



## Tennessee Unemployment Insurance

# Frequently Asked Questions

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View online at [tn.gov/workforce/covid-19/faq.html](https://tn.gov/workforce/covid-19/faq.html)

This **video** explains the standard process:

[How to Complete Certifications on Jobs4TN](#)

## Eligibility Questions

### Am I eligible for unemployment?

Anyone may file a claim, but keep in mind that the basic eligibility requirements are that you have been separated from your job **through no fault of your own** and that you are **able and available to return to work** or accept suitable employment if offered. If you fail to return to work or accept suitable work when offered, you are no longer eligible for unemployment benefits. Any benefit you collect after refusing work will result in an overpayment and must be paid back. Refer to the "How to File" article on the helpdesk at [lwdsupport.tn.gov](https://lwdsupport.tn.gov). <https://lwdsupport.tn.gov/hc/en-us/articles/221825667-How-do-I-file-a-claim-for-Unemployment-Insurance->

### My hours have been cut, but I'm have not been laid off; am I eligible for unemployment?

It depends. Reduced hours **might qualify** someone for unemployment. We recommend that you go ahead and file the claim.

- If you are still *making more* money than what your "Weekly Benefit Amount" (as listed on your monetary determination letter) then simply **do not certify** as they are still considered employed.
- If you are *making less* than your Weekly Benefit Amount, you may be eligible to receive partial UI benefits. Each claimant will have a unique weekly benefit amount, based on their prior earnings. For reference, the maximum weekly benefit amount in Tennessee is \$275. Apply for benefits and **certify** each week on Jobs4TN, **report the earnings** and the system will adjust your benefit.

### I work part-time. Am I eligible for UI?

It depends. If you earn less than your weekly benefit amount, you may be eligible to receive partial UI benefits. Each claimant will have a unique weekly benefit amount, based on their prior earnings. For reference, the maximum weekly benefit amount in Tennessee is \$275.

### My employer has temporarily closed due to COVID-19. Am I eligible for Unemployment Insurance?

You may file a claim. Our team will review your claim and determine what, if any, program is available to provide you with benefits.

### I cannot work because my child's school or daycare facility has closed due to COVID-19, and I need to stay home to take care of my child. Am I eligible for Unemployment Insurance?

You may be eligible for benefits under the PUA program. Under provisions of the PUA program, you may receive benefits if you are the primary caregiver for a child whose school or care facility closed due to COVID-19.

If you are unable to return to work due to your child being out of school due to COVID-19, you may be permitted to remain out of work for a limited time, and still collect UI benefits. Based on guidance provided by the US Department of Labor, this exception will only apply until the date the school year was scheduled to end prior to the COVID-19 pandemic. If you have other reliable child care options, you may not be eligible for this exception. These cases will be investigated, and decisions will be issued on a case-by-case basis.

## **I am self-employed or an independent contractor. Am I eligible for Unemployment Insurance?**

Typically, most self-employed individuals and independent contractors working in Tennessee are not authorized to obtain regular Tennessee Unemployment Compensation (TUC). However, self-employed individuals and independent contractors may be eligible for benefits under Pandemic Unemployment Assistance (PUA). PUA is available for individuals who would normally not be eligible for regular unemployment benefits but are unable to work because of COVID-19. PUA is available for periods of unemployment between January 27, 2020, and December 31, 2020. The maximum benefit amount is \$275, the same as the maximum benefit amount for regular Tennessee unemployment insurance benefits. The minimum PUA benefit amount is calculated by USDOL, quarterly, as 50% of the average weekly benefit amount in each state. For January 1, 2020 – March 31, 2020, the minimum benefit rate is \$120. For April 1, 2020 – June 30, 2020, the minimum benefit rate is \$121. An additional \$600 will be paid on top of your weekly benefit amount under the Federal Pandemic Unemployment Compensation (FPUC) program.

## **I've been laid off from my job, but I still have a second/self-employed job; am I eligible for unemployment?**

The same answer as above. Filing the claim and getting that monetary determination is the key. A person has done nothing wrong by just filing so they get that information to see. If they don't ever certify the claim is never really truly activated.

## **My employer told me that I am being furloughed; am I eligible for unemployment?**

It depends on how the furlough will affect your pay:

- If the furlough is a fully-paid furlough the answer is no.
- If your pay was cut or eliminated the answer is yes.

## **Are apprentices who are laid off eligible for unemployment?**

If they are full-time employees and are laid off, they rate the same benefits as any other employee.

## **If my doctor does not want me to work because of the virus, can I file for unemployment?**

Yes. Under provisions of the CARES Act and Governor Lee's executive order #15, **being quarantined by a medical professional** is a compensable separation, provided that you also meet all other eligibility requirements.

## **If I am not able to go to work because a medical professional told me I need to quarantine, am I eligible for Unemployment Insurance benefits?**

You may be eligible for benefits. Governor Lee's Executive Order 15 opened eligibility to individuals who were forced to leave work based on the guidance from a medical professional. Additionally, the provisions of the CARES Act, provide increased eligibility to individuals who left work due to a medical quarantine.

## I am an older worker and/or have an immuno-compromised health condition. I work near a lot of people and am personally uncomfortable going to work due to concerns about my health. Am I eligible for Unemployment Insurance?

Under the provisions of the CARES Act, you may be eligible for compensation under the PUA program.

