. Independent contractors and the individuals they perform services for do not pay contributions (taxes) into the unemployment system. Since the release of the federal guidelines on the PUA program on April 5, 2020, IDES and DoIT have been working expeditiously to procure and establish an entirely new system for accepting, processing, and paying unemployment benefits to this new population. A program of this magnitude would normally take up to a year to procure and another year to design, test, and implement. Because of the suspension of procurement laws and the full backing of the state's IT resources, IDES reasonably estimate that implementation will be complete by May 11, 2020.

That said, there are still issues that need to be resolved. For example, under the regular unemployment system, employers report wages to IDES on a monthly or quarterly basis. These wages become the base period earnings IDES relies on to establish a claimant's monetary eligibility. Because the income of independent contractors is not collected by IDES, we are in the

process of setting up a system that will collect an independent contractor's previously completed tax return in order to determine eligibility and benefit amount. If IDES had not sought to procure a new IT infrastructure for this program, we would have been forced to use paper applications to file and excel spreadsheets to track claims. The number of claims expected to be paid under this new program would have been prohibitively high for the old pen-and-paper tracking system. IDES believes its investment of money, time, and staff resources on the front-end will result in faster benefit payments to all eligible individuals on the back-end.

Q: When will applications for the Pandemic Unemployment Assistance (PUA) from the CARES Act be open?

A: If someone is unemployed or underemployed, they should file for unemployment immediately. Upon receipt of the application, IDES will handle the claim so that the individual receives benefits from the proper program. IDES expects to be able to begin paying PAU benefits by the week of May 11th.

Q: Will gig workers and self-employed individuals not be eligible for unemployment until June 1?

A: Many "gig economy" workers are eligible for regular unemployment. Self-employed individuals may be eligible for PUA, which is projected to be implemented the week of May 11. The law does not set June 1 as a deadline date or a start date for PUA benefits.

Q: Is there a timeline available for full implementation of the CARES Act?

A: PUA is expected to be the final piece of the CARES Act to be implemented, with a projected start date of May 11, 2020.

Q: Workers who were laid off and now have been offered a job cannot begin working until they get background checks. Unfortunately, drug screening and background checks are not happening until after April 30th. This leaves the individual with no job, no benefits, and they cannot pay their bills because they are being denied by IDES. What is the solution for this gap in coverage?

A: This individual should file a claim for benefits. Regular benefits or PUA benefits may be available in this circumstance.

Q: Will independent contractors/self-employed individuals be able to apply for PPP beginning April 10? If an individual receives that loan, will it affect their ability to apply for unemployment benefits once IDES is able to process their claim?

A: IDES does not administer the PPP program. For questions regarding the Payment Protection Program, please contact the Department of Commerce and Economic Opportunity at ceo.support@illinois.gov.

Q: Will the additional \$600 be added to a calculated percentage of unemployment, bringing the total amount of benefits to 100% of an employee's wage earnings?

A: The \$600 federal supplemental is added on top of the claimant's weekly benefit amount. The sum may be less than the employee's wage earnings. If a claimant's weekly benefit amount is \$400, they will be receiving, every two weeks, a payment in the amount of \$2,000

Q: Once an individual's application is processed and they begin receiving their unemployment benefits, will they also be receiving the additional \$600 at the same time?

A: Yes. Under federal law, anyone eligible for at least a \$1 weekly benefit amount will be eligible for the \$600 plus up. The first week for which FPUC may be paid is the week beginning March 29, 2020; and the last week that FPUC may be paid is the week ending July 25, 2020.

Q: Who is eligible for the additional \$600?

A: Anyone who receives at least \$1 of state or federal unemployment benefits for a week, during the period from March 29, 2020 through July 25, 2020.

Q: Is the \$600 extra weekly unemployment insurance benefit covered by the federal government for non-profit employers who are in a "reimbursable arrangement" with IDES?

A: Yes.

Q: Reduced hours will have state benefits that are \$0 – will they still receive \$600?

A: Reduced hours may not have a \$0 weekly benefit amount. But if an individual's weekly benefit amount is \$0, they do not qualify for FPUC. Similarly, if an individual earns more than his/her WBA in a week, then that individual will not be eligible to receive benefits for that week. If the individual is not eligible for any amount of benefits for that week, the individual will also not receive the \$600 for that week.

PANDEMIC EMERGENCY UNEMPLOYMENT COMPENSATION (PEUC, EXTENSION TO REGULAR UI BENEFITS)

Q: If an individual was receiving unemployment insurance before COVID-19, do they qualify for additional weeks of insurance?

A: They may be eligible for up to 26 additional weeks of unemployment on the federal extension programs (PEUC and PUA). If their benefit year ends and the federal programs are no longer in effect, they may qualify for another benefit year.

Q: Is IDES planning on implementing the expansion of the duration of benefits and additional 13 weeks for those who have exhausted them?

A: The federal PEUC will provide up to 13 additional weeks. PUA will provide an additional 13 weeks on top of individuals who were eligible for underlying regular UI and PEUC. Individuals who were not eligible for those programs, e.g., independent contractors and sole proprietors, are potentially eligible for up to 39 weeks of 100% federally funded benefits.

Q: Has IDES implemented the increased weeks the federal government is giving unemployment? If not, is there a timeline?

A: First payments under this program are expected the week of April 20.

