



**WORKFORCE DEVELOPMENT BOARD**  
OF SOLANO COUNTY

**COVID-19 FAQs AND RESOURCES  
FOR JOB SEEKERS AND WORKERS**

*Updated May 26, 2020*

The Workforce Development Board (WDB) of Solano County is closely monitoring COVID-19 developments and will provide information regarding services and resources for individuals as they become available. The centers remain open in order to provide the growing need of workforce services to the community. Please check our [website](#) for additional information on services and resources.

**Solano County Resources**

On May 21, 2020, Solano County amended its countywide [Shelter at Home Order](#), which includes business reopening guidelines and has extended the Shelter at Home indefinitely. For more information from Solano County:

For more information from Solano County:

1. Visit the Solano County [website](#) for regular COVID-19 updates
2. Follow Solano County Public Health Facebook page ([@SolanoCountyPH](#)) for COVID-19 updates
3. Register for [Alert Solano](#) to receive emergency alerts on your mobile device, including COVID-19

**Worker/Job Seeker Resources**

Additional resources available to job seekers and workers through the [California Employment Development Department \(EDD\)](#).

**Unemployment Insurance Benefits**

The California Employment Development Department (EDD) encourages all individuals to apply for Unemployment Insurance benefits [online](#) for faster processing. EDD provides a [Unemployment Guide](#) to assist individuals through the online process.

Call 1-833-978-2511 seven days a week, 8 a.m. to 8 p.m., if you need technical help with accessing UI OnlineSM, help with receiving an EDD Customer Account Number, and other general UI questions. Representatives will not have access to your claim or payment information. For help with a claim or payment information, call 1-800-300-5616. *Click the arrow next to the question to expand the answer.*

Applying for Benefits

**1. Should I apply for regular Unemployment Insurance (UI) benefits?**

You are encouraged to apply for UI benefits if you are unemployed, which includes reasons such as your hours are reduced due to the quarantine (including Shelter at Home Orders), you were separated from your employer during the quarantine, or you are subject to a quarantine required by a medical professional or state or local health officer if not covered by other benefit programs.

If you are temporarily out of work and plan to return to the same employer, you do not need to meet the usual requirement of looking for work while you are collecting unemployment benefits. If you are not connected to a certain employer with a job to return to, you are required to look for

work while collecting benefits. The EDD will inform you if you are required to look for work each week.

**2. What is the current wait time and process to receive Unemployment Insurance (UI) benefits?**

EDD is currently experiencing an unprecedented demand for UI benefits as a result of COVID-19. You can be eligible for benefits if you have enough earnings over the past 12-18 months and meet other [eligibility criteria](#). The [Governor's Executive Order](#) waives the one-week unpaid waiting period, so you can collect UI benefits for the first week you are out of work.

For Californians who applied for UI benefits after March 15<sup>th</sup>, please see below for what to expect (more detailed information may be found [here](#)):

- Within two weeks, online claim filers will receive an email from EDD with a subject line of "New Online Account Created," which notifies you that your registration was completed in the UI online system. If you do not receive an email, you will receive a letter in the mail with your EDD Customer Account Number.
- After you receive registration information from EDD via email or mail, you must certify your information before receiving benefit payments. Certification is required every two weeks to verify that you are still unemployed and eligible to continue receiving payments.
- It will typically take one week after your first certification to receive your first benefit payment, which will likely arrive on an EDD Debit Card.

**3. What would slow the processing of my Unemployment Insurance Claim?**

If EDD is unable to verify your identity or your wage information doesn't match EDD's records, your claim will take additional time to resolve. EDD will mail you a request to verify your identity and you will have 10 calendar days to send documentation request. If your wage information doesn't match, it could mean that EDD has no record or only partial record of your wages, you were misclassified by your employer as an independent contractor instead of an employee, or your wage information was incorrectly reported to EDD.

**4. Can I file an Unemployment Insurance claim if I am self-employed, an independent contractor, or gig worker?**

If you are self-employed, an independent contractor, or gig worker and are unable to work or have had your hours reduced due to COVID-19, you may be eligible for Unemployment Insurance (UI) benefits if you chose to contribute to UI Elective coverage and paid the required contributions, your past employer made contributions on your behalf over the past 5 to 18 months, or if you were misclassified as an independent contractor instead of an employee.

When filing your UI claim, you will be asked for your last employer. If you own your own business or are self-employed, you should list yourself as your last employer. If you are an independent contractor, you should list yourself as your last employer. If you believe you are misclassified as an independent contractor, you should list the business you contract with as your last employer. If you are a gig worker, you should list your gig employer as your last employer.

