



New North Carolina Unemployment Rules Contain Surprise Requirement For Employers

Insights

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As most North Carolina employers know, Governor Cooper previously issued an Executive Order [relaxing certain unemployment eligibility requirements](#) for employees adversely affected by COVID-19 and waiving charges to employer accounts. Implementing the changes announced by Governor Cooper, the North Carolina Division of Employment Security recently issued emergency rules that went into effect on April 14, 2020. The emergency rules impose a new “surprise” requirement on employers – which will require you to revise your standard policies and practices.

Pursuant to 04 NCAC 24G .0102, at the time of separation, North Carolina employers must now provide employees with notice informing them that:

- Unemployment insurance benefits are available to unemployed workers who meet applicable eligibility requirements;
- Employees may file a claim in the first week that employment stops or hours are reduced;
- Employees may file claims online at des.nc.gov or by telephone at (888) 737-0259;
- Employees must provide certain information to DES to process the claim, including the worker’s full legal name, social security number, and, authorization to work if the worker is not a United States citizen or resident; and
- Employees may contact DES at (888) 737-0259 and select the appropriate menu option for assistance.

As a result, employers should ensure they introduce this required notice into their standard practices and procedures as soon as possible. Contact your Fisher Phillips attorney for a compliant notification form you can use as necessary.

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 attorney in [our Charlotte office](#), or any member of [our COVID-19 Taskforce](#). You can also review our [Comprehensive And Updated FAQs For Employers On The COVID-19 Coronavirus](#).

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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