



# Unemployment Compensation in the CARES Act

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LORENDA CHRISTENSEN

BERRYHILL CONSULTING LLC

# Relief for Workers Affected by Coronavirus Act

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- Expands existing unemployment programs to individuals not previously covered, including:
  - Self Employed
  - Independent Contractors (1099 Employees)
  - Those with Limited Work history
- State Unemployment Benefits will be increased by \$600/week for up to four months
- Oklahoma is waiving the typical one-week waiting period for unemployment

# Do I Qualify?

## - You Qualify if

- You are not currently being paid by an employer
- You have the ability to work (not on disability pay)
- You are not able to work due to being diagnosed with COVID-19
- You have symptoms of COVID-19 (presumptive diagnosis)
- A family member is diagnosed with COVID
- You have a child for whom you must provide care to because your childcare is unavailable due to COVID-19
- You are self employed and have experienced a pay shortage due to COVID-19

## - You DO NOT Qualify if

- You are able to work from home for pay
- You are receiving payments from your employer while you are at home

# Oklahoma's “Normal” Unemployment Rules

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- You can't be self-employed or an independent contractor (1099 worker)
- There is a 1 week waiting period before you start to receive benefits
- You can receive unemployment benefits for 26 weeks max
- You must have been laid off, and not fired for cause/misconduct.
- If you quit the job (rather than your employer laying you off), you likely do not qualify. (There are exceptions, but they are not likely).
- You must register for work with OKJobMatch (an employment resource that matches you with potential new employers)
- You must attempt to find a new job (and keep a record of your job search to prove you are actively looking for new work – at least 2 per week)
- You qualify for benefits if you earned a minimum of \$1,500 during your base period and your total wages of 1.5xs your high quarter.
- Amount you receive is 1/23<sup>rd</sup> of the highest quarter of taxable wages in your base period, subject to a benefit cap of \$539/week
- Taxable wages include bonus, vacation, sick, commissions, overtime, and regular pay.

Example: For January – December of 2019, you made a total of \$40,000.

Jan-March you made \$5000

April-June you made \$5,000

July-Sept you made \$15,000

Oct – Dec you made \$15,000

Your highest quarters were Jul-Sept and Oct-Dec, so we use \$15,000 for your calc.

Math Alert!  $(15,000 / 23) = \$652.17$ . Since this is higher than the \$539/week cap, you would get \$539/week

# What's a “Base Period”?

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Your base period is defined as “the twelve (12) month period consisting of the first four (4) of the last five (5) completed calendar quarters before the effective date of your claim.

- If you file between Jan-Mar 2020, your base period would be October 1, 2018 to September 30, 2019.
- Between April-June 2020, your base period would be Jan 1 to Dec 31 of 2019
- Between July–September 2020, your base period is April 1, 2019 to March 31, 2020
- Between October December 2020, your base period is July 2019 to June 2020.

For purposes of this presentation, we're going to assume you're filing in April, so your base period will be January – December 2019.

# Oklahoma's "COVID-19" Expanded Unemployment Rules

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- You CAN be self-employed or an independent contractor (1099 worker)
- You can be a furloughed employee
- You can collect unemployment if you quit your job, as long as it's "a direct result of COVID-19"
- You must self-certify that you are unable to work due to "the rona" (they are trying to make sure you don't just quit your job because you can make more being unemployed)
- You can receive benefits up to 39 weeks (instead of 26)
- You will receive an additional \$600/week on top of your calculated unemployment for up to 4 months
- You do not have to report your work searches
- There is no longer a 1 week waiting period
- You do not have to have at least 6 months of work history

# Important Thing We Don't Know

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- For traditional employees, you are able to prove your earnings history because your employer is required to file reports with your earnings information. However, for self-employed, independent contractors, etc, there is no such record. There has not yet been any information provided by the State on how they plan on validating your earnings. Right now, our best guess is they will use your prior year tax returns or your 1099s to determine income. (So if you haven't filed, you need to do so). Our advice: start gathering any records you can that will prove income, especially if you have a significant amount of earnings for which you did not receive a 1099 for. And if you haven't filed your income taxes for 2018 or 2019, we highly recommend you do so ASAP.