### Who is eligible for PUA?

Individuals are eligible for PUA if they do not qualify for regular UI benefits (including self-employed workers and independent contractors) and cannot work because they:

- Are **diagnosed COVID-19** or have COVID-19 symptoms and are seeking diagnosis;
- Have a member of the household who is diagnosed with COVID-19;
- Are providing care for a family or household member diagnosed with COVID-19;
- Are the **primary caregiver** for a child whose school or care facility closed, due to COVID-19;
- Are unable to reach their place of employment due to an **imposed quarantine**, or because advised by a medical provider to self-quarantine, due to COVID-19;
- Were scheduled to start new employment and **cannot reach the workplace as a direct result** of COVID-19;
- Became the major breadwinner because the head of household died from COVID-19;
- Quit their job as a direct result of COVID-19;
- Had their **place of employment closed as a direct result** of COVID-19; or
- Meet any additional criteria specified by U.S. Secretary of Labor.

Individuals are **not eligible** for PUA if they can telework or are receiving paid sick leave or other paid leave benefits (regardless of meeting a category listed above).

To apply for PUA, claimants will need to file an unemployment claim on [Jobs4TN.gov](https://jobs4tn.gov) or call (844) 224-5818. Filing online is the fastest, most efficient way to receive your benefits. Due to high call volume, you will experience extended wait times when applying by phone.

## General Questions

### What is Unemployment Insurance?

Unemployment insurance (also known as UI) provides temporary cash benefits to employees who have lost their jobs through no fault of their own. The overarching goal of the program is the successful re-employment of all claimants. If you have worked in Tennessee within the last 18 months and lost your job, through no fault of your own, you may be eligible for TUC.

### What is the maximum benefit I can receive through Unemployment Insurance?

A claimant's benefit rate is based on the recent wages he/she earned from his/her employer(s) over the last 18 months. The maximum weekly benefit amount in Tennessee is currently \$275. (Claimants would also be eligible for the additional \$600 under the FPUC program until July 31, 2020.)

### How do I apply for Unemployment Insurance?

You can file a claim by visiting [jobs4tn.gov](https://jobs4tn.gov) or calling 844-224-5818. Due to larger than normal call volume, we are strongly encouraging individuals wishing to file a claim to first visit the website, if possible.

### When should I file my claim?

You may file your claim at any time after being laid off without pay or separated from your employer.

### My employer said he/she filed on my behalf (**employer mass filed (partial) claim**) and submitted to the **state**. Do I still need to file an individual claim?

No, if your employer filed an employer mass filed claim also known as a partial claim, the state has all your information. **Log into Jobs4TN.gov** to monitor your claim and **do your weekly certifications** by answering a few questions. If you are not sure please ask your employer to avoid confusion and delays.

No, if your employer filed an employer Partial/Employer filed claim, the state has all your information. Log into Jobs4TN.gov to monitor your claim. If you are not sure which list your employer filed, please ask to avoid confusion and delays.

### Is there a website that helps me understand the unemployment claims process?

Yes, visit [www.tn.gov/workforce/unemployment](http://www.tn.gov/workforce/unemployment) or search online for “**Tennessee Unemployment**”.

### I'm not good with computers; can you help me file my claim?

*We cannot help you at this call center. We encourage you to find a family member or friend to help you file your claim online.* If that's not an option, advise them to contact the Customer Service Center at 844-224-5818. Call wait times are high so it may take longer for someone to get back with you to file the claim with you.

### I live in Tennessee but worked in another state. Where should I file?

You should ask your separating employer what state your wages were reported and file with that state.

### What other resources might be available to me?

Check out **TN 211** by dialing 2-1-1 or online at [tn211.mycommunitypt.com](http://tn211.mycommunitypt.com) for a variety of community resources for things like emotional, housing, or food resources.

The Tennessee Department of Mental Health and Substance Abuse also recommends the national **suicide prevention lifeline**, 1-800-273-8255. Help is available. In 2018, the Lifeline answered over 2.2 million calls from people in suicidal crisis or emotional distress across the United States or talk to a Tennessee-specific group via the [Tennessee Suicide Prevention Network](#).

**Northwest**  
731-415-3812

**Southwest**  
731-988-6813

**Memphis/Shelby**  
901-515-7940

**Mid-Cumberland**  
865-617-1301

**South Central Region**  
931-629-2746

**Upper Cumberland**  
931-261-5386

**Southeast Region**  
614-315-4818

**East Region**  
317-750-6838

**Northeast Region**  
423-817-5566



## UI Application Process

### What information is needed to file my claim?

Social Security Number, a Jobs4TN username and password (created during the claim process), basic personal information, employment history dates and wage amounts, bank routing number (if choosing direct deposit to receive benefits). Military, farm work, workers' compensation, child support, and public assistance programs (like TANF and SNAP/Food Stamps) questions.

### I tried filing and it says I already have an account / my social security number is already in use?

**Check for typos** in your Social Security number that you used when filing the claim.

**Reset your password** by clicking "Forgot Username/Password" on the home page on Jobs4TN.gov.

If this doesn't work, leave a message with the CST Team at 844-224-5818 or email them at [lwd.support@tn.gov](mailto:lwd.support@tn.gov) to request a password reset. Then wait for an agent to reach out for assistance. An instruction page on resetting your password can be found at

[www.tn.gov/workforce/passwordreset](http://www.tn.gov/workforce/passwordreset)

### While filing my claim, what do I put for my separation reason?

If you are separated from your employer due to a **temporary shutdown** or **due to the Coronavirus**, you can select "**Lack of Work**" as the separation reason. Please make sure you enter the last date you physically worked as your last day.

