



UNEMPLOYMENT INSURANCE

Employer Filed Claims

S.C. DEPARTMENT OF EMPLOYMENT & WORKFORCE



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EMPLOYER FILED CLAIMS

NOTE: If a business submits an Employer Filed Claim on behalf of their employees, they should notify their employees. The worker will still need to create an account and certify the claim each week.

What's an Employer Filed Claim?

An Employer Filed Claim is a way for workers who have been laid off or had their hours reduced, but are still "job attached" to the employer, to potentially receive UI benefits.

What does "Job Attached" mean?

Being "job attached" to an employer means that an employee and a business both intend that the individual will return to work or increase their hours in the future. The worker has not been permanently separated from employment.

Is an employer filed claim a better way to apply for UI?

While an individual can be eligible for UI benefits through their own claim or that of their employer, Employer Filed Claims are more convenient as they eliminate the need for employers to certify an individual's claim. By filing on their behalf, the employer is essentially certifying during the claims' process.

For regular UI, employees included in an Employer Filed Claim are exempt from weekly work searches, but any claimant who has lost work due to COVID-19 is excused from the weekly work searches, whether the claim is filed by the employer or the claimant.

Where does an employer go to file an Employer Filed Claim?

On the agency's website, go to the Filing Claims for Your Workers: Employer Filed Claims tab located in the Employer drop down menu. The link to the portal is #1 on that page.

How does a business login to the Employer Self-Service Portal?

On the login screen you can use your State Unemployment Insurance Tax System (otherwise known as SUITS) username and password login. If you have forgotten or lost your PIN, you should click the link on the page to authenticate your account and set up your new username and password for the site.

When/How soon can an Employer submit an employer filed claim?

The employer must wait until the end of the week of layoff before they can file the claim. And they must file within 14 days of that date. Please note that the longer an employer waits to file, the longer it takes the workers to receive their benefits payment.

Why does an employer have to wait a week before they can file on behalf of their employees?

An employer is filing in arrears of the work week. Much like a paycheck is compensation for the prior week of work – UI benefits are paid for the prior week of unemployment rather than in anticipation that someone won't be working.

In addition, it helps prevent accidental fraud. For instance, if a worker is laid off on Monday, they could potentially get part-time work on Tuesday which might affect eligibility of the UI claim.

What factors can impact benefit payment?

Overall, if an individual is eligible, the average time to receive payment is 7 to 10 days once a claim has been filed. The agency's system has recently been modernized to ensure the fastest automation on our end; however with the influx of claims, payment could take up to 21 days.

There are many variables that affect this question. Such as:

- When the employer files the claim.
- How quickly the worker certifies the claim.
- Eligibility status.
- When an employer responds to separation information.
- And more.

If a business submits an Employer Filed Claim on my behalf what do I need to do?

Individuals need to create an account in the MyBenefits Portal and certify the claim each week. This is called Weekly Certification.

If the employee is new to the system they will click the "I am new here. I need to Register Now!" This is a two-step process:

1. Creating their credentials (username and password).
2. And then logging into the system using their new credentials and creating an account.

If the employee has applied for UI before, they should use their username and password to login and certify. If they do not remember their username and password they **SHOULD NOT** create a new account. Instead, they should click "Forgot your username/password?"

What does certify mean?

It means you are confirming that the information submitted by your employer is correct and that you should receive the UI benefits for that week. An employee cannot certify for the week until the employer has submitted the claim on their behalf for that week.

An employee has up to two weeks after the employer submits the weekly claim to certify, but this will delay your UI benefits payment – the payment will not be initiated by the system until you certify for the week.

Can I certify for the week before my employers submits their claim?

No, you have to wait until after the employer has submitted the claim on your behalf for that week. You have up to two weeks after the employer submits the weekly claim to certify, but please be aware that the payment will not be initiated by the system until you certify for the week.



How long can my employer file an Employer Filed Claim?

Typically employers can only file for their employees up to six weeks, but due to COVID-19, this limit has been lifted. Employers can file for their workers as many weeks as needed.

What's the difference between the standard Employee Filing Process and the Employer Filed Claims Process?