Pandemic Unemployment Assistance (PUA) was passed under the CARES Act and will cover self-employed individuals. Please see below for more details.

**5. Would I qualify for benefits if I choose to stay home from work due to underlying health conditions and concerns about exposure to the virus?**

You could be eligible for unemployment benefits. Once you file your claim, EDD representatives will contact you if they need more information to determine eligibility.

**6. Would I qualify for benefits if my child's school shuts down and I have to miss work to care for that child who is not ill?**

You may be eligible for unemployment benefits. EDD representatives will determine eligibility on a case-by-case basis by scheduling a phone interview with you.

**7. Are benefits available if my employer reduces my hours or shuts down operations due to impacts of the coronavirus?**

If your employer reduced your hours or shut down operations due to COVID-19, you are encouraged to file an UI claim. UI provides partial wage replacement benefit payments to workers who lose their job or have their hours reduced, through no fault of their own. Workers who are temporarily unemployed due to COVID-19 and expected to return to work with their employer within a few weeks are not required to actively seek work each week. However, you must remain able, available, and ready to work during their unemployment for each week of benefits claimed and meet all other eligibility criteria.

**8. Can I still collect unemployment benefits if I am able to work remotely from home?**

Working your full normal hours remotely would not qualify you for benefits. However, you could collect some Unemployment Insurance benefits if your usual number of work hours are reduced through no fault of your own.

**9. Can I still qualify for Unemployment Insurance benefits if my EDD notice shows that I have \$0 in benefits available?**

Generally, a mailed notice showing a \$0 benefit award available may mean that EDD has no wage records reported by an employer to support your unemployment claim, or EDD needs to verify your identity for the reported wages that belong to you. If you filed for UI and received an award notice with \$0 benefits available, it could be due to one of three scenarios:

- Your identity could not be verified with EDD records. EDD will mail you a request to verify your identity. You have 10 calendar days from the mail date to send two forms of identity documents from the list of [Acceptable Documents for Identity Verification \(DE 1326CD\) \(PDF\)](#). Once EDD verifies your identity, you'll receive a new notice telling you what our wage records show for weekly UI benefit payments if you meet all other eligibility requirements.
- You were misclassified by your employer as an independent contractor instead of an employee or your wage information may have been inadvertently transposed when your employer reported your information to the EDD. If you believe EDD's record of your wages isn't accurate, correct the wages on the award notice and send copies of your W-2, Form 1099, or a paycheck stub to the address on the front of the notice. EDD will follow up with you and your employer for any details needed to make a determination.
- You're self-employed or an independent contractor and have not paid contributions to the state Unemployment Insurance Trust Fund. See below for how to apply for Pandemic Unemployment Assistance.

**10. Is there help available in completing my UI application?**

EDD has videos to support your application include [How to create a Benefit Programs Online Login](#) and [How to File a UI Claim](#). If you have questions regarding UI benefits and need help applying for UI benefits, you can call the local EDD office in Vallejo at 707-648-4024. You may also visit the Fairfield Job Center at 500 Chadbourne Rd, Fairfield, CA 94534 to use the computers and to receive in-person support.

Self-Employed or Previously Ineligible Individuals

**11. Does the CARES Act provide UI benefits for self-employed individuals or other individuals not eligible for UI?**

Yes. The CARES Act adds Pandemic Unemployment Insurance (PUA), which provides coverage for individuals not normally eligible for UI benefits, including self-employed individuals, those seeking part-time employment, individuals lacking sufficient work history, and those who would not otherwise qualify for UI or PEUC benefits. This benefit excludes individuals able to telework full-time with pay or individuals receiving paid leave. To be eligible, individuals must provide self-certification that they are otherwise able and available to work but are unable to work due to COVID-19. PUA will be effective for weeks beginning January 27, 2020 through December 31, 2020 and includes up to 39 weeks of benefits.

**12. How do I apply for PUA?**

PUA applications are part of the regular UI application process. Begin the UI application, answering all questions. If you are a small business owner, independent contractor, self-employed worker, freelancer, or gig worker, here's how to answer key questions in the application form:

1. On the Employment History screen when you supply your last employer information, select "No."
2. On the Availability Information page, answer question 7 with "No."
3. On the Disaster Information page, answer question 1a.3 with "You are an independent contractor." If you got paid in cash, select "None of these options apply to me."