### While filing my claim, which date do I use as my last day of work if I received vacation pay (or other types of pay) when off of work?

When filing the claim, list **the last day that you actually worked**. The wages received from vacation, retention fees, emergency funds, or other part-time job(s) will need to be reported on a week-to-week basis during your weekly certifications after you file the claim.

### I'm self-employed. When asked about the name of the company, Jobs4TN would not let me go any further and signed me out. What do I do?

If you have been self-employed for the past 18 months, type "Self-Employed" as the Employer Name. Watch the video at [www.tn.gov/workforce/selfemployed](http://www.tn.gov/workforce/selfemployed) for more details.

### I'm self-employed. How do I answer the question about being self-employed?

If you are self-employed, a contractor, a 1099 paid worker, or a gig worker answer **yes** to the following question.

\* Are you self-employed, or the owner, or operator of a  Yes  No business or farm?

## I'm self-employed. How do I answer the question asking if I received a termination or layoff notice or separated from the military?

You should answer the question **No**, see the example below. Watch the video at [www.tn.gov/workforce/selfemployed](http://www.tn.gov/workforce/selfemployed) for more details.

**Within the last 12 months, have you received a notice of termination or layoff from your job or received documentation that you are separating from military service?**

- Yes, I have recently received a notice of termination or military separation.
- No, I have not recently received a notice of termination or military separation.

## Is there a time limit for me to file an Unemployment Claim?

No, you can file a claim any time after being laid off or separated; **however**, your claim becomes active the week you file it. It cannot be backdated to the date you were laid off or separated.

## After You've Filed

### I've already filed for unemployment, what do I need to do next?

**Each week** that you are unemployed, log in to your Jobs4TN.gov account to complete your **weekly claim certification**. You may start certifying the first Sunday after you file your claim, and weekly thereafter. If you don't certify for more than 2 weeks, your claim will be locked. Sometimes, more information is needed from you, if so, you will be notified by your preferred method of contact that you selected when filing your claim. So monitor your Jobs4TN account regularly, if your claim is still pending.

After filing your claim, you will receive a letter in your Jobs4TN Message Center called the "Monetary Determination Letter". **Review this letter for any mistakes** in your employment history as it may affect your potential benefit amount. This letter also gives an **estimate** of your benefit amount, pending claim approval.

### My Monetary Determination letter has incorrect income/benefit numbers. How do I correct this?

If there is an issue with the wages missing in that time period then "**File a Wage Protest**" on Jobs4TN.gov, more details are in your letter.

However, many will see the letter and think it's wrong because the amounts listed may not be enough to pay bills. That doesn't mean it's wrong. Wages would have to be *missing* for it to be wrong.

If there are other areas of the initial claim form needs to be edited or updated, you will need to contact the department for assistance.

### If I am self-employed, how do I submit my missing wage information?

If you are self-employed, you do not need to file a wage protest. Instead, submit proof of your earnings (IRS form 1040 schedule C, E, or F; Business records such as bank statements or financial statements; check stubs) to [Nashville.claims@tn.gov](mailto:Nashville.claims@tn.gov), fax to 615-253-0808, or mail to Tennessee Department of Labor & Workforce Development, 220 French Landing Drive, Nashville, TN 37243.

### I received a letter that says I'm monetarily ineligible. What does that mean?

To be eligible to receive unemployment benefits, you must have sufficient earnings in your base period from a covered employer. The base period is defined as the first four of the last five completed calendar quarters. Without sufficient earnings, you will not be eligible to receive benefits. However, under the provisions of the CARES Act, **you may still be eligible for benefits under the Pandemic Unemployment Assistance (PUA) program**. In fact, the first condition of eligibility for PUA is being ineligible for regular unemployment. After receiving a decision stating you are monetarily ineligible, **you do not need to take any additional action**. Our team will continue to process your claim for eligibility under the PUA program. You will receive another decision concerning your eligibility for the PUA program.

### Does receiving a Monetary Determination letter mean I will receive UI benefits?

Not necessarily. Every claim is reviewed before a claim is approved or denied. That is why it is important that you send us information on missing wages or missing employers (from the past 18 months) as soon as possible.

## I made a wage protest, how long does this process take?

This process is currently taking much longer than normal because of the high volume of claims the Department is processing. This is a lengthy process where the Department must request proof of wages from the employer. The Department must then investigate the information submitted by the employer.

## Do I have to complete work searches as part of my weekly certification?

Starting Oct. 4, many claimants had to begin completing three work searches as part of their weekly certification.

If a claimant chooses to continue receiving unemployment benefits, they must make at least three potential job contacts between Sunday, Sept. 27, and Saturday, Oct. 3. They will then report those work search activities during the certification week that begins Sunday, Oct. 4. This will be part of the weekly certification moving forward.

If a claimant has a definitive return-to-work date within 16 weeks of the date of their layoff, or a COVID-19 related exemption, they do not need to complete this requirement. The system will not prompt exempt claimants to complete the work search portion of the certification process.

Most claimants are required to search for work. Self-employed individuals can fulfill this requirement by performing work activities.

