



# NJ WORKERS: FREQUENTLY ASKED QUESTIONS DURING THE CORONAVIRUS EMERGENCY

## Unemployment Insurance: relief for workers impacted by COVID-19

### 1. My work has been negatively impacted because of coronavirus. Can the CARES Act, the new federal law, help me?

Most likely yes. The [new law](#) that was signed March 27th can provide assistance to many NJ workers impacted by COVID-19. Under the law, there are three types of assistance:

- **Pandemic Unemployment Assistance:** expands eligibility for individuals who are typically ineligible for Unemployment benefits, for example independent contractors, and self-employed and “gig” workers.
- **Pandemic Unemployment Compensation:** provides an additional \$600 per week, on top of regular benefits, to all recipients of Unemployment Insurance; retroactive to the week ending April 4, 2020.
- **Pandemic Emergency Unemployment Compensation:** provides an additional 13 weeks of Unemployment benefits to all recipients.

### 2. What kind of coronavirus scenarios would qualify me for help under Pandemic Unemployment Assistance?

A NJ worker experiencing any of the following COVID-19 scenarios would likely be eligible for Pandemic Unemployment Assistance:

- ✓ diagnosed with COVID-19 or experiencing symptoms and seeking medical diagnosis (*please note, NJ is currently awaiting specific guidance from USDOL on this scenario*)
- ✓ member of the individual’s household diagnosed with COVID-19
- ✓ providing care for family member or member of household who has been diagnosed with COVID-19
- ✓ individual is primary caregiver for child or family member unable to attend school or another facility closed due to COVID-19
- ✓ unable to reach place of employment due to an imposed quarantine or because advised by medical provider to self-quarantine due to COVID-19
- ✓ was scheduled to commence employment and does not have a job or is unable to reach the job due to COVID-19
- ✓ became breadwinner because the head of household has died from COVID-19

- ✓ quit his or her job as a direct result of COVID-19
- ✓ place of employment is closed due to the COVID-19 public health emergency
- ✓ self-employed / independent contractors / 1099 filers / farmers - and impacted by COVID-19
- ✓ seeking part-time employment but impacted by COVID-19
- ✓ does not have sufficient work history and impacted by COVID-19
- ✓ otherwise not qualified for regular or extended Unemployment benefits and impacted by COVID-19  
(please note, NJ is currently awaiting specific guidance from USDOL on this scenario)
- ✓ exhausted all benefits under regular Unemployment and impacted by COVID-19 (but if combined UI and extended benefits reach 39 weeks, no additional benefits are currently available)

### **3. I'm a gig worker/freelancer/independent contractor and I have no work or I lost hours due to the coronavirus emergency. Am I eligible for Unemployment under the CARES Act?**

You may be eligible for unemployment and should apply online at [myunemployment.nj.gov](https://myunemployment.nj.gov). See our FAQs on "Unemployment: applying, certifying for benefits" for helpful tips. If you are denied, you can always file an appeal, which takes time. If denied, you are also likely eligible for benefits under Pandemic Unemployment Assistance since ineligibility for regular unemployment is a prerequisite for receiving benefits due to COVID-19. In this case you will need to gather the last two years of your tax returns or other evidence of income history, which will be necessary for processing your claim once the federal rules are established. The Pandemic Unemployment Assistance benefits can be paid retroactively for periods of unemployment, beginning on or after January 27, 2020. Additional details will be posted online as they become available.

### **4. I've been receiving Unemployment due to the coronavirus emergency and I heard that the CARES Act will provide an additional \$600 per week, and an additional 13 weeks of benefits. Do I have to do anything to receive these enhanced benefits?**

You do not have to do anything except continue to certify weekly. We are working hard to implement these new changes, which are available under Pandemic Unemployment Compensation. We fully intend to begin issuing this compensation the end of the week of April 4th, 2020. The \$600 will be a separate payment from your usual Unemployment benefits and will be retroactive to the week ending April 4th, 2020.

