

## Considerations for Employers After the End of Federal Pandemic Unemployment Compensation

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**08.12.2020**

As of July 31, 2020, individuals collecting unemployment benefits no longer receive an extra \$600 per week in Federal Pandemic Unemployment Compensation (FPUC). Without this extra benefit, most individuals will receive less than half their former weekly income in unemployment benefits (47% in Illinois). With FPUC expiring, employees who initially refused a recall offer or an offer of employment to continue collecting extra unemployment benefits may consider returning to work.

Employers should prepare for job status inquiries from furloughed or laid off employees who initially refused a recall offer or an offer of reemployment. It is important to ask these employees why they refused to return to work and why they want to return to work now. Employees who refused to return to work because they wanted to continue to collect federal and state unemployment benefits may be ineligible for these benefits under both federal and state law. Although these employees' reasons for refusing to return to work may disqualify them from unemployment benefits, they may have had additional legitimate reasons to stay away from work.

If you are an Illinois employer and your furloughed or laid off employee(s) have refused a recall offer and/or an offer of reemployment, you may notify the Illinois Department of Employment Security (IDES) by filling out and submitting this form. The IDES will evaluate the employee(s) continued eligibility for unemployment benefits.

### Practice Areas

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This may not be the end for additional federal unemployment benefits due to COVID-19. While competing bills were pending in Congress, each including some form of additional unemployment benefit assistance, this past weekend, President Trump issued a number of Executive Orders, one of which provides \$400 weekly unemployment benefits. Questions have been raised regarding the President's authority to issue such Orders and it remains unclear how such benefits will be administered.