If a claimant fails to complete work searches or activities, the system will automatically deny their benefits for that week.

**Out of Work: Not Job Attached:** Claimants who are out of work and do not have a job to return to, or a return-to-work date, are required to complete weekly work searches.

**Self-employed:** Work search activities for self-employed individuals can include calling on clients, advertising business services, posting business-related social media content, enhancing the business's website, submitting bids or proposals, applying for contract or gig work, or attend training. Self-employed claimants need to continue taking proactive steps to reopen their businesses. If they do not plan to reopen their business, they must complete traditional work searches.

**Out of Work: Job Attached:** Claimants who are temporarily laid off or furloughed, and have a return-to-work date, are not required to complete weekly job searches.

**Union Workers:** Claimants, who are union workers, and attained employment through their union hiring hall, are not required to complete weekly job searches.

**COVID-19:** Claimants who are out of work due to one of the COVID-19 reasons listed in the CARES Act may be exempt from performing job searches. They must self-certify they are unable to look for work due to one of the approved COVID-19 designations but are otherwise able and available.

## Can I use my phone to complete my weekly certification?

Yes, you can download the app **Jobs4TN** from the app store. To see a video on how the app works visit [www.tn.gov/workforce/certwiththeapp](http://www.tn.gov/workforce/certwiththeapp)

## My income/wage amounts are incorrect, why can't I change them during certification?

If wages are entered incorrectly during a certification, corrections must be **adjusted by the department**. This is a safety precaution to prevent manipulation of the system that might risk an overpayment which would have to be paid back to the department.

## If I am found eligible for Unemployment Insurance, when can I expect my first payment?

Under normal conditions, USDOL recommends that we pay 87% of eligible claimants within 21 days of filing the claim. However, we are not operating under normal conditions. We are working to process all claims as quickly as possible. Rest assured that if you are found to be eligible you will receive a retroactive payment for all weeks of benefits you are owed.

**While waiting on a decision you will need to certify for benefits each week;** you will only be paid for weeks you completed a certification. Also, check your mail and respond to any questionnaires or phone calls from TDLWD, right away, to prevent delays in your payments.

Additionally, you can assist our staff by completing certifications and checking the status of your claim during non-business hours.

## How will I get paid?

You can choose either **direct deposit** or **debit card**. The direct deposit account does need to be a valid checking account. The debit card will be issued to you via the United States Postal Service.

## What is the waiting week and what does it mean that it was waived?

Typically, the first full week of a claim is an unpaid waiting week. Per Executive Order 15, Governor Lee suspended the one-week waiting period for individuals impacted by the COVID-19 public health crisis. This means that if you are found eligible for benefits, you will receive retroactive payment back to the first week of your claim. It does not mean that you will be paid as soon as you file your claim.

## How do I check the status of my claim?

1. Go to [www.tn.gov/workforce/checkmyclaim](http://www.tn.gov/workforce/checkmyclaim) at least 24 hours after you have filed your claim.
2. Or, Log in to your Jobs4TN.gov account. On your dashboard, select **"Claim Summary"** under the Unemployment Services box. This page lets you know if any issues that may still be pending on your claim and show the certified weeks that have been paid to you.



## What happens if I do not return to work when called back, or accept suitable work when offered?

If you fail to return to work when called or accept suitable work when offered then you are no longer eligible for unemployment benefits. Any benefit you collect after refusing work will result in an **overpayment which must be paid back**.

Unless you meet a **qualifying exception**, refusing to return to work is a disqualifying circumstance for receiving unemployment compensation benefits. Overpayments that are deemed to be the result of fraud, will also incur penalties and interest, as well as potential for criminal prosecution.

Exceptions will be similar to the eligibility requirements for Pandemic Unemployment Compensation. Each exception will require individual investigation; decisions will be issued on a **case-by-case basis**.

The following are the COVID-19 **eligibility requirements** to receive Pandemic Unemployment Assistance provided through the federal CARES Act.

- Are diagnosed with COVID-19 or have COVID-19 symptoms and are seeking diagnosis;
- Have a member of the household who is diagnosed with COVID-19;
- Are providing care for a family or household member diagnosed with COVID-19;
- Are the primary caregiver for a child whose school or care facility closed, due to COVID-19;
- Are unable to reach their place of employment due to an imposed quarantine, or because advised by a medical provider to self-quarantine, due to COVID-19;
- Were scheduled to start new employment and cannot reach the workplace as a direct result of COVID-19;
- Became the major breadwinner because the head of household died from COVID-19;
- Quit their job as a direct result of COVID-19;
- Had their place of employment closed as a direct result of COVID-19; or
- Meet any additional criteria specified by U.S. Secretary of Labor

## How will TDLWD be made aware of my failure to report back to work when recalled by my employer?

You will be asked to report any offers of work you received during the week during certification. Additionally, your employer may also report a failure to return to work.

## Will the agency let me know the outcome of the refusal of return to work issue?

The agency will issue a written determination that will be delivered to your preferred method of communication.

**If you disagree** with the agency's decision, you will have fifteen (15) calendar days from the mail date of the issued decision to **file an appeal**. You may file an appeal online via [jobs4tn.gov](https://jobs4tn.gov), by email at [AT.NewAppeals@tn.gov](mailto:AT.NewAppeals@tn.gov), fax to 615-741-8933, or you can mail your appeal to: TDLWD Attention: Appeals Tribunal, 220 French Landing Dr., Nashville, TN 37243.