### **5. I'm worried my Unemployment benefits are about to run out. Will there be an extension due to coronavirus? Do I have to do anything to receive this extension?**

Yes, under the CARES Act, you are likely eligible for an additional 13 weeks of benefits provided by Pandemic Emergency Unemployment Compensation. Claimants that are eligible for extended benefits will be notified on how to claim these benefits. There is no action required on your part right now; please look for further information in your mail or email.

### **6. What if I don't have enough work history to qualify for benefits or I was just laid off from a new job – will I qualify for Unemployment benefits?**

You are likely eligible under Pandemic Unemployment Assistance. These benefits can be paid retroactively for periods of unemployment, beginning on or after January 27, 2020. See our FAQs below on "Unemployment: applying, certifying for benefits" for helpful tips, and apply online at [myunemployment.nj.gov](https://myunemployment.nj.gov). Additional details will be posted online as they become available.

## 7. What if I was just about to start a new job and now I can't get there due to coronavirus?

You are likely eligible under Pandemic Unemployment Assistance but it will depend on your individual circumstances. These benefits can be paid retroactively for periods of unemployment, beginning on or after January 27, 2020. See our FAQs on "Unemployment: applying, certifying for benefits" for helpful tips, and apply online at [myunemployment.nj.gov](https://myunemployment.nj.gov). Additional details will be posted online as they become available.

## 8. I've already exhausted my Unemployment benefits. Am I eligible under the CARES Act?

Yes, if you exhausted your Unemployment benefits, you are likely eligible for 13 additional weeks under Pandemic Unemployment Compensation. However, we are awaiting federal guidance on the specifics of the 13-week extension of unemployment benefits. Please check back frequently for updates.

## 9. I seem to be eligible for both Unemployment and NJ Temporary Disability/Family Leave Insurance due to coronavirus circumstances. What should I do?

The [CARES Act](#) signed March 27th can provide assistance to many NJ workers impacted by COVID-19 and has expanded Unemployment benefits, making it the optimal choice for many who cannot work due to coronavirus-related circumstances. Please note that you cannot receive benefits from these programs at the same time. Read these FAQs, including #2, and "Unemployment: applying, certifying for benefits" for helpful tips, and apply online at [myunemployment.nj.gov](https://myunemployment.nj.gov).

See additional Unemployment FAQs at [myunemployment.nj.gov](https://myunemployment.nj.gov).

# Unemployment Insurance: applying, certifying for benefits

## 10. Should I apply for Unemployment?

First visit [nj.gov/labor](https://nj.gov/labor) and read about our laws and programs, including Earned Sick Leave, Temporary Disability, and Family Leave. There are helpful guides that you can download and print. NJ Earned Sick Leave, emergency federal paid sick and emergency FMLA childcare leave are paid by your employer directly. Unemployment, Temporary Disability and Family Leave benefits require an application to the State of NJ. Be sure you apply for the program that best fits your situation - applying for the wrong one could cause delays. Please do not apply if you continue to be working your normal hours.

## 11. I'm having web and/or phone issues with the Unemployment system. What's going on?

NJ's Unemployment Insurance system is experiencing record levels of demand due to coronavirus and all in-person services statewide are currently closed due to the virus. Some people cannot get through online or on the phone. We understand your anxiety and frustration, and we apologize. We're working diligently to serve all our customers and ask for your patience. Please keep trying. We're committed to ensuring that everyone receives their benefits during this crisis.

## 12. Do you have any tips on applying for Unemployment?

- Applying online at [myunemployment.nj.gov](https://myunemployment.nj.gov) is fastest and we recommend filing in the evening or early in the morning.
- If there are glitches in DOL's systems, keep trying.
- Please note that it's not possible to save your online application and return to it; you must complete it and submit it all at once.
- Once you've submitted your application, you will receive a confirmation number at the end of your application; please record this. You will receive email instructions on how and when to claim benefits. If you don't receive an email, you must phone the call center (see numbers below).