**13. Am I eligible for PUA if I am not self-employed?**

Yes. You may be covered if one of these reasons, among others, applies:

- You or someone in your home was diagnosed with COVID-19, or have symptoms and are waiting to be diagnosed
- You're caring for a family member or someone in your home who has COVID-19
- You're caring for a child whose school or childcare is closed because of COVID-19
- You've been quarantined by a government body or medical professional
- You've lost your job or cannot reach your job because of COVID-19
- You've become the main source of income for a household due to a death caused by COVID-19
- You've quit your job because of COVID-19
- Your workplace is closed because of COVID-19
- You were scheduled to start a new job but could not because of COVID-19

If you applied for unemployment assistance but didn't qualify (for example, because you voluntarily quit or you were fired or discharged by your employer), or you are serving a penalty because of false

statements on a past claim, you could be eligible for PUA. EDD will send you a form to fill out to supply information not already in your account. When you get the form, fill it out and return it.

**14. If I applied for regular UI benefits and was denied, may I apply for PUA?**

Yes. EDD will review regular UC claims that were denied as of January 27, 2020 forward and identify individuals who are potentially eligible for PUA during the Pandemic Assistance period. EDD is required to provide you with appropriate written notification of your potential eligibility, including filing instructions, for PUA benefits. You should file a new claim if you have already applied for UI but are eligible for PUA because you are a business owner, independent contractor, self-employed worker, freelancer, or gig worker affected by COVID-19, and you have not already appealed a \$0 award notice, been asked to verify your identity, or requested a wage investigation.

**15. What amount of claim am I eligible for as a self-employed individual?**

EDD will base your benefits entitlement on net income from the most recent tax year. Acceptable documentation of wages earned or paid during CY 2019 (i.e., the PUA base period) includes, but is not limited to, state agency wage records, pay check stubs, bank receipts, business records, ledgers, contracts, invoices, and billing statements.

If you qualify for PUA, your initial weekly benefit amount will be \$167 for claims starting February 2, 2020. Claims between March 29 to July 25, 2020 will have an additional \$600. Your total benefits will last for 39 weeks (including any regular UI and extended benefits you might qualify for). Once EDD verifies your income, your weekly benefit amount may increase. EDD will notify you of any increase you are entitled to receive; any increase will also apply retroactively from the date you became unemployed as a result of COVID-19, regardless of when you submitted your claim application.

Continued Claims

**16. Will I be ineligible for unemployment benefits if I answer no to the question about looking for work on my certification for ongoing payments?**

You should answer the question truthfully. Given the unique economic situation and lack of available work created by COVID-19, the EDD has been able to adjust its usual eligibility requirements to allow them to automatically process a large volume of claims. You will not be penalized if you answer “no” to the question about looking for work and will be paid benefits for that week if you meet all other eligibility requirements.

**17. What does it mean when my UI account says “pending” after I certify for benefits?**

After a claimant certifies for benefits through UI Online, the EDD sets the certification to “pending” in the system. This is because the EDD must review responses to the certification questions in order to determine your continued eligibility for UI benefits, as required by law. Although the online system may do this automatically depending on your claim and how you responded to the eligibility questions, in some cases the certification must be reviewed by EDD staff. Once your certification is reviewed (either automatically or by staff), your benefits payment can be processed. The EDD has several instructional YouTube videos and materials to help guide you through the required certification process. You can refer to the [Certifying for UI Benefits](#) page for more information.

**18. Does the CARES Act change whether I must be able and available to work during COVID-19?**

Yes. You must be otherwise able and available to work, unless their unemployment, partial unemployment, or inability to work is due to one of the following COVID-19 reasons:

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- You have been diagnosed with COVID-19 or are experiencing COVID-19 symptoms and seeking a medical diagnosis;
- A member of your household has been diagnosed with COVID-19;
- You are providing care for a family member or a member of your household have been diagnosed with COVID-19;
- A child or other person in the household for whom you have primary caregiving responsibility is unable to attend school or another facility is closed as a result of COVID-19 and such school or facility care is required in order for you to work;
- You are unable to reach the place of employment because of a quarantine (including Shelter in Place Order) imposed as a direct result of the COVID-19 public health emergency;
- You have been advised by a healthcare provider to self-quarantine due to concerns related to COVID-19;
- You were scheduled to begin employment but do not have a job or are unable to reach the job as a result of COVID-19;
- You have become the breadwinner or major support for a household because the head of household died as a direct result of COVID-19;
- You had to quit your job as a direct result of COVID-19; or
- Your place of employment is closed as a direct result of COVID-19.