## When I go back to work, how do I stop the claim?

All you need to do is **stop certifying** once you start working again. This lets the system know you no longer need the benefits. Continuing to certify after you have returned to work could result in an overpayment, which you would be required to pay back.

## Am I required to return to work if my child care facility reopens after being closed due to COVID-19?

Yes. If you have access to reliable child care this will not qualify as an exception for refusing to return to work. Failure to return to work for this reason could result in a loss of UI benefits. Additionally, any benefits you received after the employer extended an offer for you to return to work after regaining access to child care could result in an overpayment of benefits.

## If I am on orders to quarantine by a medical professional or governmental agency do I need to return to my employer? Do I need to provide documentation to my employer and the agency?

You will not need to return to your employer until released by your physician or the governmental entity. However, you must supply your employer and TDLWD with **documentation** to support your quarantine.

## I've exhausted my benefits, are there any programs that will extend my eligibility to receive payments?

The federal government offers two programs for claimants who have exhausted their benefits. PEUC and EB can provide additional weeks of payments. Learn how and when to file by following the step-by-step guide you'll find when you click this link: <https://bit.ly/30qYrjK>

## When will my extended benefits end?

Under the CARES Act, claimants who began receiving benefits through the PUA program early in its inception will begin reaching the maximum 39 weeks of payments in the coming weeks. All PUA claimants will receive benefits only through December 26, 2020. The state encourages claimants to continue searching for work so they can secure employment before their benefits end. Once a claimant exhausts benefits on the PUA program, they are not eligible for any other unemployment program.

If the Department determines the eligibility of a claim after Dec. 26, if approved, the claimant will retroactively receive applicable payments for all weeks with a completed certification through the program's ending date.

Claimants receiving extended benefits through PEUC need to keep in mind this program will stop after the week ending Dec. 26, 2020.

The U.S. Department of Labor informed Tennessee the EB program will end and the last time claimants can certify under the EB program will be the week ending Saturday, Nov. 7, 2020. These claimants can reapply to see if they are now eligible for Pandemic Unemployment Assistance.

## Are unemployment benefits taxable?

Yes, unemployment benefits are considered taxable income.

## Coronavirus-specific Questions

### Can I receive unemployment benefits if I am out of work due to the Coronavirus pandemic?

Yes, if you meet the eligibility requirements. To file a claim go to [www.tn.gov/workforce/howtofileui](http://www.tn.gov/workforce/howtofileui).

### I'm concerned that if I apply for UI that my employer might retaliate against me or not call me back to work after the pandemic ends. What are my rights?

State law provides all workers with the right to file for unemployment compensation benefits. Additionally, Tennessee recently updated the Separation Notice employers provide claimants who have been separated or laid-off work. This update contains new information about each employee's right to file for UI benefits. It should be supplied to the employee in addition to the Separation Notice.

### Do I need to complete job searches in order to complete my weekly certification during the COVID-19 health emergency?

Governor Lee's Executive Order No. 15 modified the job search requirement for weekly certifications. The Executive Order temporarily allows for work search requirements to be modified so that an unemployment insurance claimant can satisfy requirements simply by creating and maintaining their **reemployment plan**, creating and maintaining a searchable and active **resume**, completing a **career profile** in Jobs4TN.gov, or any other good-faith reemployment strategy reasonably expected to result in reemployment after the health emergency ends. These modifications are only applicable to those who cannot return to work due to the COVID related exemptions already shared in other guidance.

### Can I get Pandemic Unemployment Assistance (PUA) for a coronavirus business closure?

The CARES Act will provide benefits to those who qualify for Pandemic Unemployment Assistance which is similar to Disaster Unemployment Assistance. The Federal CARES Act provides **additional** Unemployment Insurance (UI) benefits to Tennesseans impacted by the COVID-19 health emergency. The new federal law provides:

- **Pandemic Unemployment Assistance** - Can provide 39 weeks of eligibility for individuals who have traditionally been ineligible for UI benefits, if they meet requirements. (Self-employed, gig workers, independent contractors)
- **Pandemic Unemployment Compensation** - An additional \$600 per week, on top of regular benefits, to all UI recipients; and,
- **Pandemic Emergency Unemployment Compensation** - Can provide an additional 13 weeks of UI benefits to eligible claimants.
- **The federal government has recently passed laws that provide additional Unemployment Insurance benefits. How do those changes impact Tennesseans?**

The federal government recently created three new programs related to Unemployment Insurance compensation and COVID-19 under the provisions of the CARES Act passed on March 27, 2020. These programs include Pandemic Unemployment Assistance ("**PUA**"); Federal Pandemic Unemployment Compensation (**FPUC**) which provided an additional \$600 per week of benefits; and Pandemic Emergency Unemployment Compensation (**PEUC**) which additional 13 weeks of benefits

for claimants who have exhausted regular Tennessee Unemployment Compensation (**TUC**) benefits. These programs are discussed in more detail below.

### **I have been cleared to return to work after having COVID-19, but my employer refuses to allow me to begin working again.**

The Department has no jurisdiction over this issue. For unemployment purposes, the claimant can file a new claim, or if they are actively receiving benefits, continue to certify.