### **13. How does the timing of my filing work?**

All claims have a start date of the Sunday of the week in which the worker files the unemployment application, so there is no rush to file on the day you cannot work. As long as you file by Saturday at 11:59 pm, you will receive credit back to the previous Sunday. If your last day of work is a Friday or Saturday, and you worked the full week, please wait to file until after Sunday. Otherwise, you may inadvertently file for a week when you actually worked.

### **14. I don't want to apply for Unemployment until my questions are answered. How can I get help?**

If you need specific questions answered before you apply, please first review these FAQs and the webpages listed. You can try to reach our Unemployment program on the phone. We're experiencing record high call volume but we're working diligently to serve all our customers and ask for your patience.

- **North Jersey:** 201-601-4100
- **Central Jersey:** 732-761-2020
- **Southern Jersey:** 856-507-2340

### **15. I've been approved for Unemployment. Now what?**

With so many people filing for Unemployment for the first time, some folks have questions about the procedure for telling the State that you remain under- or unemployed, also known as "certifying for weekly benefits." Please visit [myunemployment.nj.gov](https://myunemployment.nj.gov) and read our guide and schedule for certifying.

Due to high volume, we're taking steps to ensure the stability of our online application. Each week you certify, check this link below to review the Social Security Number-based schedule to claim weekly benefits.

<https://myunemployment.nj.gov/labor/myunemployment/schedule.shtml>

***Regardless of the time you claim your benefit, your request for payment will be processed overnight.***

## 16. How much will my benefits be?

Unemployment benefits provide 60% of average wages, with a maximum of \$713 per week, plus an additional \$600 per week through July due to the CARES Act.

## 17. How long will it take to get my Unemployment benefits?

It's hard to give an estimate because the time to process a claim depends on many factors. Please note the following: (1) be sure you file for the right benefit program (see [nj.gov/labor](http://nj.gov/labor) for information on employer-provided paid leave and other state benefits); (2) filing online is the fastest; (3) provide all required information; (4) the system is experiencing record-high levels of demand. We understand that this can be extremely challenging for many New Jerseyans. We are working as quickly as we can to process claims. You will not lose a day's benefits as all claims will be backdated to your first day of employment loss. Visit [covid19.nj.gov](http://covid19.nj.gov) to locate services that can help you and your family at this time.

## 18. I work in New Jersey but I live in a different state and I need to apply for Unemployment. Where do I apply?

You apply in New Jersey at [myunemployment.nj.gov](http://myunemployment.nj.gov).

## 19. I just finished taking Temporary Disability or Family Leave Insurance and now I'm eligible for Unemployment. I tried to apply for Unemployment online but it says that I already have a claim open with zero balance.

Please notify the Temporary Disability / Family Leave Insurance division by calling 609-292-7060, faxing 609-984-4138 or sending an email via this form: <https://myleavebenefits.nj.gov/labor/myleavebenefits/help/contact/contact-form.shtml>. They will close the Temporary Disability/Family Leave claim so that you can open a new claim with Unemployment. Please note we are experiencing very high volume due to the coronavirus emergency but we're working diligently to serve all our customers and ask for your patience.

See additional Unemployment FAQs at [myunemployment.nj.gov](http://myunemployment.nj.gov).

# Unemployment Insurance: eligibility

## 20. Should I apply for Unemployment?

First visit [nj.gov/labor](http://nj.gov/labor) and read about our laws and programs, including Earned Sick Leave, Temporary Disability, and Family Leave. There are helpful guides that you can download and print. NJ Earned Sick Leave, emergency federal paid sick and emergency FMLA childcare leave are paid by your employer directly. Unemployment, Temporary Disability and Family Leave benefits require an application to the State of NJ. Be sure you apply for the program that best fits your situation - applying for the wrong one could cause delays. Please do not apply if you continue to be working your normal hours. If you believe you're eligible for Unemployment, learn more and apply online at [myunemployment.nj.gov](http://myunemployment.nj.gov).

## 21. What if my employer has gone out of business due to the coronavirus emergency?

You are likely eligible for unemployment insurance. Learn more and apply online at [myunemployment.nj.gov](http://myunemployment.nj.gov).