### **19. How does the added \$600 to UI beneficiaries work?**

California has elected to participate in the Federal Pandemic Unemployment Compensation (FPUC), which augments regular UI with an additional \$600 per week for anyone receiving UI benefits. The US Department of Labor released guidance on FPUC on April 4, 2020. Individuals currently receiving UI benefits will not need to do anything extra to receive funds; FPUC funds will be added to their UI benefits. FPUC may be paid beginning the week ending April 4, 2020 and ending the week ending July 25, 2020. If an individual is eligible to receive at least one dollar of underlying benefits for the claimed week, the claimant will receive the full \$600 FPUC funds. Individuals whose underlying benefit payments are intercepted to pay debts are eligible for the \$600 FPUC, even if 100% of their weekly benefit amount is intercepted. Child support obligations must be deducted from FPUC payments in the same manner and to the same extent as regular UI benefits.

### **20. How does the UI benefit extension work?**

The CARES Act adds Pandemic Emergency Unemployment Compensation (PEUC), which extends federal funded UI benefits an additional 13 weeks beyond the regular UI period. California has elected to participate in PEUC. To be eligible for PEUC, individuals must have exhausted their UI benefits, is not currently eligible for UI benefits as a result and is able and available to work (flexibility is provided for individuals who are unable to search for work because of COVID-19, including because of illness, quarantine, or movement restriction). PEUC benefits will be available from March 29, 2020 to December 26, 2020. PEUC is not active yet in California is still working through the implementation of this program.

If you have run out of benefits, you are unemployed, and your benefit year has expired, reapply for benefits through UI Online. If you received your last payment for weeks you were unemployed on or after March 21 and are still within your benefit year, EDD will automatically extend your claim for 13 weeks. We will notify you that we have done that and when you can certify. If you have run out of benefits but you are still within the one year that your claim is good for, EDD will notify you about what to do.

Returning to Work

**21. If my employer is allowed to reopen under the County and State reopening guidelines, is it safe to go back to work?**

As of May 8, 2020, in addition to the continued operation of sectors providing essential services under Stage 1, the state is moving into Stage 2, where some lower-risk workplaces can gradually reopen with adaptations. Industry [guidance](#) has been issued by the California Department of Public Health (CDPH), in conjunction with Cal/OSHA, and by [Solano County](#) to help these workplaces operate and reopen safely. Before re-opening, all facilities **must** first perform a detailed risk assessment and implement a site-specific protection plan.

**22. My employer has reopened. Am I required to go back to work?**

An individual is disqualified for UI if they refuse to accept “suitable” employment when offered. Under California law, the EDD will consider whether the particular work is “suitable” in light of factors such as the degree of risk involved to the individual’s health and safety. For example, if your employer has complied with the state’s requirements for reopening, and any and all government safety regulations, you may not have good cause to refuse to return to work and could be disqualified from continuing to receive regular UI benefits for a designated period of time.

Workers are still subject to the stay-at-home order, and thus should not be required to return to work if their employment does not belong to one of the essential or gradually reopening sectors, until further notice by the state or local jurisdictions. You would have good cause to refuse to return to work if the business does not provide an essential service and is not in one of the industries reopening now under the state’s [Resilience Roadmap](#) for reopening.

The CDPH has issued [public health guidance](#) urging individuals who are over 65, immunocompromised, or have certain serious chronic health conditions (such as heart disease, lung disease or diabetes) to stay at home due to “higher risk” factors. Even if your employer has complied with the requirements for reopening, you would have good cause to refuse to return to work if you are at greater personal risk due to higher risk factors as identified by the CDPH. However, you may not have good cause for refusing suitable work if your employer was willing to allow you to telework and you still refused the suitable work. In this scenario, you could be disqualified from continuing to receive regular UI benefits because there was an alternative available to work without compromising your health and safety. Therefore, workers are encouraged to speak with their employers about work options. Employers may have a legal obligation to accommodate certain health conditions. The Department of Fair Employment and Housing has issued [guidance](#) regarding what employers must do to accommodate employees with recognized disabilities.

