

Navigating COVID-19

Safety Nets Available for Household Employees in Minnesota

School and office closures and other required social distancing measures to control the spread of the coronavirus (COVID-19) have resulted in some tough decisions for families with household employees. Each family's household employment situation is unique, so there's not a "one-size-fits-all" approach to navigating this unprecedented time.

If it is no longer feasible for you to continue paying your employee, here are some recommended steps:

1. Reference your employment contract to see if it includes guaranteed hours or specific terms for dismissal.
2. Check in with your payroll company to discuss topics like paid leave benefits that you are required to offer, as well as the benefits that your employee can apply for through your state. To assist with this step, below is an overview of employee safety nets, followed by an outline of the state-specific details that apply to the most common scenarios.

ASSISTANCE FOR WORKERS AFFECTED BY COVID-19

BENEFIT	WHEN TO USE IT	HOW MUCH TIME OFF	PAYMENT AMOUNT
FAMILIES FIRST ACT PAID SICK LEAVE	If your caregiver or their family member is sick, or if they are ordered to quarantine and cannot work	Up to 80 hours	Regular hourly rate if your caregiver is sick, or 2/3rds of the hourly rate if they are caring for a family member.
STATE/LOCAL PAID SICK LEAVE	If your caregiver or their family member is sick, or if they are ordered to quarantine and cannot work	Varies. Check the details in your state for more information.*	Varies. Check the details in your state for more information.*
EXPANDED FMLA (PAID FAMILY LEAVE)	If your caregiver cannot work because their child's school or day care is closed	Up to 12 weeks, but the first 2 weeks can be unpaid	2/3rds of the caregiver's normal hourly rate
STATE PAID FAMILY AND MEDICAL LEAVE	If your caregiver cannot work because they are caring for a family member	Varies. Check the details in your state for more information.*	Varies. Check the details in your state for more information.*
UNEMPLOYMENT INSURANCE	If your caregiver is ordered to stay at home, is let go from their job or has their hours reduced because of COVID-19	13 weeks on top of what your state already provides	\$600 per week in addition to what the state provides, for up to 4 months. Only state benefits apply after that. Families do not pay these benefits.
WORKERS' COMPENSATION	If your caregiver contracted COVID-19 while working in your home	Generally, policies will cover your caregiver for the length of their recovery, but this can vary by state and carrier. Check with your provider for details.	Insurance will pay full or partial wage replacement. Check the details with your provider.
DISABILITY INSURANCE (CA, HI, NJ, NY, RI)	If your caregiver became sick outside of work	Your caregiver will receive benefits while they recover, but check the length of coverage with your provider.	Generally, insurance will pay out partial wages, but check with your provider for details.

Employee's Hours are Reduced or Terminated

If you need to reduce your employee's hours or dismiss your employee either temporarily or permanently, your employee can apply for [Unemployment Insurance Benefits](#). Minnesota has expanded eligibility for those employee's hours or terminate employment either temporarily or permanently due to COVID-19. The one week waiting period has been also been removed. Additionally, the employer will not be assessed experience rate penalties as a result of an employee receiving these benefits related to COVID-19.

Expanded Unemployment Insurance

The Coronavirus Aid, Relief and Economic Security (CARES) Act extends unemployment insurance to cover individuals who become fully or partially unemployed or unable to work due to a qualifying situation related to COVID-19 between January 27, 2020 and December 30, 2020.

- Waiver of the 7-day waiting period.
- Benefits of \$600 for up to four months (fully funded by the federal government), *in addition* to the weekly benefit amounts authorized under state law.
- Up to 13 weeks of additional emergency unemployment benefits, if employee is still unemployed after the standard benefit period.

Employee is Under a Shelter-in-Place Order

Through the end of 2020, [Unemployment Insurance Benefits](#) have been expanded to cover employees in this situation. See Application link and **Expanded Unemployment Insurance** information above.

Employee is Sick or Advised to Self-Quarantine by a Health Care Professional

- **Emergency Paid Sick Leave:** Effective April 1, 2020, through December 31, 2020, you are required to provide up to 10 days of emergency paid sick leave. The cost of the leave, up to \$511/day, will be reimbursed to you by the IRS, which has stated a commitment to providing quick reimbursement.
- **Paid Sick Leave:**
 - St. Paul employers are required to accrue paid sick time for their employees that work 80 or more hours in a year. Sick time accrues at a rate of 1 hours for every 30 hours worked, up to 48 hours per year. Up to 80 hours can be carried over from the previous year.
 - Minneapolis employers are required to accrue unpaid sick time for their employees that work 80 or more hours in a year (unless there are 6 or more employees, at which time all sick leave is paid). Sick time accrues at a rate of 1 hours for every 30 hours worked, up to 48 hours per year. Up to 80 hours can be carried over from the previous year.
 - Duluth employers with 5 or more full-time employees are required to accrue paid sick leave. Sick time accrues at an hour for every 50 hours worked. Up to 40 hours can be carried over from the previous year.
- **Workers' Compensation Insurance:** If the employer has a policy (required for all household employers that pay more than \$1,000 in a calendar quarter), employees that contract the virus while on the job may file for benefits.
- **Unemployment Insurance:** Through the end of 2020, [Unemployment Insurance Benefits](#) have been expanded to cover an employee in this situation who has exhausted all paid leave benefits and is unable to return to work. For more details, review the **Expanded Unemployment Insurance** section above.

Employee is Caring for a Sick or Quarantined Family Member

- **Emergency Paid Sick Leave:** Effective April 1, 2020, through December 31, 2020, you are required to provide up to 10 days of emergency paid sick leave. The cost of the leave, up to \$200/day, will be reimbursed to you by the IRS, which has stated a commitment to providing quick reimbursement.
- **Unemployment Insurance:** Through the end of 2020, [Unemployment Insurance Benefits](#) have been expanded to cover an employee in this situation who has exhausted all paid leave benefits and is unable to return to work. For more details, review the **Expanded Unemployment Insurance** section above.

[This Minnesota Unemployment FAQ](#) may be a helpful resource for those affected or needing more information.

Employee is Caring for a Child Whose School or Daycare is Closed

- **Emergency Paid FMLA:** Effective April 1, 2020, through December 31, 2020, you may be required to up to 12 weeks of paid family leave - 2 weeks unpaid and 10 weeks (50 days) paid at 2/3 of your employee's standard earnings for employees in this circumstance. This only applies to employees caring for a minor child whose school/daycare is closed due to COVID. The cost of the leave would be reimbursed to the family in the form of a tax credit. The cost of the leave, up to \$200/day, will be reimbursed to you by the IRS, which has stated a commitment to providing quick reimbursement.
- **Unemployment Insurance:** Through the end of 2020, [Unemployment Insurance Benefits](#) have been expanded to cover an employee in this situation who has exhausted all paid leave benefits and is unable to return to work. For more details, review the **Expanded Unemployment Insurance** section above.

Still have questions? Call us for a free phone consultation at 888-273-3356.

We're here to help!

HomePay, Provided by Breedlove is the nation's leading specialist in the unique area of household employment payroll, tax & labor law. Our simple, affordable service provides a no-work, no-worry solution to paydays, tax time and all points in between.

To learn more, visit us online at <https://www.myhomepay.com/aboveandbeyondnannies>