## 22. What if I'm still employed but I'm not getting enough hours from my employer?

You are likely eligible for Unemployment Insurance. Learn more and apply online at [myunemployment.nj.gov](http://myunemployment.nj.gov).

## 23. What if my employer has furloughed me?

You are likely eligible for Unemployment Insurance. Learn more and apply online at [myunemployment.nj.gov](http://myunemployment.nj.gov).

## **24. I'm a substitute teacher and I'm no longer able to work due to school closures. Am I eligible for Unemployment?**

You are likely eligible. Eligibility decisions are made on a case-by-case basis. Learn more and apply online at [myunemployment.nj.gov](https://myunemployment.nj.gov).

## **25. Can I apply for Unemployment Insurance immediately after collecting Temporary Disability or Family Leave Insurance?**

Yes. Click [here](#) for more information on Unemployment Insurance after Temporary Disability or Family Leave Insurance.

## **26. I am still confused about what help may be available to individuals who are financially impacted by COVID-19.**

This easy-to-understand [guide](#) provides a list of COVID-19 scenarios and benefits and programs that may apply.

See additional Unemployment FAQs at [myunemployment.nj.gov](https://myunemployment.nj.gov).

# **Pregnancy, Caregiving, Unemployment & Paid Leave**

## **27. I'm pregnant and I'm collecting Unemployment Insurance due to the Coronavirus emergency. As my due date approaches can I apply for NJ Temporary Disability Insurance (aka Paid Medical Leave) for my pregnancy and delivery?**

For most New Jersey workers, yes. The only exceptions are federal government and some local municipality workers (for example: public school teachers). Once your healthcare provider determines your pregnancy prevents you from working (typically 4 weeks prior to your due date), notify the Division of [Unemployment Insurance](#) to suspend your Unemployment benefits. Next, apply for [Temporary Disability Insurance benefits](#) for the period during pregnancy and delivery recovery. Once your Temporary Disability period ends you can apply for [NJ Family Leave Insurance](#) to bond with your baby.

## **28. If I collected Unemployment Insurance immediately before applying for Temporary Disability benefits during pregnancy, will this affect my weekly disability benefit amount?**

In general, you will receive the same weekly benefit amount as you were receiving on your Unemployment Insurance claim. Click [here](#) for more information on how benefits are calculated.

## **29. I'm pregnant and my healthcare provider recommends quarantine due to the risk of coronavirus to my pregnancy. Will this affect how long I can receive Temporary Disability benefits during pregnancy and childbirth recovery?**

Temporary Disability Insurance provides up to 26 weeks of benefits while you are unable to work. Your healthcare provider will determine the date that your medical condition prevents you from working and the duration of leave you will need. Most physicians recommend an expectant mother stop working 4 weeks before her scheduled due date, and that she recover for 6-8 weeks after childbirth. If your healthcare provider recommends quarantine outside of the above time frame due to your pregnancy and the risk of coronavirus you may be payable for a longer period of time. Your health care provider must provide the pre-existing diagnosis (pregnancy) and the duration you are expected to be out of work. For more information on benefits during pregnancy and newborn bonding click [here](#).

**30. I'm pregnant and still able to work but I need to care for a loved one who is sick with COVID-19. If I use NJ Family Leave Insurance now to care for my loved one, will I be able to use it again for bonding once my baby is born?**

Currently, workers can receive a total of 6 weeks of family leave per year regardless of the reason for leave. In addition to family leave benefits, a worker can also use employer provided paid time off such as NJ earned sick leave and federal emergency sick leave. New Jersey workers have the right to accrue up to 40 hours of earned sick time. For more information on NJ Earned Sick Leave, click [here](#). In addition to New Jersey's wage replacement program and earned sick leave, you may also qualify for up to 80 hours of Federal emergency paid sick leave to care for a loved one. See NJDOL's publication [What NJ Workers Need to Know About the Families First Coronavirus Response Act](#) for more information.