**23. Certain employers are advertising jobs in my community, but they offer less than I am making on unemployment benefits. Will I lose my regular UI benefits if I refuse these job offers?**

Assuming you are able and available to work, you are generally required to search for work to be eligible for regular UI benefits. Individuals are required to accept what is considered “suitable work” which includes working at the prevailing wage based on the individual’s particular skills and/or occupation. But an individual may have good cause to refuse work if the wages, hours, or other working conditions for the work offered are “substantially less favorable” than those prevailing for similar work in the locality. For example, if you are offered a job at \$20 per hour but other jobs in your community doing the same type of work at your skill level are typically paid at \$30 per hour, you may have good cause to refuse the work. However, you would not have good cause for refusing

the work solely because the wages you are offered for the work are less than the amount you have been receiving in your regular UI benefits.

**24. My employer allowed me to telework while the COVID-19 stay at home order was in effect, but is now reopening and will not allow me to telework any longer. My employer has instructed me to return to work, but I do not feel safe. If I quit, will I be eligible for regular UI benefits?**

Under California law, an individual is disqualified for UI if they voluntarily quit without good cause. "Good cause" exists to quit work when a substantial motivating factor in causing you to quit was real, substantial, and compelling and would cause a reasonable person who genuinely wants to stay employed to quit under the same circumstances. However, before you quit work, you have a duty to try to preserve your employment relationship. If you fail to do that, it could negate what may otherwise be good cause for quitting.

Good cause for quitting could include: if your employer has not complied with the guidance for safely reopening in your industry; you had childcare or transportation problems that you could not resolve; or you have a disability or condition that your employer could not reasonably accommodate. You might also show that you tried to maintain the employment relationship by asking your employer to allow you to continue to telework for a while longer, but your employer denied your request. The EDD will evaluate your situation to determine whether you had good cause to quit and whether you are eligible to continue receiving regular UI benefits.

**25. I am currently receiving regular UI benefits and I have refused to return to work after I received an offer of employment that I did not think was suitable. How do I indicate this to EDD?**

When you certify for your continued UI benefits, you will be asked if you have refused any work. You will need to check "yes" to that question, which would trigger an eligibility interview by the EDD. During that interview, you will have the opportunity to inform the EDD of the facts surrounding the offer of employment that you turned down.

### **Federal and State Paid Employee Sick Leave**

The Families First Coronavirus Response Act (FFCRA), signed into law March 18, 2020, provides emergency expansion of the Family and Medical Leave Act (FMLA), federal paid sick leave, and emergency Unemployment Insurance stabilization and access. For more detail on FFCRA protections, visit the Department of Labor's [webpage](#) on FFCRA and view the poster of [leave options](#). California has outlined additional leave options for certain workers. *Click the arrow next to the question to expand the answer.*

**26. When does the FFCRA paid leave take effect?**

The paid leave provisions are effective on April 1, 2020 and apply to leave taken between April 1, 2020 and December 31, 2020.

**27. How does the new Emergency Paid Sick Leave protect workers?**

Federal paid sick leave apply to employees who work for an employer with less than 500 employees and provides up to 80 hours of paid sick leave at full-time employee's regular rate or 2/3 of that rate for COVID-19 depending on the reason. The Department of Labor's Wage and Hours Division released guidance on March 24<sup>th</sup> [FFCRA Rights for Employees](#).

**28. Does paid sick leave and expanded FMLA apply for all workers, regardless of industry?**

You are entitled to paid sick leave if you work for a private business or a public agency, with some exceptions. If you are a federal employee, you are encouraged to seek guidance from your employer as to your eligibility. Healthcare providers and emergency responders may also be excluded by their employer (public or private) from being able to take paid sick leave or expanded family and medical leave.

In addition, an employer, including a religion or nonprofit organization, with fewer than 50 employees is exempt from providing paid sick leave or expanded family and medical leave due to school closures when doing so would jeopardize the viability of the small business.

**29. What circumstances qualify for me to use Emergency Paid Sick Leave?**

You qualify for taking paid sick leave if you are unable to work or telework due to the following circumstances. The Department of Labor (DOL) released a [temporary rule](#) with more details.

