

## COVID-19 Resuming Business Operations Frequently Asked Questions

The state has taken emergency measures to slow the spread of COVID-19, resulting in many temporary business closures. As more business operations start to resume in Oregon, situations may occur where workers either cannot or do not return to work. If this occurs, employees may still be eligible for unemployment benefits if they turn down an offer of suitable work due to COVID-19 related reasons as defined in our temporary [rules](#).

If you become aware of someone who has intentionally misrepresented or omitted information to get unemployment benefits for which they were not entitled, [please notify](#) the Employment Department. Benefits fraud requires repayment of benefits, including monetary and other penalties, and may be subject to prosecution.

### **What are the situations where an employee can continue claiming unemployment benefits if they do not return when called back to work?**

They may still be eligible for unemployment benefits if:

- Ill with COVID-19
- Potentially exposed to COVID-19 and subjected to a mandatory quarantine period
- Staying home to care for a family member, or other person they live with or who they provide care for, who is suffering from COVID-19 or subject to mandatory quarantine
- Unable to work because they have to stay home to care for a child due to the closure of schools, child care providers, or similar facilities due to COVID-19
- Asked to work when it would require them to act in violation of a mandatory quarantine or government directive
- Unable to work because they have been advised by their health care provider or by advice issued by public health officials to self-quarantine due to possible risk of exposure to or spread of COVID-19

### **I received a loan through the Paycheck Protection Program but I am having trouble getting all of my employees to come back to work. What do I do?**

The Employment Department is unable to advise people about the Paycheck Protection Program. Please contact the Small Business Administration for guidance at [sba.gov](https://www.sba.gov).

### **I have called my staff back to work, however, some are choosing not to return because they are financially better off receiving Unemployment Insurance (UI) benefits. What do I do?**

If someone chooses to stay home from work after they've been called back, and none of the situations where they can continue to claim benefits (outlined above) apply to them, they would not be considered eligible for unemployment benefits.

Employers can report here when an employee does not accept suitable work without having a good reason for refusing. Please subscribe to updates on our main COVID-19 page for automatic notification when the reporting tool for this becomes available.

If it is found that the person did not return to work solely because they wanted to receive UI benefits, they would be required to pay back all benefits received and may be subject to other penalties or prosecution.

### **I called my employees back to work but some are refusing because the worksite can't provide six feet of physical distancing. Can they continue receiving unemployment benefits?**

Generally speaking, yes. If a worksite cannot follow social distancing [guidelines issued](#) by government or public health officials, the employee may continue claiming benefits each week.

**I have called my staff back to work but some are choosing not to return because they are scared.**

As long as your workplace can follow social distancing [guidelines issued](#) by government or public health officials, and a situation outlined above where they can continue receiving benefits does not apply, they are considered able to work. Choosing not to return to work would affect their unemployment benefit eligibility.

**I have called my staff back to work, but one person is sick with COVID-19 and the other is in quarantine. Are they eligible to continue for unemployment benefits?**

Yes. A person sick with COVID-19 or in quarantine is eligible for benefits if they have been advised by their health care provider or by advice issued by public officials to self-quarantine due to possible risk of exposure to, or spread of, COVID-19.

**I have called staff to return to work but some are choosing not to return because they are afraid they will be exposed to COVID-19 even though the worksite follows current government and public health guidelines. What do I do?**

As long as the work site can meet government and public health guidelines, and a situation (outlined above) where an employee can continue claiming benefits does not apply, employees are considered able to work and no longer eligible for benefits.

**If I call my employees back to work and the Stay Home, Save Lives orders consider my business non-essential, can my employees get unemployment insurance benefits if they refuse to return to work?**

Yes. Workers do not give up their eligibility for unemployment insurance for not going to work if doing so would violate government or public health [orders](#).

If you become aware of someone who has intentionally misrepresented or omitted information to get unemployment benefits for which they were not entitled, please notify our department immediately. Benefits fraud requires repayment of benefits, including monetary and other penalties, and may be subject to prosecution.