## **Pandemic Emergency Unemployment Compensation (PEUC) – 13 Additional Weeks Eligibility**

### **I am already receiving UI. How will this program assist me?**

If you exhaust your regular UI benefits (up to 26 weeks), you may receive an additional 13 weeks of additional benefits under the PEUC program.

### **I exhausted my benefits a few weeks ago. Am I still eligible for these 13 weeks of PEUC benefits?**

Yes. Anyone who exhausted UI benefits after July 1, 2019, is eligible to receive 13 additional weeks of benefits.

## **Pandemic Unemployment Assistance (PUA)**

### **How do I apply for PUA?**

You can file a UI application online at [jobs4tn.gov](https://jobs4tn.gov) or call (844) 224-5818. Due to high call volume at this time, we recommend filing online outside normal business hours of 8:00 a.m. - 4:30 p.m. CST. Please note, you will not be eligible for PUA until you have been determined ineligible for UI benefits or have exhausted all regular UI benefits.

### **Do I have to wait a week after I became unemployed before I can receive benefits under PUA?**

No, the “waiting week” was temporarily suspended by Governor Lee’s Executive Order 15.

### **How long do benefits from PUA last?**

PUA benefits may cover periods of unemployment up to 39 weeks.

### **Are benefits from PUA retroactive?**

Yes, PUA benefits can be paid retroactively for periods of unemployment directly related to the COVID-19 pandemic, beginning on or after January 27, 2020.

### **I am self-employed. When the state calculates my PUA weekly benefit amount, will I receive back pay if my actual benefit should be higher than the initial \$120 per week I received?**

Yes, when state determines your actual weekly benefit amount, if it is higher than the minimum \$120 payment, you will **retroactively receive the difference** between the minimum and your

actual benefit amount.

### **I can work remotely. Am I eligible for PUA?**

No. If you have the option to work remotely, you are not eligible for PUA benefits.

### **What is the maximum benefit I can receive from PUA?**

Your benefit rate is **based on your wages** over the past 18 months. In Tennessee, the current maximum weekly benefit amount is \$275. The minimum PUA benefit amount is 50% of the average weekly benefit amount. In Tennessee, for weeks January 27, 2020 - March 31, 2020, the minimum benefit amount is \$120. For April 1, 2020 - June 30, 2020, the minimum benefit rate is \$121. The maximum benefit amount is **\$275**.

## **Employers**

### **Employer UI Contact Information**

- Employer Tech Assistance: **615-770-1712**
- Employer Helpdesk: [Employer.Helpdesk@tn.gov](mailto:Employer.Helpdesk@tn.gov)
- Partial/Employer Filed Claims: [Partial.Claims@tn.gov](mailto:Partial.Claims@tn.gov)

### **Are employees eligible for UI benefits if an employer "furloughs" them temporarily?**

Yes, the employee should file his/her Current Employment Status as "Temporary Layoff with Recall", as long as all other eligibility requirements are met. Their weekly benefit amount is determined based on wages earned in a 4-quarter based period.

### **I'm a small business owner who has had to shut down due to COVID-19. Am I eligible for UI?**

Self-employed individuals impacted by COVID-19 may apply for benefits under the provisions of the CARES Act.

### **If I have to temporarily or permanently close my business, what happens if I do not provide the state an employer-filed Partial/Employer-filed claim?**

If you do not submit an **employer-filed mass claim** (also known as a **partial claim**), each of your employees will need to file individual claims which will take much longer to process. If you do not file an employer-filed claim, please provide each separated employee with a completed separation notice. You can find the fillable form through this link:

<https://www.tn.gov/content/dam/tn/workforce/documents/Forms/LB-0489.pdf>.

### **If I choose to file a Partial/Employer-filed claim what steps do I need to take?**

This is the **preferred method** if your business has not yet closed and you believe you will reopen. If you are uncertain of a reopen date, enter 16 weeks from the date of filing. Employers provide a list of employee names and required information to file a claim on behalf of employees. Instruct **employees not to file an individual claim** and that they will need to certify each Sunday to be paid in a timely manner.

Here is a link with more information: <https://www.tn.gov/workforce/covid-19/employers.html>

## How do Employers obtain confirmation of successful Partial/Employer-filed claims?

All lists are effective the date they are submitted. However, as you might expect, we are experiencing unprecedented numbers, and delays may be longer than usual. When an employer submits a spreadsheet to the [Partial.Claims@tn.gov](mailto:Partial.Claims@tn.gov) email account, they receive an auto-response letting them know that it was received and they will be notified via **email once** it has been successfully uploaded.

## If an employer doesn't receive an email receipt after submitting their Partial/Employer filed claim, what do they need to do?

A confirmation email will be sent when complete.

## Are Partial/Employer-Filed Claims Auto Approved?

Yes, as long as the employee did not file on their own, prior to the spreadsheet being uploaded.

## Will the Partial/Employer filed claims be backdated to the date they were submitted?

Yes

## Does an employer need to respond to a Notice for Wage and Separation Request?

If the layoff was due to **COVID-19, no**, the employer does not need to respond. In fact, responding can delay the adjudication process for these claims. However, if the employee was separated from the employer for **any other reason, yes**, the employer should respond and provide the details of the separation so that our teams can properly adjudicate the claim.

## Does an employer who gives a claimant a 1099 need to respond to a Notice for Wage and Separation Request if the claimant selected the employer as their separating employer when they filed their claim? If so, then how does an out of state employer with no SEIN respond?