- **Quarantine or Isolation Order** – You are subject to a federal, state, or local quarantine or isolation order related to COVID-19. DOL’s temporary rule states that a governmental Shelter at Home Order may count as a quarantine or isolation order. However, if an employer is shut down due to a government order which prevents the employee from working, the employee does not qualify. Additionally, employees who can telework would not qualify under a Shelter at Home Order.
- **Self-Quarantine Advisement** – You have been advised by a health care provider to self-quarantine due to concerns related to COVID-19. DOL’s temporary rule states the self-quarantine must be based on the health care provider’s belief that the employee has COVID-19, may have COVID-19, or is particularly vulnerable to COVID-19. The self-quarantine must prevent the employee from working. For example, if the employee is still able to telework during self-quarantine, they do not qualify.
- **Experiencing Symptoms** – You are experiencing symptoms of COVID-19 (as identified by the [CDC](#)) and are seeking medical diagnosis. The DOL’s temporary rule states that this sick leave is limited to the time the employee is unable to work because they are taking steps to obtain a medical diagnosis. The rule states an employee may not take paid sick leave to self-quarantine without seeking medical diagnosis. An employee who is awaiting results, but is able to telework, will not generally be eligible for paid sick leave, unless their symptoms prevent them from working. Employees who show symptoms and seek medical advice but are told they do not meet testing criteria and should self-quarantine generally qualify unless they are able to telework.
- **Caring for an Individual Subject to Quarantine** – You are caring for an individual who is subject to a federal, state or local quarantine or isolation order related to COVID-19 or an individual who has been advised by a healthcare provider to self-quarantine due to concerns related to COVID-19.
- **School or Childcare Closures** – You are caring for your child whose school or place of care is closed, or childcare is unavailable, due to COVID-19 related reasons. This leave may be taken to care for your non-disabled child if he or she is under the age of 18, or for a disabled child over 18 who cannot care for him or herself. You may only take paid sick leave or expanded family and medical leave if caring for your child and are unable to work. Generally, only one guardian may take this leave. This leave applies if the physical location of care is closed, even if your child’s school or place of care has moved to online instruction.

- **Substantially-Similar Conditions** – You are experiencing any other substantially-similar condition that may arise, as specified by the Secretary of Health and Human Services. As of April 5, 2020, the U.S. Department of Health and Human Services had not yet identified any substantially similar condition that would allow an employee to take paid sick leave.

**30. How does the FFCRA affect family and medical leave (FMLA) provisions?**

Emergency FMLA provides protections for employees who work for an employer with less than 500 employees and have been employed for at least thirty (30) calendar days (from the date your leave would have begun). The Emergency FMLA Expansion Act is paid leave only when such leave exceeds 10 days. This is only for leave taken because the employee must care for a child whose school or place of care is closed, or childcare is unavailable, due to COVID-19. View more information from the [Department of Labor, Wage and Hours Division](#).

**31. What advance notice or documentation must I provide my employer to use paid leave or expanded FMLA?**

DOL's temporary rule states employers may not require advance notice of leave; notice may only be required after the first workday for which an employee takes FFCRA leave. The notice may be oral. The employee is required to provide the following information to take leave: name, dates requested, qualifying reason for leave, and an oral or written statement that the employee is unable to work because of the qualifying reason for leave. Additional documentation is required depending on which type of leave is requested:

- Isolation/quarantine order – name of government entity issuing the order;
- Self-quarantine order – name of the healthcare provider;
- Seeking medical treatment/diagnosis – name of government entity or healthcare provider;
- School/childcare closure – name of child, name of school/childcare provider, representation that no other suitable person will be caring for the child during the period for which the employee takes leave.
- Your employer may also request an employee to provide additional information needed for them to request tax credits pursuant to the FFCRA.

**32. If I work part-time, can I take advantage of the paid sick leave or expanded FMLA?**

Yes. A part-time employee is entitled to leave for his or her average number of work hours in a two-week period. Your leave hours would be based on the number of hours you would normally be scheduled to work. If your weekly hours vary, your employer may use a month average of hours to determine the average daily hours. A part-time employee may take paid sick leave for this average number of hours per day for up to a two-week period and may take expanded FMLA for the same number of hours per day up to ten weeks after that.

**33. How much will I be paid while taking paid sick leave or expanded family and medical leave?**

If you are taking leave due to quarantine or isolation orders, self-quarantine advisement, or you are experiencing symptoms (defined in #13), you will receive the greater of your regular rate of pay (the average of your regular rate over the prior 6 months), the federal minimum wage, or the application state or local minimum wage. If you are paid with commissions, tips, or piece rates these amounts will be included in the calculation. Under these circumstances, you are entitled to a maximum of \$511 per day, or \$5,110 total over the entire paid sick leave period.

If you are taking paid sick leave because you are caring for an individual subject to quarantine, affected by school closures, or substantially-similar conditions (defined in #13), you are entitled to compensation at 2/3 of the greater of your regular rate of pay, the federal minimum wage, or the application state or local minimum wage. Under these circumstances, you are entitled to a maximum OF \$200 per day, or \$2,000 over the entire two-week period.