# Pretty Sure I Qualify – What do I do?

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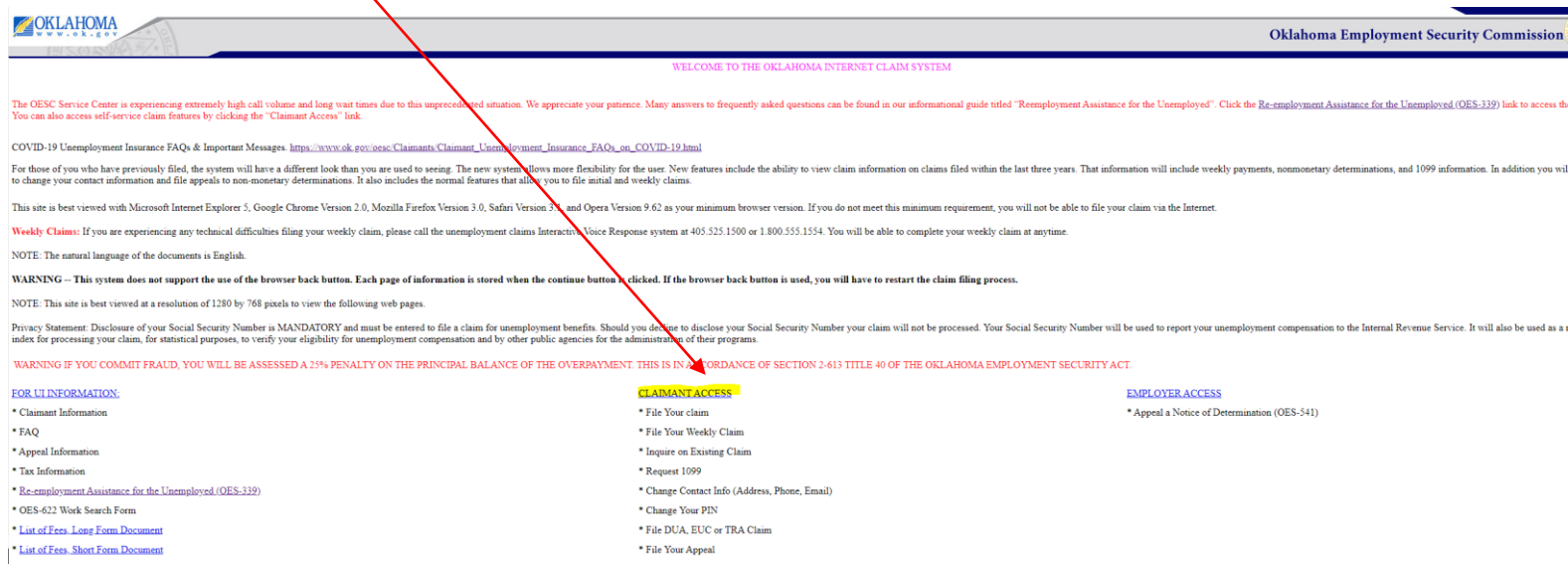
- You will be asked for the following information
  - Your name
  - Your mailing address
  - Your telephone number
  - Email address (not required)
  - Your Tax ID/Social Security Number
  - If you served in the military within the last 18 months, your DD Form 214
  - If you were employed by the Federal Government within the last 18 months, your SF8 or SF 50
  - Your State Issued ID Card or Driver's License
  - Information on your last employer (if traditionally employed) – Company Name, Company mailing address, Reason for separation/termination, the dates you were employed, and how much you earned. A pay stub will generally contain all of this information



# Pretty Sure I Qualify – What do I do?

You can apply online

- Go to <https://unemployment.state.ok.us/>
- Click “Claimant Access” and follow the instructions.