UNEMPLOYMENT INSURANCE CONTRIBUTIONS, RATES, AND REIMBURSEMENT

Q: Does Illinois have employers that participate in a “reimbursable arrangement,” where the employer generally pays all the cost of benefits when they have a worker qualify for unemployment? Do Illinois units of local government participate in this arrangement?

A: Yes, government entities and not-for-profit employers can elect to be reimbursable. The State of Illinois is required to be reimbursable.

Q: Will businesses that have employees file for unemployment still be negatively impacted by unemployment rates in the future?

A: Assuming no legislative changes are made, yes. A employer that has laid someone off can typically expect a higher tax rate in the future. However, employers will not be charged for any of the benefits paid under the CARES Act (PUA, FPUC, PEUC).

Q: Will employers (i.e. park districts) be responsible for the \$600 in additional compensation?

A: No. The additional \$600 per week is 100% federally funded.

Q: Will non-profits (i.e. YMCA) who are self-insured regarding unemployment claims receive federal funds to help pay this at a rate of 50%, instead of the full 100% they are generally responsible? If so, how will this work?

A: Yes, so long as the reimbursable employer is chargeable under Illinois law for the claim for during applicable periods, federal funds will contribute 50% of the benefits paid.

If the General Assembly passes legislation non-charging all employers for COVID-19-related unemployment cases, the reimbursable employer will not have to make any reimbursements to the trust fund to pay for the benefits paid.

Q: Can unemployment rates for small businesses be frozen given the current situation?

A: IDES does not have the authority to do this; only the General Assembly has the authority to pass legislation effectively insulating employers from rate increases.

Q: Will there be any relief for non-profits, similar to businesses that pay UI tax, whose tax liabilities will be increasing at this time?

A: The CARES Act provides for reimbursement of 50% of unemployment benefit costs for governmental and non-profit entities. Additionally, if the General Assembly passes legislation non-charging all employers for COVID-19-related unemployment cases, the reimbursable employer will not have to make any reimbursements to the trust fund to pay for the benefits paid.

Q: Is there a breakdown available for the number of applications received by IDES over the past 3 weeks?

A: Claims data is embargoed under federal law until the following Thursday. Below are the most recently available information:

- 553,270 claims between March 15 and April 4
 - Represents 9.1% of employed persons in Illinois
- 14,716 claims between March 8 and March 14
- 141,222 claims between March 15 and March 21 (850% increase over prior 2 weeks)
- 189,663 claims between March 22 and March 28
- 222,385 claims March 29 to April 4

Sectors with the largest increase in claims March 15 to April 4 include:

- Construction
- Wholesale trade
- Temporary help
- Healthcare offices (doctors and dentists)
- Childcare
- Recreation
- Hotels
- Restaurants
- Most recent is manufacturing, retail trade, air transportation, trucking, and real estate and leasing

IDES STAFFING AND PERFORMANCE

Q: Is the system still being worked on? If so, when is it expected to be fixed? Is it accepting applications at a higher capacity?

A: IDES is constantly monitoring and improving the performance and functions of its IT systems and will continue to do so as the demand for unemployment benefit claims and services remains high due to COVID-19. While IDES has made significant improvements since the start of this crisis and is much more adept at accepting claims at a higher capacity, IDES's goal is always to make adjustments as quickly as they are needed due to the unprecedented volume of claims being filed.

Q: What is the status of implementing the "enhanced" unemployment benefits?

A: Listed below are steps taken:

- FPUC: Fully implemented. Benefits paid for the first week available under federal law.
- PEUC: In progress. IDES expects to begin paying PEUC the week of April 20.
- PUA: In progress. IDES expects to begin paying PUA by May 11. All unemployed or underemployed individuals should file today.

Q: Have additional staff been hired to address the issues on the IDES website?

A: The IDES website and other IT matters are managed by DoIT, which has fully backed the many ongoing IT projects being undertaken by the agency right now to improve and streamline the capabilities of the website.

Q: Is IDES staff working at full capacity, or are some off because of COVID-19?

A: IDES's claims adjudicators are working at full capacity. Some employees are working from home.

Q: Is there a rotation schedule at IDES, allowing for less days to be worked?

A: IDES's claims adjudicators are working at full capacity.

Q: Is IDES staff working from home? If so, is their IT capacity lagging?

A: Some employees are currently working from home. IDES is working with DoIT to send everyone else home, except certain individuals required to be on-site (e.g., print and mailing services).

Q: Have there been any amendments to their work environment to make it safe for them to physically go to work?

A: IDES offices have been closed to the public since March 17, 2020. IDES offices that are open are practicing social distancing. IDES is working with DoIT to send everyone else home, except certain individuals required to be on-site (e.g., print and mailing services).

Q: Has there been consideration in hiring a 3rd party temporarily in order to meet the needs of Illinois residents?

A: IDES is working with multiple 3rd parties: Deloitte for creation of a PUA system; Deloitte for temporary staff increases in call center; IBM for additional IT capacity; Application Dynamics for website performance; Google AI, Quantiphi, Carasoft to implement web-bot Artificial Intelligence on the IDES homepage; and Pitney Bowes to meet increased mailing demands.

Q: Has there been collaboration with other states that already have this up and running?

A: Yes. IDES staff have existing relationships with their counterparts in other states. We have daily calls among the states to discuss best practices and regular calls with USDOL.