If you are taking expanded FMLA, you may take paid sick leave for the first two weeks of that leave period, or you may substitute any accrued vacation leave, personal leave, or medical or sick leave you have under your employer's benefits. For the following ten weeks, you will be paid for your leave at an amount no less than 2/3 of your regular rate of pay for the hours you would be normally scheduled to work.

**34. If my employer is open, but furloughs me or reduces my hours on or after April 1, 2020, can I receive paid sick leave or expanded FMLA?**

No. If your employer furloughs you or reduces your work hours because it does not have enough work for you, you are not entitled to paid sick leave or expanded FMLA. However, you may be eligible for UI benefits. This is because you are not prevented from working those hours due to a COVID-19 qualifying reason, even if your reduction in hours was somehow related to COVID-19.

**35. If I take paid sick leave or expanded FMLA, will my health coverage continue?**

If your employer provides health coverage that you participate in, you are entitled to health coverage during your expanded FMLA on the same terms as if you continued to work. You generally must continue to make any normal contributions to the cost of your health coverage.

**36. What do I do if my employer, who I believe to be covered by the FFCRA, refuses to provide me paid sick leave or expanded FMLA?**

If you believe your employer is covered and is improperly refusing to provide paid sick leave or expanded family and medical leave, you are encouraged to raise and try to resolve your concerns with your employer. You may also contact the Wage and Hours Division at 1-866-4US-WAGE (866-487-9243).

**37. May I take leave under the FMLA over the next 12 months if I use the expanded FMLA?**

It depends. The expanded family and medical leave does not extend the length of leave allowable under FMLA. You may take a total of 12 workweeks of leave during a 12-month period under FMLA, including the Emergency Family and Medical Leave Expansion Act.

California Paid Sick Leave

**38. Can I use California Paid Sick Leave due to COVID-19 illness?**

Yes. If you have paid sick leave available, the employer must provide such leave and compensate you under [California paid sick leave laws](#). Paid sick leave can be used for absences due to illness, the diagnosis, care or treatment of an existing health condition or preventative care for the employee or the employee's family member.

Preventative care may include self-quarantine as a result of potential exposure to COVID-19 if quarantine is recommended by civil authorities. In addition, there may be other situations where you may exercise your right to take paid sick leave, or an employer may allow paid sick leave for

preventative care. For example, where there has been exposure to COVID-19 or where the worker has traveled to a high risk area.

**39. Do food sector workers have additional paid sick leave options due to COVID-19?**

Yes. On April 16, 2020, Governor Newsom issued [Executive Order N-5-20](#) that provides new paid sick leave for employers with 500 or more employees in the United States. Food sector workers are entitled to supplemental paid sick leave related to COVID-19 if they are unable to work due to:

- Federal, State, or local quarantine or isolation order related to COVID-19;
- Is advised by a healthcare provider to self-quarantine or self-isolate due to concerns related to COVID-19; or
- Is prohibited from working by their employer due to health concerns related to the potential transmission of COVID-19.

Food sector workers are entitled to 80 hours of COVID-19 Supplemental Paid Sick Leave if they work full time or has worked or were scheduled to work on average at least 50 hours per week in the two weeks preceding the date the worker took leave. Part-time workers are entitled to the total number of hours normally scheduled to work over a two-week period.

### **Disability or Paid Family Leave Benefits**

The California Employment Development Department (EDD) encourages all individuals to apply for Disability or Paid Family Leave benefits [online](#) for faster processing.

**40. What benefits are available if I'm sick or quarantined and can't work?**

If you're unable to work due to having or being exposed to COVID-19 and if you have the necessary supporting medical documentation (see question #2), you are encouraged to [file a Disability Insurance \(DI\) claim](#). DI provides short-term benefit payments to eligible workers who have a full or partial loss of wages due to a non-work-related illness, injury, or pregnancy. The [Governor's Executive Order](#) waives the one-week unpaid waiting period, so you can collect DI benefits for the first week you are out of work. If you are eligible, the EDD processes and issues payments within a few weeks of receiving a claim. For fastest processing of your claim, have your supporting medical documentation ready. You may also be eligible for DI if you are quarantine and certified by a medical professional or a state or local health officer. If you are not found eligible for DI, you are encouraged to apply for an Unemployment Insurance (UI) claim.

**41. Are there benefits available to me if I'm sick and I'm self-employed or otherwise not covered by the State Disability Insurance (SDI) program?**

You may be eligible for benefits if you pay into Disability Insurance Elective Coverage (DIEC). DIEC is an option for self-employed individuals (such as independent contractors) and employers to apply for coverage under SDI. That includes school district and state employees who are exempt from SDI but can negotiate to participate in the DIEC. For more information, see the Information Sheet: [Elective Coverage for Employers and Self-Employed Individuals \(DE 231EC\) \(PDF\)](#).

