



NC Employers Take Note: New Duty to Notify Laid Off and Furloughed Employees About Unemployment Services

04.06.2020

For those of you able to keep up with the tumult of government action taken to address the repercussions of the COVID-19 crisis, you know that the North Carolina Division of Employment Security (DES) temporarily waived the following eligibility requirements for unemployment insurance benefits to those affected by COVID-19:

- The one-week waiting period;
- Able to work and availability of work requirements;
- Work search requirements;
- Actively seeking work requirements; and
- The "lack of work" requirements.

DES also temporarily postponed all mandatory in-person contact with individuals seeking unemployment benefits. Finally, DES temporarily waived the charging of benefit payments to employer accounts.

DES has filed emergency rules implementing these actions, which are effective April 14, 2020. The notice for the proposed temporary rulemaking is posted on the NC Office of Administrative Hearings (OAH) website [here](#).

These rules, however, contain an added surprise for employers. Emergency rule 04 NCAC 24G .0102 imposes upon businesses a new notice requirement. Companies must now advise employees separated because of COVID-19 of the availability of unemployment compensation at the time of separation from employment. The notice must inform employees of the following:

1. Unemployment insurance benefits are available to workers who are unemployed and who

meet the State's eligibility requirements.

2. Employees may file a claim in the first week that employment stops, or work hours are reduced.
3. Employees may file claims online at **des.nc.gov** or by telephone at (888) 737-0259.
4. Employees must provide DES with the following information for DES to process the claim:
 - a. Full legal name;
 - b. Social security number; and
 - c. Authorization to work (if the employee is not a U.S. citizen or resident).
5. Employees may contact DES at (888) 737-0259 and select the appropriate menu option for assistance.

Be sure to incorporate the notice as part of the check-out process both to help the transitioning associate and to comply with the new regulation.

Please note: This alert contains general, condensed summaries of actual legal matters, statutes and opinions for information purposes. It is not meant to be and should not be construed as legal advice. Readers with particular needs on specific issues should retain the services of competent counsel.

Please click here for additional legal updates from Williams Mullen regarding COVID-19.

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