Employers may (but are not required to) respond to claims filed by independent contractors. However, if the claim is approved and the employer is identified as the separating employer, the employer may file an appeal and raise that issue.

## Will the benefit charges of approved claimants be charged to employers in their base period if the employer has had to close due to government mandate?

At the direction of the Commissioner, employer non-charges have been waived through Oct. 31, 2020.

## If employees are retained with only partial pay, are they eligible for UI benefits?

It depends on how much they earn. If they are earning more than \$275/week, they would be "in excess" and not eligible for additional benefits. The best thing to do is to go ahead and file the claim. At the end of the filing, claimants can check their claim summary or message center to see the monetary determination letter.

## **What is the minimum number of employees that should be a part of a Partial/Employer filed claim?**

As few as **one**.

## **Can the Employer file if they do not have Excel?**

Yes, they can use any application they have that is similar to excel and we can convert it here.

## **How does an employer extend their date if they have already filed?**

It is recommended to call the 615-770-1712 or they can provide a new spreadsheet with the new extended dates listed. It is always recommended for the employer to file with the full 16 weeks listed.

## **Can you provide a phone number to call for online access?**

844-224-5818

## **Do we have an obligation to provide notice under the federal WARN Act if we are forced to suspend operations on account of the coronavirus and its aftermath?**

Yes, WARN regulations have NOT been waived so all statutes still apply. However, because of the language in the statute and to the unexpectedness of this pandemic, the 60-day provision would not apply.

## **Can I send employees home who exhibit potential symptoms of contagious illnesses at work?**

This should be part of normal procedures based on the company's policy, but if they are continued to be paid, then they will not need to file unemployment.

## **What if my employee has been exposed to COVID-19, but has not been diagnosed or shown symptoms?**

You are encouraged to consult your industry-specific guidance within the [Tennessee Pledge](#). If you do not have sufficient PPE for you employee(s) you may want to consider laying off this employee for 14 days, after which time, the employee should return to work.

## **If my employee indicates that they contracted the coronavirus while at work. Will this result in a compensable workers' compensation claim? Does the same apply if they were on a business trip?**

You would need to contact the Bureau of Workers' Compensation at 800-332-2667 (within Tennessee) or 615-532-4812.

## **What are our obligations to uniformed service members who are called up to serve in response to the COVID-19 crisis?**

USERRA laws that govern recalls still apply.

## **I have immediate hiring needs, how can I be part of TN Talent Exchange?**

Register on Jobs4TN.gov. Go to <https://www.tn.gov/workforce/covid-19/jobs.html> for more information.

## **I am a staffing firm and want to help get people to work; can I get a listing of folks who are unemployed?**

Other than the normal process through Jobs4TN, or now the TN Talent Exchange, there is no mechanism to provide a list. WARN information will not be distributed to staffing companies

## **Where can employers get information concerning the Tennessee Talent Exchange?**

Employers can follow this link: <https://www.tn.gov/workforce/covid-19/jobs.html>

## **If an employer sends an apprentice home and the apprentice is no longer working, is the employer responsible for lost wages?**

The employer would not be held responsible for wages any more than any other layoff under normal circumstances within a company. If the employer is not responsible for wages, then the employee may be eligible to file for unemployment.

## **If apprentices are laid off, do they remain in a registered apprenticeship program?**

Please refer to guidance from the USDOL Apprenticeship program.

## **If we are responding to a claim, is the layoff date the last day worked?**

Yes, it's the last day the employee physically worked.

## **Is the employer account number their EIN or JOBS4TN account number?**

It is their SEIN and their **JOBS4TN** account number. It starts with 0 and has 7 numbers in it.

## **Why would an employee be told by the Unemployment Division that their claim is "awaiting employer action"?**

This would be the case if the employer did not file a Partial/Employer filed claim and the department has to verify the reason for separation. It speeds up the process when employers provide the separation notice or file a mass claim directly into Jobs4TN.gov.

## **Must we keep paying employees who are not working? Example: Employees want to take sick leave so they are not exposed, but are not actually sick.**

If the employer chooses to pay the employee, then there would be no need to file unemployment.

## **If we lay off employees temporarily, do we have to pay out their vacation? If so, is there a timeframe for which it must be paid?**

It is encouraged to pay the employee; otherwise, they would be eligible to file unemployment.

## **Can we lay off employees who are on medical leave?**

That is up to employer/company policy and the employee may still be eligible to file for unemployment if not paid.

## **Can we automatically charge missed time to vacation and leave balances?**

That is up to employer/company policy. The employee may still be eligible to file for unemployment if not paid.

## Does family and medical leave apply to this situation?

That depends on guidance from USDOL and the CARES Act.

## Can my employees quit and file for unemployment?

The department cannot bar anyone from applying for unemployment benefits. However, when a claim is filed the **employer is notified** and has seven days to respond to the claim. If the employee resigned, or quit, the employer should **respond accordingly** and provide the facts to the department.

## Should I provide Personal Protective Equipment (PPE) to my employees?

Businesses are encouraged to follow guidance issued by the CDC, Tennessee Department of Health, and any applicable federal or regulatory requirements. In addition to these general guidelines for all Tennessee employers and employees, each employer and employee should refer to their industry-specific guidance as set forth in the Tennessee Pledge. The Tennessee Pledge can be found at <https://www.tn.gov/governor/covid-19/economic-recovery/tennessee-pledge.html>.

