



Minnesota Relaxes Unemployment Rules In Response To The COVID-19 Outbreak

Insights

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Following an Executive Order limiting operations of restaurants and bars within the state, Minnesota Governor Tim Waltz issued Emergency Executive Order 20-05 on March 16, providing immediate relief to both employers and employees adversely affected by COVID-19. The Executive Order remains in effect from March 16 until it is rescinded or the governor declares that the peacetime emergency is over.

Summary Of Unemployment Insurance Changes

Recognizing that the COVID-19 pandemic threatens the lives of Minnesotans, as well as the economic insecurity of unemployment related to COVID-19, the Executive Order immediately suspends Minnesota's unemployment benefits legislative scheme. Under the Executive Order, workers who are unemployed or have reduced hours because of the pandemic may now qualify for unemployment benefits under the relaxed standards. The Executive Order:

- Waives the waiting period for filing for unemployment benefits;
- Presumes that unemployment is involuntary when:
 - Health authorities or providers determine that the applicant's presence in the workplace would jeopardize the health of others regardless of whether the applicant has been diagnosed with a communicable disease;
 - The applicant is under a quarantine or isolation order;
 - A health care provider recommends that the applicant should self-quarantine or isolate because the applicant is immunocompromised and at high risk;
 - The applicant's employer instructs employees not to go to work due to an outbreak of a communicable disease;
 - The applicant has been notified by a school district, day care, or other childcare provider that classes are cancelled or childcare is unavailable *IF* the applicant made a reasonable effort to obtain childcare and requested time off or an accommodation, and no reasonable accommodation was available; and
- Waives the five-week benefit limitation for business owners.

Additionally, the Executive Order directs that COVID-19 related unemployment claims will not be used in calculating the employer's unemployment tax rate.

News outlets report that only three days later, new applications for unemployment reached more than 50,000.

We will continue to monitor this rapidly developing situation and provide updates as appropriate. Make sure you are subscribed to [Fisher Phillips' alert system](#) to gather the most up-to-date information. For further information or advice on how to satisfy notice requirements as an employer, contact your Fisher Phillips attorney, or any member of [our COVID-19 Taskforce](#). You can also review our [Comprehensive And Updated FAQs For Employers On The COVID-19 Coronavirus](#) and our [FP COVID-19 Resource Center](#).

This Legal Alert provides an overview of a specific state law. It is not intended to be, and should not be construed as, legal advice for any particular fact situation.

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