The screenshot shows the Oklahoma Employment Security Commission website. At the top, there is a header with the Oklahoma state logo and the text "Oklahoma Employment Security Commission". Below the header, a pink banner reads "WELCOME TO THE OKLAHOMA INTERNET CLAIM SYSTEM". The main content area contains several paragraphs of text, including a notice about high call volume, COVID-19 FAQs, and browser requirements. At the bottom, there are three columns of links. The middle column, titled "CLAIMANT ACCESS", is highlighted with a yellow background and a red arrow pointing to it from the text "Click 'Claimant Access'" in the instructions above. The other two columns are titled "FOR UI INFORMATION:" and "EMPLOYER ACCESS".

**FOR UI INFORMATION:**

- \* Claimant Information
- \* FAQ
- \* Appeal Information
- \* Tax Information
- \* [Re-employment Assistance for the Unemployed \(OES-339\)](#)
- \* OES-622 Work Search Form
- \* [List of Fees - Long Form Document](#)
- \* [List of Fees - Short Form Document](#)

**CLAIMANT ACCESS**

- \* File Your claim
- \* File Your Weekly Claim
- \* Inquire on Existing Claim
- \* Request 1099
- \* Change Contact Info (Address, Phone, Email)
- \* Change Your PIN
- \* File DUA, EUC or TRA Claim
- \* File Your Appeal

**EMPLOYER ACCESS**

- \* Appeal a Notice of Determination (OES-541)

# Have Questions? Contact the OESC

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[https://www.ok.gov/oesc/Claimants/Claimant\\_Unemployment\\_Insurance\\_FAQs\\_on\\_COVID-19.html](https://www.ok.gov/oesc/Claimants/Claimant_Unemployment_Insurance_FAQs_on_COVID-19.html)

## Office Closures:

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In an effort to protect the safety and well-being of our employees the Oklahoma Employment Security Commission has made the difficult decision to close public access to all OESC State Administrative Offices and Local Oklahoma Works American Job Centers. OESC staff are working remotely to maintain and provide essential services. We encourage all customers to use the online tools available below. We ask for your patience as we strive to serve our fellow Oklahomans as well as keeping our employees safe.

## Claimants or Job Seekers:

- **Claimant FAQs Related to COVID-19 Pandemic**
- If you need to file a claim, go to <https://unemployment.state.ok.us>
- If you need to speak to an unemployment claim representative call **1-800-555-1554**
- **Good News!** Governor Stitt has amended Executive Order 2020-07 to include suspension of the required one week waiting period in order for unemployment insurance benefits to be paid to qualified claimants
- If you need to register for work, go to <https://okjobmatch.com>
- If you need to report to an office and show identification, you must send us two forms of identification (one government issued photo-ID and another document such as Social Security Card, school ID card, birth certificate, or voter's ID card), by email to [IDVerification@oesc.state.ok.us](mailto:IDVerification@oesc.state.ok.us) or fax them to 405-962-7524 or mail them to:

Oklahoma Employment Security Commission  
PO Box 52006  
Oklahoma City, OK 73152-2006

- All group sessions have been cancelled for the duration of the COVID-19 pandemic. If you were previously scheduled for a group session, you no longer need to report to the job center.
- If you have a question regarding a questionnaire you received, call the number listed on the questionnaire

# Need One-on-One Help?

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You are welcome to contact Lorenda ([Lorenda@berryhillconsulting.com](mailto:Lorenda@berryhillconsulting.com)) if you have any specific questions, and we will do our very best to help.

Since this bill just passed into law on March 27<sup>th</sup>, there are many details of this process that have not been ironed out yet, but we are working with various organizations to get the details, and will be sharing these as we can on our website ([www.berryhillconsulting.com](http://www.berryhillconsulting.com)) as well as our Facebook Page (<https://www.facebook.com/berryhillconsulting>).

Please mention in your email that you were referred by Red Dirt Relief Fund, and we will waive any fees related to our services. Oklahoma Musicians are very important to us, and we want to make sure y'all are taken care of. This offer also applies to small businesses who work in the music community.

We certainly don't know everything, but we'll do our best to find someone who does, and put you in touch. Hang in there.