Standby Update
3-23-20

What is Standby?

Standby

Employee placed on standby are considered to be on a <u>temporary</u> layoff. To be eligible for standby, there should be an anticipated return to work date for the employee. While off work on standby, employees are not required to look for work and must be available to return to work at any time for the employer. The requirement to look for work is waived as long as the employee takes reasonable measure to maintain contact with the employer. The employee must be available for all hours of suitable work offered by the employer.

ESD Updates Standby Rules 3-20-20

New Ruling:

Employees can remain on Standby for a maximum of up to **<u>12 weeks</u>**. Employees can request up to 4 weeks if they plan on returning to their regular employer. If Standby needs to be extended, the employer can request an additional 8 weeks – **for a total of 12 weeks**.

The Employment Security Commissioner may grant additional weeks beyond 12 weeks in the event that the COVID-19 outbreak causes employers to close or curtail operations.

As of 3/8/20, standby is available to all full time, part-time, and other less than full time employees.

ESD Issues Alert: Standby Auto Denials

ESD has indicated that some employees are receiving **denials** of the standby unemployment claims. ESD is in the process of updating their computer system to account for the new emergency rules. Once updated, all standby denials from March 8th to current will be reviewed to see if they meet standby criteria. Once approved, a new letter will be sent to claimants. ESD indicates employees should continue to file weekly claims during this time.

How to place employees on Standby:

Step #1:   Issue a standby letter to the affected employees (you'll find the letter in the download section).

Recommendations: *We recommend employers use an expected return to work date of **4 weeks** in the letter. If the employer is not ready to have employees return, you can request up to an **additional 8 weeks**. We also recommend employers make sure to have a text number and/or email to communicate with employees about the return to work date.*

Step #2:   Instruct your employees to file for benefits and inform them they are being placed on Standby. We recommend employers

Step #3:   Await paperwork from ESD and indicate on the form letter that "yes", the employee was placed on Standby

Step #4:   If after 4 weeks, more time is needed before the employee can be brought back to work, request the Standby status be extended.

How to place employees on Standby:

If ICM already represents you for unemployment, we recommend:

- Send us a listing of employees being placed on standby, reduced hours, and employees with no changes (no layoff).

- This will allow us to respond accordingly to ESD requests and paperwork.

- We will also have a complete list of claims that we will be able to request Relief of Benefit charges and audit your quarterly report against.

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For Unemployment Questions