**42. What benefits are available if a family member is sick and I have to miss work to care for them?**

If you're unable to work because you are caring for an ill or quarantined family member with COVID-19, you are encouraged to [file a Paid Family Leave \(PFL\) claim](#). PFL provides up to six weeks, this

extends to eight weeks starting July 1, 2020, of benefit payments to [eligible workers](#) who have a full or partial loss of wages because they need time off work to care for a seriously ill family member. For the purposes of PFL coverage, a family member is defined as seriously ill child, parent, parent-in-law, grandparent, grandchild, sibling, spouse, or registered domestic partner. To be eligible for PFL benefits, you must submit certain medical documentation regarding the family member in your care who is either ill or quarantined due to COVID-19.

### Worker Considerations

**43. Can my employer require me to exhaust my paid sick leave?**

Your employer cannot require that you use paid sick leave; that is your choice. If you decide to use paid sick leave, your employer can require that you take a minimum of two hours of paid sick leave. For more information, visit the California Labor Commissioner's Office's [FAQs](#).

**44. Would I be entitled to compensation for reporting to work and being sent home?**

Generally, if an employee reports for their regularly scheduled shift, but is required to work fewer hours or is sent home, they must be compensated for at least two hours of reporting time pay. However, reporting time pay does not apply when operations cannot commence or continue when recommended by civil authorities. The means that reporting time pay does apply under a state of emergency, unless the state of emergency includes a recommendation to cease operations.

**45. If I am an exempt employee, am I entitled to a full week's salary for work interruptions due to a shutdown of operations?**

An employee is exempt if they are paid at least the minimum required salary and meet the other qualifications for exemptions. Federal regulations require that employers pay an exempt employee performing any work during a week their full weekly salary if they do not work the full week because the employer failed to make work available. An exempt employee who performs no work at all during a week may have their weekly salary reduced. For more information, visit the California Labor Commissioner's Office's [FAQs](#).

**46. May employers send employees home if they show symptoms of COVID-19?**

Your employer may enact policies or procedures to send you home if you show symptoms of COVID-19. Your company policies on sick leave, and any applicable employment contracts or collective bargaining agreements would determine whether it is your employer's policy and whether or not you are eligible for paid leave. If the leave qualifies as FMLA-protected leave, the statute allows the employee to elect or the employer to require the substitution of paid sick and paid vacation/personal leave in some circumstances.

**47. May my employer require me when I am out sick with COVID-19 to provide a doctor's note, submit to a medical exam, or remain symptom-free for a specified amount of time before returning to work?**

Yes. During a pandemic health crisis, under the Americans with Disabilities Act (ADA), an employer would be allowed to require a doctor's note, a medical examination, or a time period during which the employee has been symptom free, before it allows the employee to return to work. Specifically, an employer may require the above actions of an employee where it has a reasonable belief – based on objective evidence – that the employee's present medical condition would

- impair his ability to perform **essential job functions** (i.e., fundamental job duties) with or without reasonable accommodation, or,
- pose a **direct threat** (i.e., significant risk of substantial harm that cannot be reduced or eliminated by reasonable accommodation) to safety in the workplace.

**48. Is my employer required to cover me under Workers' Compensation insurance if I am sick with COVID-19?**

Yes. Governor Newsom signed [Executive Order](#) on May 6, 2020 that provides Workers' Compensation Benefits for workers who contract COVID-19 during the Stay at Home Order. The Order creates a time-limited rebuttable presumption for accessing workers' compensation benefits applicable to Californians who must work outside of their homes during the stay at home order. Eligible workers are those who tested positive for COVID-19 or were diagnosed with COVID-19 and confirmed by a positive test within 14 days of performing a labor or service at a place of work after the stay at home order was issued on March 19, 2020. The presumption will stay in place until July 6, 2020.

**Other Resources and Information**

**49. What other services can the Workforce Board provide to me to help me during COVID-19?**

The WDB operates federally funded Workforce Innovation and Opportunity Act (WIOA) programs that can support you during this time. Intensive services require enrollment into WIOA and can include career coaching, wrap-around services to provide financial assistance during Shelter at Home, and connection to temporary employment. To sign up for services, complete our [interest survey](#). [Jobs hiring now](#) can also be found on the WDB's website.