

MA Income Support Programs for Unemployed Workers During COVID-19 Pandemic¹



I. CURRENT UNEMPLOYMENT COMPENSATION PROGRAM

The Executive Office of Labor and Workforce Development (EOLWD) and the Department of Unemployment Assistance (DUA), in coordination with the U.S. Department of Labor (USDOL), are taking a series of actions to assist workers and employers. Here are a few key provisions of unemployment compensation in MA:

- **AMOUNT OF BENEFITS:** If approved, applicants will get approximately half of their average weekly wage up to a maximum of \$823. They will also get \$25 per dependent child up to an amount that is half of their benefit.
- **DURATION OF BENEFITS:** Under the new CARES ACT, applicants can receive up to 39 weeks of unemployment benefits, total, in a benefit year, starting with the first week of unemployment.
- **FULL- TO PART-TIME:** If applicant was a full-time employee before their workplace shut down and is now working part-time hours from home, they may be eligible for partial unemployment. Applicants can earn a certain amount of money without any reduction in benefits, and thereafter, the benefits are reduced by any earnings. ALL earnings must be reported to DUA. This means that if EEC is providing grants or subsidies to employers that help employees remain employed part-time, then they will only be eligible for a pro- rated portion of their unemployment compensation.
- **QUARANTINED WORKERS:** DUA may pay unemployment benefits if a worker is quarantined due to an order by a civil authority or medical professional or leaves employment due to reasonable risk of exposure or infection or to care for a family member. The worker need not provide medical documentation and need only be available for work when and as able.
- **TEMPORARY SHUTDOWNS:** EOLWD and DUA filed emergency regulations that allow people impacted by COVID-19 to collect unemployment benefits if their workplace is shut down and expects to reopen. This applies to all employees (full and part time) who are impacted by such shutdowns. The following:
 - Workers must remain in contact with their employers during the shutdown.
 - Workers must be available for any work their employer may have for them that they are able to do.
 - An employer may request to extend the period of the covered shutdown to 8 weeks, and workers will remain eligible for the longer period under the same conditions described above.
 - If necessary, DUA may extend these time periods for workers and employers.
 - Employers who have been paying into the system for themselves (are receiving a W-2) are able to apply as well.
- **SELF-EMPLOYED/CONTRACTUAL:** Self-employed individuals and properly classified 1099 contract employees are NOT eligible for regular state unemployment benefits but will be eligible for Pandemic Unemployment Assistance (PUA) under the new CARES ACT. (see below for coverage under new CARES Act).

Apply for Unemployment Insurance using [this website](#) and a special [guide prepared for unemployment during the COVID-19 pandemic](#).

¹Disclaimer: The EEC is providing the enclosed information as a public service, but it is neither a legal interpretation nor does it constitute financial advice in any way whatsoever. EEC recommends that all agencies and individuals conduct their own research before they make any final decisions about whether or not to pursue or apply for benefit programs available during the pandemic.

II. CARES ACT UNEMPLOYMENT COMPENSATION EXPANSION²

Additional CARES Act-related benefits will be available through the MA Department of Unemployment Assistance in the coming weeks for the unemployed and others but are currently UNAVAILABLE through UI Online as DUA awaits federal guidance. Here are some key features of the expansion program enabled through the newly enacted federal CARES Act:

- **NEWLY-COVERED WORKERS:** The CARES Act provides unemployment compensation to individuals not covered under regular Massachusetts unemployment law, such as those who are self-employed or paid by 1099s, those who have recently exhausted their weeks of unemployment benefits, and those who do not have sufficient earnings over the last year to qualify for state unemployment.
- **LIMITS OF COMPENSATION:** The CARES Act also extends the number of available weeks of benefits for all claimants and supplements all claimants' weekly benefit amount by \$600.
- **REGULATORY LIMITS:** The Department of Unemployment Assistance is awaiting federal guidance regarding the CARES Act's application requirements, business rules, eligibility requirements, exceptions, and technical requirements. Until that guidance is issued, benefits under the CARES Act are not yet available in Massachusetts and claimants may not apply for such benefits through UI Online at this time.
- **FOR MORE INFORMATION:** Updates about when CARES Act benefits will be available, and about when and how you should apply for those benefits will be posted here as soon as they are available. For more information about eligibility and unemployment compensation provided through the CARES Act click on this link to the Bipartisan Policy Center summary.

III. WORKERS' COMPENSATION PROGRAM

The Department of Industrial Accidents (DIA) oversees the workers' compensation system in Massachusetts. Here are a few important things to know about workers compensation in MA:

- **APPLICABILITY:** Almost all employees are covered by workers' compensation insurance. To get workers' compensation benefits, you need to suffer a work-related injury or illness or be a dependent of a worker killed on the job. Certain individuals who contract the COVID-19 virus at work may be eligible for workers' compensation.
- **COVERAGE:** Workers' compensation pays medical bills related to the injury or illness, pays for lost wages, and in some cases provides vocational rehabilitation for workers who qualify.
- **ELIGIBILITY:**
 - In most cases, a claimant is NOT eligible for both unemployment and workers' compensation.
 - You must be disabled for 5 full or partial calendar days to file a claim for workers' compensation benefits. The days need not be consecutive.
 - If you are disabled for less than 5 full or partial calendar days, you can file a "medical only" claim. Medical only claims are reported to your employer's workers' compensation insurer, not the DIA. If the insurer denies your claim for benefits, even medical only claims, you can appeal it to the DIA.

For directions about how to file a Workers Compensation claim, [use this link](#).

² Note: An updated version of this document will be forthcoming when federal guidance on the CARES Act implementation is released, since the expansion is likely to apply to a significant number of EEC providers. It is unknown if these benefits will be affected by EEC subsidies or grants at the time of the release of this document.