

There were many questions about providing health benefits to employees during this time. For most employer-sponsored plans, employees can continue to stay on employer-sponsored health insurance while on an unemployment program.

This would fall under “NON-FMLA leave of absence”. It is a provision that would allow accommodations in this regard. Employers can self-manage/determine how they implement, but it would allow employers to decide to maintain eligibility. There also needs to be at least one active employee in the business at all times (which can be the owner). Most employer-sponsored programs can continue to cover employees. Most employer plans (including Business Health Trust) have non-FMLA Leave of Absence. This means, that employees can still participate and that employers have discretion in this.

Check with your broker or health plan if you have more questions. Note the provision below:

***NON-FMLA LEAVE OF ABSENCE***

Coverage for an employee and enrolled dependent(s) may be continued for up to 90 days when the employer grants the employee a leave of absence and full premium rates continue to be paid. The 90-day leave of absence period counts towards the maximum COBRA continuation period, except as prohibited during the FMLA (Family and Medical Leave Act of 1993). For LTD, coverage ends as of the date of the next month in which the leave of absence begins.

**Denials & Standby**

Denials that went out for standby based on part-time status and/or because they requested more than 4 weeks will be corrected by ESD automatically. Please encourage employees to continue to apply weekly. All programs require weekly filing.

All Unemployment programs require 680 hours in the [base year](#).

**Standby:** Employees normally part-time or full-time working under 16 hours per week may qualify for Standby. Common separation reason is “laid off” (even if temporary due to closure/reduction in hours).

Under the emergency rules:

- Part-time employees may participate
- Up to 12 weeks
- Do not need to actively seek work if on approved standby.

*Please note: that the ESD system has errors currently and they are working to fix this. Please continue to file.*

*If return to work dates need to be updated, the employee can request in their eservices account or by contacting the claims center. Due to high volumes, web pages are very slow. (See screen shots attached).*

**Partial Employment:** Employers who need to keep operating on a less-than-full time basis can request status known as “Partial” for their employees; work search while on unemployment is waived if employees are hired to work full-time, employees return to at least 1 week of full time employment within a 4 month period, employees work a minimum of 16 hours per week during Partial Employment. Employees need to claim weekly.

**Shared Work Video:** Shared work must be applied for by the employer (they need to have a work plan) and employees can not drop below 50% employment. Shared work is for permanently hourly employees with a minimum of 2 permanent employees in the SharedWork plan. Employees are not required to look for work during this time. Employees need to claim weekly.

**Resources:**

The below websites have information on the type of benefit programs and common questions (about existing claims, eligibility,

[Guide for Employees](#)

[Easy To Read Guide of Scenarios](#)

[User Guide for Employers](#) (including how to manage claims, apply for shared work and other programs)

For specific employer-questions, please direct inquiries to: [SystemPolicy@esd.wa.gov](mailto:SystemPolicy@esd.wa.gov).