

Critical Information for GA Nonprofits Considering Staff Reduction

SITUATION: Georgia has sent out a notification to employers about an emergency Rule related to unemployment due to the Covid-19 pandemic.

WHAT YOU NEED TO KNOW: The Georgia Department of Labor (GDOL) has adopted an emergency Rule 300-2-4-0.5 Partial Claims, effective March 16, 2020. The rule mandates all Georgia employers to file partial claims online on behalf of their employees for any week during which an employee (full-time/part-time) works less than full-time due to a partial or total company shutdown caused by the public health emergency.

The following are links to instructions on which circumstances require filing these partial claims online and how to file them:

[How Employers File Partial Claims Desk-Aid](#) (link to PDF)

- As noted in those instructions, the employer must go to the state's Employer Portal <https://eresponse.gdol.ga.gov/idp/sso/employer/login>.
- If you do not have login credentials and do not know who in your organization has login credentials, you can refer to the following Employer Portal Administrator Guide to get access to the site <https://eresponse.gdol.ga.gov/pdf/uitax/EmployerPortalAdministratorGuide.pdf>.
- Equifax does not have access to its clients' Employer Portal accounts and cannot get employer users access to the Employer Portal.
- Questions related to accessing the Employer Portal should be directed to the state agency as noted in that Employer Portal Administrator Guide link above.

Specific Guidance from the GA Dept. of Labor

Q. If a contributory OR reimbursing employer complies with this directive, will that employer be completely relieved of any charges associated with claims that are as a result of the COVID-19 public health emergency?

A. Yes. It's important to note that this directive applies to only temporary lack of work situations.

Q. If an employer does not file temporary unemployment claims on behalf of their impacted employees, what are the consequences to that employer?

A. They could be charged the full amount of benefits paid.

Q. The guidance from the agency (applicable to all employers) refers to “reimbursing for the full amount of UI benefits paid to the employee.” Is that a straight dollar-for-dollar reimbursement?

A. Yes.

Q. Does that mean that the employer’s experience account will be charged for the benefits?

A. No.

Q. Does it mean both a straight reimbursement AND charges to the employer’s experience account?

A. Only a straight reimbursement.

Q. For a merit-rated employer, haven’t quarterly contributions already been made to their reserve account? If an employer does not comply with the employer filed claims process, it seems they will be monetarily impacted on two levels - 1) quarterly contribution payments, and 2) a dollar-for-dollar reimbursement for pandemic-related claims.

A. That is correct.

Q. If the employer does not file unemployment claims on behalf of their employees, but the employer/Third-Party Administrator responds timely to a request for separation information via SIDES, will the employer still be penalized in the same way as posed in the question above?

A. Yes. The determining factor is whether partial claims are filed by the employer. If this is a permanent separation or it is unknown at this time if this is a permanent separation, claims can be filed by the employee as normal.

Q. Can Equifax handle uploading of employer filed claims to the GDOL website on our behalf?

A. Unfortunately, this process requires account-specific login credentials for each employer. Security protocols do not support sharing of such credentials. Furthermore, we have been advised by the agency that employer filed claims must be uploaded directly by the

employer. Any claims uploaded by a Third-Party Administrator do not meet the requirements of the Rule.

Q. How often do employers need to upload employer filed claims to the GDOL system?

A. These must be uploaded each week in which the company has employees who are partially or completely separated from work due to the pandemic.

Q. What if employers don't know the return to work date?

A. In the absence of guidance by the GDOL, we suggest you determine what is best for your company. You can leave the field blank or enter a date 6 weeks out.

Q. Where do employers go for more information about this process?

A. Details can be found on the GDOL website by clicking on this link: <https://dol.georgia.gov/blog/new-information-filing-unemployment-partial-claims-and-reemployment-services>

Employers who wish to provide feedback related to the employer filed claims procedure should contact Mark Butler, GDOL Commissioner. This link will take you to the GDOL's "Email The Commissioner" page. <https://dol.georgia.gov/email-commissioner>