If a claimant fails to return to work due to a **lack of PPE** provided by the employer, TDLWD will investigate these cases and decisions will be made on an individual case-by-case basis on the claimant's eligibility to continue to collect UI benefits.

## Are employees required to return to work if called back?

Yes, unless they meet a [qualified exception](#).

## How do I report an employee who refused recall back to employment?

You may submit your information at [https://lwdsupport.tn.gov/hc/en-us/requests/new?ticket\\_form\\_id=360003403833](https://lwdsupport.tn.gov/hc/en-us/requests/new?ticket_form_id=360003403833). Please answer all questions. It will also be helpful to provide any documentation you have to confirm the employee was notified of the need to report to work or refused to report to work.

## Is an employee required to return to work if they are under quarantine by a physician or governmental official?

No, at this time the employee must comply with the quarantine orders. The employees should supply documentation to you covering the dates of the quarantine.

## Do I have to recall the employee to the same position, same rate of pay, and same schedule?

It would be best if the employee was recalled in the same capacity as previous employment. If that is not possible, we will investigate the employee's failure to return to work and issue a determination based on TN employment security law.

## What documentation should be provided to the agency to show contact was made for recall of an employee.

We will need verification that you communicated the need to report to work back to you employee. This verification may include, but is not limited to, an e-mail, certified letter with proof of delivery, a voice mail recording, or phone record of the call to the employee's most current contact **information**.

## **Will the agency let me know the outcome of the refusal of return to work issue?**

The agency will issue a written determination that will be delivered to your preferred method of communication.

**If you disagree**, you will have fifteen (15) calendar days from the mail date of the issued decision to **file an appeal**. You may file an appeal online via [jobs4tn.gov](https://jobs4tn.gov), by email at [AT.NewAppeals@tn.gov](mailto:AT.NewAppeals@tn.gov), fax to 615-741-8933, or you can mail your appeal to: TDLWD, Attention: Appeals Tribunal, 220 French Landing Dr., Nashville, TN 37243.

## **As an employer, will the employees I laid off due to the pandemic impact charges to my unemployment tax account?**

The employer tax account of any contributory employer in a claimant's base period for any unemployment benefits paid to a claimant as a result of the COVID-19 pandemic, and its effects, for the period of March 15, 2020, through July 31, 2020, shall be harmless and not charged.

# Document Changelog

- 3/29/20: Added FAQ on using app to perform week certification
- 3/30/20: Added a shortened link to instructions on user resetting Jobs4TN password
- 3/30/20: Added FAQ on time limit to file
- 3/31/20: Added FAQ about taxable income
- 3/31/20: Added FAQ about Pandemic UA for claimants who have already filed
- 3/31/20: Added FAQ for How long does it take to process my claim
- 3/31/20: Added FAQ instructing citizens to go ahead and file for Pandemic UI if you may be eligible
- 4/01/20: Added FAQ for what happens if claimant doesn't accept work
- 4/01/20: Added FAQ for claims not being backed if not filed immediately after separation
- 4/02/20: Added FAQ about delayed wage protest reply times
- 4/02/20: Added FAQ about incorrectly keyed wages during certification
- 4/02/20: Added FAQ about entering self-employment info during a claim
- 4/02/20: Added FAQ about wage protests/errors on Monetary Determination Letter
- 4/02/20: Added FAQ about how to answer questions if you are self-employed
- 4/03/20: Added quick links to the top of the document and moved the changelog to the end of the document. A couple of questions were re-arranged
- 4/06/20: Added FAQ about furlough and doctor recommendation
- 4/06/20: Added question about last day of work when paid in vacation pay
- 4/07/20: Added FAQ about being monetarily ineligible but not denied (corrected)
- 4/07/20: Added FAQ about employees quitting and filing a claim
- 4/08/20: Updated UI extension question & added out-of-state question
- 4/11/20: Added questions about reduced hours, added question about being laid off, with a second self-employed job eligibility
- 4/16/20: Updated CARES Act question with info about the \$1200 stimulus check not being reportable income during certification
- 4/21/20: Added several questions clarifying between PUA, FPUC, PEUC, and TUC
- 4/22/20: Added instructions for self-employed workers to submit any missing wages via email, instead of a wage protest
- 4/28/20: Added info about 2-1-1 for emotional, housing, or food resources
- 4/30/20: Added questions for employers: Responding to separation notices, worker making more than weekly benefit, independent contractors, charges to base period employers
- 5/01/20: Added information about the Tennessee Suicide Prevention Network
- 5/04/20: Added "Check My Claim" link
- 5/04/20: Added a question about back pay for PUA claims that have been paid at the \$120 minimum
- 5/05/20: Added several FAQs about returning to work for employees and employers
- 5/13/20: Clarified "qualifying exceptions" for not returning to work under PUC
- 5/20/20: Added details to the work searches FAQ, added logo to cover page, and added page headings for easier navigation
- 6/26/20: Updated answer on the question regarding when \$600 FPUC payments end
- 7/21/20: Updated answer about ending/extending benefits
- 7/24/20: Added FAQ about employer unemployment tax accounts impact due to COVID-19
- 8/10/20: Added tentative info about President Trump's Executive Order regarding the additional \$400 benefit
- 8/13/20: Removed outdated information across several sections of the document.
- 11/2/20: Removed outdated information and added questions about extended benefits and work searches