When an employee files, the worker must first file their claim and then wait for the employer to respond about why there was a lay off or reduction in hours. Then eligibility is determined and if eligible, the claimant receives the UI benefit payment. However, when an employer files, they submit their claim and eligibility is determined then, after the claimant certifies that they are unemployed and reports any wages, if any, earned for the week, and then the claimant receives their payment.

What is the Recall Taskforce?

The Recall Taskforce was created to help employers and employees navigate the re-engagement of our workforce statewide. While many South Carolinians will be relieved and excited to return to the security of long-term employment, there will be some who still have barriers, such as childcare, that will prevent them from immediately returning to work. There will also be those who prefer – for various reasons – to continue collecting unemployment insurance even though they could, and should, return to work.

In addition to helping employers understand the different federal funding programs available to their workforce and the eligibility requirements of each one, the Recall Taskforce wants businesses who are reopening to know that their employees cannot refuse an offer for work without good cause if they wish to continue to collect unemployment insurance. Individuals who have turned down offers of suitable work are not eligible to continue receiving UI benefits. If you have offered an individual a job and they refused, it is important for you to report the incident to DEW through your Employer Self Service Portal. More information can be found here:

<https://dew.sc.gov/employers/ui-benefits/hiring-new-workers/offers-of-work>.

CHART: Unemployment Insurance *Guide to the CARES Act*

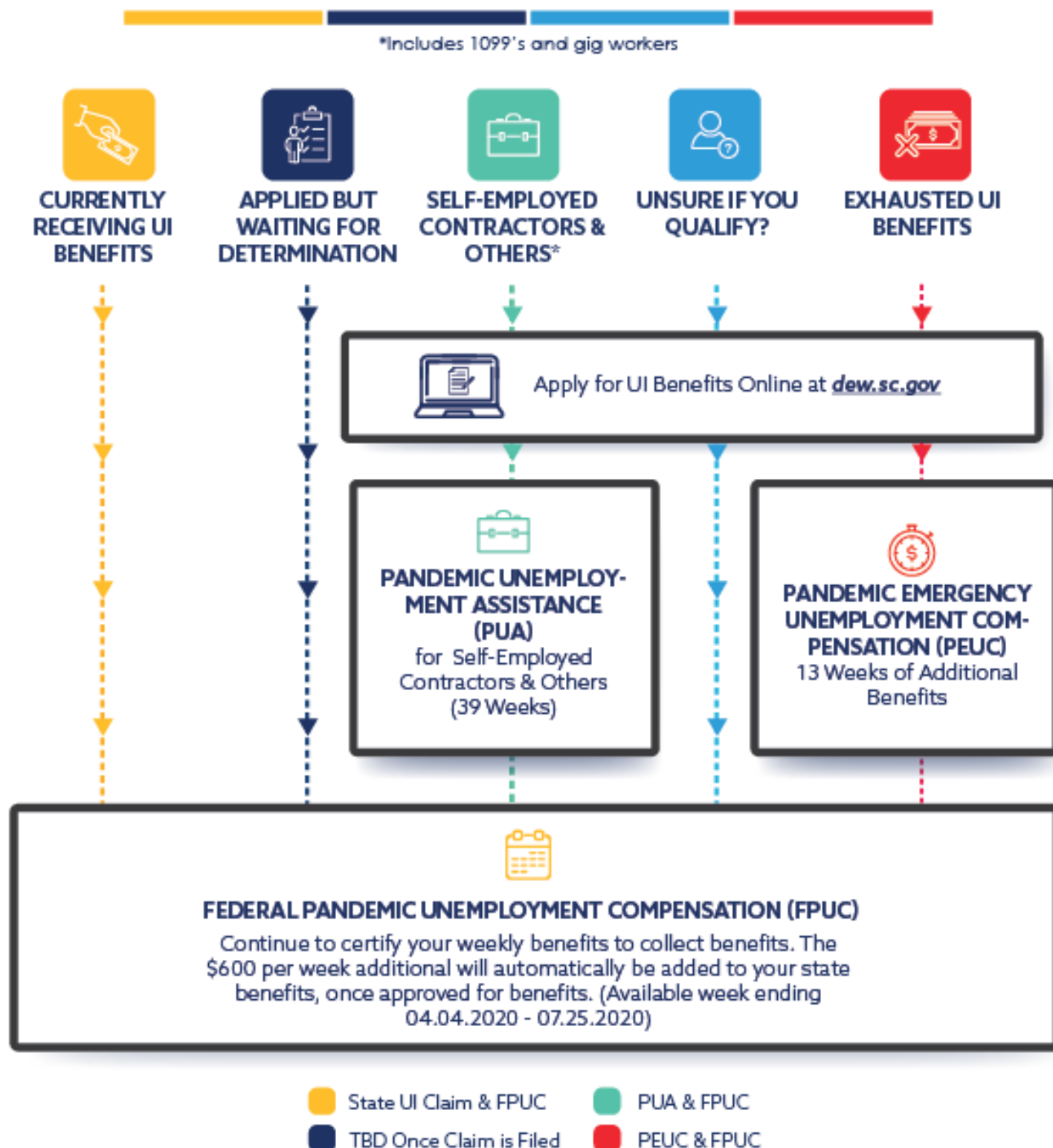


CHART: Comparison of **BENEFIT PROGRAMS**

	SC Unemployment Insurance	SC Extended Benefits	\$600 (Federal Pandemic Unemployment Compensation - FPUC)	Pandemic Emergency Unemployment Compensation (PEUC)	Benefits for Self-Employed and those not Eligible for UI (Pandemic Unemployment Assistance - PUA)
WHO IS THIS FOR?	Unemployed workers who are unemployed through no fault of their own.	Individuals who have exhausted regular UI benefits during periods of high unemployment - triggered by SC law.	Individuals receiving regular UI, EB, PUA, or PEUC.	Individuals who remain unemployed after UI is no longer available.	Individuals whose employment or self-employment has been lost as a direct result of COVID-19 and are not eligible for regular UI, EB, or PEUC, including exhaustees.
