

Indiana Unemployment Insurance

EMPLOYER FREQUENTLY ASKED QUESTIONS for COVID-19 work-related issues

Updated September 13, 2021

Q1. If I lay people off due to COVID-19, will it affect my Merit rate / tax rate next year?

A1. Contributory employers are not charged for separations between March 13, 2020 and 10/31/2020 at the individual employer account level. DWD has relieved all charges to date for the relevant period. Relief of charges is reflected on the November Statement of Benefit Charges available via ESS. DWD will provide relief to employers using the same method prior to the 2022 rate assessment. Any separations charged to employers for benefit weeks ending between March 13, 2020 and June 30, 2021 will be credited back to the employer's experience balance account before the 2022 rate assessments are calculated. Calendar year 2020 relieved charges may be mutualized for calendar year 2022 rating purposes. Calendar year 2021 relieved charges may be mutualized for calendar year 2023 rating purposes. For additional information on mutualized charges, please see the Employer Handbook.

Q2. If I have elected to make payments in lieu of contribution (reimbursable employer), will COVID related unemployment be charged to me?

A2. Through the CARES Act and subsequent amendments, charges will be reimbursed at the percentages and for the time frames set out below. 50% reimbursement applies to all payments made in lieu of contributions for weeks of unemployment beginning on or after March 13, 2020 and ending on or before March 31, 2021, even if the unemployed individual is not unemployed as a result of COVID-19. 75% reimbursement applies to all payments made in lieu of contributions for weeks of unemployment beginning after March 31, 2021 and ending on or before July 31, 2021¹, even if the unemployed individual is not unemployed as a result of COVID-19. In Indiana, this begins with the week ending on April 10, 2021. See USDOL UIPL 1820, Attachment II for examples demonstrating the practical effects of such emergency relief to reimbursing employers. [American Rescue Plan Act of 2021 \(ARPA\) – Amendments to the Emergency Unemployment Relief for State and Local Governmental Entities, Certain Nonprofit Organizations, and Federally-Recognized Indian Tribes \(doleta.gov\)](#)

Q3. How will the federal reimbursement work for employers that elected to make payments in lieu of contribution (i.e. are reimbursing)?

A3. **Reimbursable credits for the federal reimbursements described in Q2 were reconciled and posted to employer accounts as payment credit between 8/16/2021 and 8/30/2021. The effective date of the credit is August 2020 because the change from 50% payment reimbursement to 50% charge credit was made in August 2020. Using this effective date for the payment credit eliminates all interest or penalty associated to underpayment by employers in expectation of the credits. Most reimbursable employers received credit invoices for September 2021 displayed as a negative amount due. Credits can be refunded for up to four years from the original assessment date. After four years, any remaining credits on the account will revert to the trust fund and will no longer be eligible for refund.**

Q4. Is the one-week waiting period for UI benefits being waived?

¹ On July 1, 2021, Indiana ended participation in this CARES Act program, referred to as the Emergency Unemployment Relief for Governmental Entities and Nonprofit Organizations (See Cares Act, section 2103), effective July 31, 2021.

A4. The waiting week was waived in Indiana by executive order for benefit weeks beginning between 03/26/2020 and 08/30/2021.

Q5. Can I receive and respond to UI claims electronically?

A5. Yes. For additional information about the DWD SIDES E-Response program, go to <https://www.in.gov/dwd/sides.htm>.

Q6. How can an employer file an appeal if they do not have access to a fax machine?

A6. If you receive a base period separation notice, 640R, and the workers are applying for UI benefits due to a COVID-19 layoff, you do not need to respond. Only complete and return the Unemployment Insurance Protest (Employer) form, 640P, if the reason for separation is Quit or Discharged for Cause. If you cannot fax any required 640P, you may mail the form to:

Indiana Department of Workforce Development
10 North Senate Ave. SE 005
Attn: 640P
Indianapolis, IN 46204

If you are responding to a Determination of Eligibility and you do not have access to a fax machine, you may file an appeal by mailing your appeal to:

Indiana Department of Workforce Development
10 North Senate Ave. Attn: Appeals Department
Indianapolis, IN 46204

For more information on filing your appeal, please go to the Indiana DWD website <https://www.in.gov/dwd/2356.htm>

Q7. Do I have to provide information on unemployment insurance to my employees prior to lay off or separation from employment?

A7. Yes, you have a legal obligation to provide unemployment insurance benefits information prior to layoff or separation from employment. This notice can be provided to your employees as a letter, email, text message, or flyer/poster. DWD is asking for assistance from employers. If you have the means to assist your employees by allowing them to file from a computer from your business, please assist as you can. Any assistance you can provide in getting these important benefits to your employees is greatly appreciated.

Below is approved language:

Unemployment Insurance (UI) benefits are available to workers who are unemployed and who meet the requirements of state UI eligibility laws. You may file a UI claim in the first week that employment stops or work hours are reduced.

For assistance or more information about filing a UI claim or questions about the status of your

UI claim once filed, visit www.Unemployment.IN.gov. You will need to provide the state UI agency with the following information in order for the state to process your claim:

- A valid email account – your email address will become your Uplink Username.
- Driver's license or valid ID, address, Social Security number, date of birth and phone number.
- Last employer's name, mailing address, phone number, dates of employment and reason you are unemployed.
- Bank routing number and account number if choosing direct deposit as your payment option (NOTE: Key2Benefits prepaid MasterCard® is also available).

Q8. I laid off employees due to COVID-19, and they are collecting unemployment insurance benefits. If I recall those employees and they refuse to return to work, can I report this to DWD?

A8. Yes, employers can complete the Notice of Work Recall Refusal (Employer), State Form 56951, found at this link: Unemployment.IN.gov. DWD will then evaluate the reasons for refusal and make a determination on continued eligibility for unemployment insurance benefits.