Minnesota amends UI requirements in response to COVID-19

The State of Minnesota has enacted legislation pertaining to the COVID-19 pandemic as follows:

Suitable employment. Notwithstanding the definition of "suitable employment" provided in the Minnesota Statutes, for an applicant applying for unemployment insurance benefits between March 1, 2020, and December 31, 2020, employment is not suitable if: (1) the employment puts the health and safety of the applicant at risk due to potential exposure of the applicant to COVID-19; or (2) the employment puts the health and safety of other workers and the general public at risk due to potential exposure of the other workers and the general public to COVID-19.

Temporary suspension of one-week waiting period. The one-week nonpayable waiting period to receive unemployment benefits is waived for applicants for unemployment insurance benefit accounts established between March 1, 2020, and December 31, 2020.

Temporary suspension of five-week business owner benefit limitation. The five-week limitation for receipt of unemployment benefits for business owners is suspended for applicants for unemployment insurance benefit accounts established between March 1, 2020, and December 31, 2020.

Leave of absence due to COVID-19. For an applicant applying for an unemployment insurance benefits account established between March 1, 2020, and December 31, 2020, a leave of absence is presumed to be an involuntary leave of absence and not disqualifying if: (1) a determination has been made by health authorities or by a health care professional that the presence of the applicant in the workplace would jeopardize the health of others, whether or not the applicant has actually contracted a communicable disease; (2) a quarantine or isolation order has been issued to the applicant pursuant to statute; (3) there is a recommendation from health authorities or from a health care professional that the applicant should self-isolate or self-quarantine due to elevated risk from COVID-19 due to being immunocompromised; (4) the applicant has been instructed by the applicant's employer not to come to the employer's place of business due to an outbreak of a communicable disease; or (5) the applicant has received a notification from a school district, day care, or other child care provider that either (i) classes are canceled, or (ii) the applicant's ordinary child care is

unavailable, provided that the applicant made reasonable effort to obtain other child care and requested time off or other accommodation from the employer and no reasonable accommodation was available.

Computation of future tax rate; effect of payment from trust fund. Unemployment insurance benefits paid as a result of an applicant not being able to work directly or indirectly as a result of the COVID-19 pandemic will not be used in computing the future unemployment insurance tax rate of a taxpaying employer. This section expires December 31, 2020.

These provisions take effect retroactively to March 1, 2020 (H. 4531, Ch. 71, L. 2020, enacted March 28, 2020). See Minn. ¶1905.