**31. I'm pregnant and need federal emergency FMLA childcare leave while not working due to coronavirus-related lack of school/child care. Can I still take NJ Paid Family & Medical Leave for pregnancy, childbirth and bonding?**

**Yes.** The federal emergency childcare leave is in addition to NJ Paid Family & Medical Leave benefits (a.k.a. Temporary Disability and Family Leave Insurance). However, you cannot receive NJ Paid Family & Medical Leave benefits while you're being paid by your employer so these leaves cannot be used at the same time. See NJDOL's publication [What NJ Workers Need to Know About the Families First Coronavirus Response Act](#) for more information. Please take note that your employer has the ability to count both federal emergency childcare leave and your pregnancy/recovery leave against your total federal job-protection (FMLA) balance of 12 weeks per 12-month period.

**32. Can I apply for Unemployment Insurance immediately after collecting Temporary Disability or Family Leave Insurance?**

**Yes.** Apply online at [myunemployment.nj.gov](https://myunemployment.nj.gov). Click [here](#) for more information on Unemployment Insurance after Temporary Disability, and see the Unemployment Insurance FAQ section above.

**33. I've been collecting Family Leave Insurance benefits to care for a loved one who is ill, but now I'm eligible for Unemployment and I want to end my Family Leave. How do I switch?**

Simply apply online at [myunemployment.nj.gov](https://myunemployment.nj.gov). However, if your Family Leave claim was started during a period of unemployment, you will have to call Unemployment Insurance and explain your situation. They will ensure that your Family Leave claim is ended and your UI claim is activated. The Unemployment Insurance program is experiencing record high call volume but we're working diligently to serve all our customers and ask for your patience.

- **North Jersey: 201-601-4100**
- **Central Jersey: 732-761-2020**
- **Southern Jersey: 856-507-2340**

**34. I just finished taking Temporary Disability or Family Leave Insurance and now I'm eligible for Unemployment. I tried to file for Unemployment online but it says that I already have a claim open with zero balance.**

Please notify the Temporary Disability / Family Leave Insurance division by calling 609-292-7060, faxing 609-984-4138 or sending an email via this form: <https://myleavebenefits.nj.gov/labor/myleavebenefits/help/contact/contact-form.shtml>. They will close the Temporary Disability/Family Leave claim so that you can open a new one with Unemployment. Please note we are experiencing very high volume due to the coronavirus emergency but we're working diligently to serve all our customers and ask for your patience.

### **35. What if I've been collecting Unemployment benefits and a family member gets sick with COVID-19 and I must care for them - what options do I have for benefits?**

Under the new federal CARES Act, if you cannot work because you are providing care for a family member who has been diagnosed with COVID-19, you are eligible for Unemployment. You do not have to take any action. Continue to certify for your weekly benefits.

### **36. I seem to be eligible for both Unemployment and NJ Temporary Disability/Family Leave Insurance. What should I do?**

The [CARES Act](#) signed March 27th can provide assistance to many NJ workers impacted by COVID-19 and has expanded Unemployment benefits, making it the optimal choice for many who cannot work due to coronavirus-related circumstances. Please note that you cannot receive benefits from these programs at the same time. Read these FAQs, including #2, and "Unemployment: applying, certifying for benefits" for helpful tips, and apply online at [myunemployment.nj.gov](http://myunemployment.nj.gov).

### **37. My child(ren)'s school is closed due to coronavirus and I cannot work because I must care for them. Am I eligible for benefits?**

You are likely eligible for NJ Earned Sick Leave, and if your employer has less than 500 employees, you are likely eligible for the federal emergency paid sick leave and emergency FMLA childcare leave. If you are no longer receiving pay from your employer, you are also likely eligible for [Unemployment Insurance](#). For more information on NJ Earned Sick Leave, see [mysickdays.nj.gov](http://mysickdays.nj.gov) and see NJDOL's publication [What NJ Workers Need to Know About the Families First Coronavirus Response Act](#).