WHO DOES THIS SPECIFICALLY EXCLUDE?	Individuals who are unable to work or those who do not have a recent earnings history.				Excludes individuals able to telework with pay or individuals receiving paid leave.
ELIGIBILITY REQUIREMENTS	<ol style="list-style-type: none"> 1. Unemployed through no fault of their own; 2. Able, available, and actively seeking work; 3. Has registered for work with SCWOS; 4. Has not earned excess wages; and 5. Has not refused work. 	<p>If available, Extended Benefits may start after an individual exhausts other UI benefits.</p>	Individuals must have an active benefit claim under state or federal law.	Individuals must have exhausted state benefits or the benefit year has ended, and the individual is not currently eligible for UI.	Individuals must provide self-certification that the individual is otherwise able and available except that the individual is unable to work because of COVID-19.
MONETARY ELIGIBILITY REQUIREMENT	Must have earned at least \$4,455 in covered employment during their base period. The base period is either the four oldest of the last five completed calendar quarters or the last four completed calendar quarters. Additionally, the total amount of wages in the base period must be at least 1.5 times the wages earned in the highest earning quarter.		Must meet state minimum monetary eligibility requirements to establish a claim.	Must meet state minimum monetary eligibility requirements to establish a claim.	Similar manner to regular state UI benefits. Self-employed must provide information to establish eligibility.
AMOUNT RECEIVED	Between \$42 and \$326.	Between \$42 and \$326.	\$600 per week in addition to regular benefit amount.	Weekly benefit amount from the prior benefit year plus the \$600 FPUC payment.	Weekly benefit amount under state UI law plus the \$600 FPUC payment.
FUNDING	State (the UI trust fund is comprised of taxes SC employers pay on their payroll).	Federally funded (authorized under the Families First Coronavirus Response Act through 12/31/20).	100% federally funded.	100% federally funded.	100% federally funded.
DURATION	Up to 20 weeks of full UI benefits.	Additional 10 weeks of UI benefits.		Additional 13 weeks of benefits.	39 weeks of benefits total, including regular UI and EB weeks.
TIMEFRAME			Effective from the claim week ending April 4, 2020 through the claim week ending July 25, 2020.	Effective from the claim week ending April 4, 2020 through the claim week ending December 26, 2020.	Effective for the claim week ending February 8, 2020 through the claim week ending December 26, 2020.