

OHIO RELAXES UNEMPLOYMENT REGULATIONS IN RESPONSE TO COVID-19

MARCH 17, 2020

On March 16, Ohio Governor Mike DeWine signed an executive order that will make it easier for some Ohio workers to receive unemployment benefits during the emergency declaration period associated with COVID-19 and will relax some penalties on Ohio employers. The highlights of the executive order are:

- Unemployment benefits will be available to otherwise eligible employees who are requested by a medical professional, local health authority, or employer to isolate or be quarantined as a consequence of COVID-19, regardless of whether the employee has actually been diagnosed with COVID-19. Those employees are also not required to actively look for work to receive unemployment benefits.
- There are no changes to the basic eligibility requirements for unemployment benefits – i.e., to qualify, an employee generally must have worked for 20 weeks during the relevant base period prior to becoming unemployed and made an average weekly wage of at least \$269.
- Like layoffs in other circumstances, unemployment benefits will be available to otherwise eligible employees who are laid off due to an employer's loss of production caused by COVID-19.
- The one-week waiting period to qualify for unemployment benefits is waived for all individuals who are totally or partially unemployed or who are participating in the SharedWork Ohio Program, which is Ohio's voluntary layoff aversion program.
- The changes to the rules for receiving unemployment benefits apply only to workers who lose wages and do not have access to leave benefits from their employers.
- Unemployment benefits are not available to asymptomatic employees who impose self-quarantines because of COVID-19. This is because the employee – not the employer – is choosing not to work and, thus, is not unemployed by no fault of his or her own.
- For contributing employers (e.g., private, for-profit employers), unemployment benefits paid due to an employee being asked to isolate or quarantine as a consequence of COVID-19 will be charged to the mutual account. This is a benefit to employers because it reduces the likelihood that an employer's unemployment tax rates might be increased in the future due to an increase in unemployment benefits. Reimbursing employers (e.g., public or non-profit private employers) will follow the existing charge requirements.
- The executive order waives penalties on employers for late reporting and late payments during the emergency declaration period.
- As with many issues related to COVID-19, the details of the executive order and its impact on unemployment benefits are developing.

ADDITIONAL INFORMATION

The Tucker Ellis Labor & Employment Group is closely monitoring updates and guidance on developing issues related to COVID-19. For additional information or assistance, please contact:

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