### **38. If I use the 12 weeks of Expanded Family & Medical Leave (FMLA) to watch my children who are home from school, and then I need to stop working later in the same benefit year for another medical or family reason, will I be covered under FMLA?**

No, if you use the 12 weeks because your children do not have school or child care, then you will have exhausted your FMLA coverage for the year. But, you may be eligible for NJ benefits. In NJ, most workers have access to [NJ Paid Family & Medical Leave](#) benefits and it is against the law for an employer to retaliate against you for taking these benefits. Although you may not have job protection through FMLA for a leave related to your own medical condition, you may have job protection through the [NJ Family Leave Act](#) for a leave related to caregiving for a loved one or bonding with a new child.

### **39. If I take NJ Paid Family & Medical Leave (Temporary Disability and Family Leave Insurance benefits), will my job be protected during my leave?**

It is against the law for an employer to retaliate against you for using or seeking to use your Temporary Disability or Family Leave Insurance benefits. In addition, many NJ workers also have job protection for medical leave under another law, the federal [Family and Medical Leave Act](#), and for family leave under the [NJ Family Leave Act](#). Your NJ Paid Family & Medical Leave period may overlap with your coverage under these laws. It's also possible that you are eligible for NJ Paid Family & Medical Leave benefits, but not covered under the job protection laws.

### **40. Can my employer make me use my employer-provided PTO (paid time off) during the coronavirus emergency?**

As a general matter, employers can set the terms of PTO usage unless there is an employee handbook, union contract, or prior agreement that says otherwise. In the absence of any of those, the company can require it to be used. The NJ Department of Labor enforces Breach of Contract but the contract must be in writing - see [nj.gov/labor](http://nj.gov/labor) for more information. An employer may not require you use your PTO before accessing NJ Family Leave Insurance, NJ earned sick leave, or the new federal emergency paid sick leave. See NJDOL's publication [What NJ Workers Need to Know About the Families First Coronavirus Response Act](#) for more information.



# The Federal Families First Coronavirus Response Act: Emergency Paid Sick Leave and Expanded Family & Medical Leave

## 41. Who pays for the new federal Emergency Paid Sick Leave and Expanded Family & Medical Leave?

Employers pay their employees for the emergency leave, and employers can take advantage of two new refundable payroll tax credits, designed to immediately and fully reimburse employers, dollar-for-dollar, for the cost of providing the leave. For more details, see the [IRS website](#) and <https://www.dol.gov/agencies/whd/pandemic>.

## 42. Are self-employed or “gig” workers covered under the new Emergency Paid Sick Leave and Expanded Family & Medical Leave?

Certain self-employed individuals are also eligible for a tax credit for emergency paid sick and FMLA childcare leave for days they are unable to perform services in any trade or business. For more details, see <https://www.dol.gov/agencies/whd/pandemic>.

## 43. When can I access these emergency paid leaves?

You can use the new federal emergency paid leaves for leave taken between April 1st and December 31st, 2020. They are not retroactive.

## 44. If I use the 12 weeks of Expanded Family & Medical Leave (FMLA) to watch my children who are home from school, and then I need to stop working later in the same benefit year for another medical or family reason, will I be covered under FMLA?

No, if you use the 12 weeks because your children do not have school or child care, then you will have exhausted your FMLA coverage for the year. But, you may be eligible for NJ benefits. In NJ, most workers have access to [NJ Paid Family & Medical Leave benefits](#) and it is against the law for an employer to retaliate against you for taking these benefits. Although you may not have job protection through FMLA for a leave related to your own medical condition, you may have job protection through the [NJ Family Leave Act](#) for a leave related to caregiving for a loved one or bonding with a new child.

## 45. What if I use up all my emergency paid sick leave and other paid time off to care for a loved one who is ill or quarantined due to coronavirus, and I need more paid leave to care for them?

As a NJ worker, you are likely eligible for NJ Paid Family & Medical Leave benefits through NJ’s family leave insurance program. Family leave insurance provides partial wage replacement benefits during the time you need to care for an ill loved one.

For additional guidance, see USDOL’s Questions and Answers on the Families First Coronavirus Response Act: <https://www.dol.gov/agencies/whd/pandemic/ffcra-questions> and [NJDOLE’s publication What NJ Workers Need to Know About the Families First Coronavirus Response Act](#).



NJ.GOV/LABOR