FREQUENTLY ASKED QUESTIONS ABOUT UNEMPLOYMENT BENEFITS DURING THE COVID-19 PANDEMIC

In response to COVID-19, Congress passed the Coronavirus Aid, Relief, and Economic Security Act, commonly referred to as “CARES” or the “federal stimulus bill.” Under this law, many workers who lost their jobs or income because of COVID-19 will qualify for unemployment benefits, including many types of workers who do not normally qualify for unemployment benefits under Texas law.

Here are some answers to frequently asked questions about eligibility and how to apply. You should also check the Texas Workforce Commission’s website for updates on how they are handling unemployment benefits under the federal stimulus bill at twc.texas.gov.

I LOST MY JOB BECAUSE OF COVID-19. DO I QUALIFY?

If you lost your job because of COVID-19, you probably qualify for benefits. Common grounds that qualify include:

1. Your employer temporarily or permanently closed its business, and you were laid off or furloughed.
2. You stopped working to care for a child whose school or daycare was closed. The federal stimulus bill does not require you to be the legal parent or guardian of the child.
3. You stopped working because someone you care for had their care facility closed (possibly even a dependent adult).
4. You had to stop working because you have COVID-19 symptoms and are seeking a diagnosis.
5. You stopped working because you were diagnosed with COVID-19.
6. You stopped working because someone that you live with was diagnosed with COVID-19.
7. You stopped working because the government ordered your employer to close or for you to quarantine (this likely does not apply if you are an essential worker not covered by a government stay-at-home-order).
8. You stopped working because a doctor told you to self-quarantine because of COVID-19 concerns.

The Texas Workforce Commission encourages anyone who lost work due to COVID-19 to apply. If you are unsure if you qualify, it may be better to apply and find out, but be sure to be honest and accurate in the information you provide.

The Texas Workforce Commission has a helpful FAQ on their blog about qualifying for benefits: https://texasworkforce.wordpress.com/2020/03/19/unemployment-eligibility-faq/?fbclid=IwAR1owqTHNA2f-xtW79a9_vXjmirJFRO1SaqExu7AeLFsqhEPIWQJzyWXC_E

I LOST MY JOB RIGHT BEFORE COVID-19 THROUGH NO FAULT OF MY OWN. DO I QUALIFY?

You may qualify based on the same eligibility requirements as you would have before COVID-19. For more information, visit the Texas Workforce Commission’s website at: https://www.twc.texas.gov/jobseekers/unemployment-benefits.
I WAS SELF-EMPLOYED BUT CAN’T WORK ANYMORE BECAUSE OF COVID-19? DO I QUALIFY?

Yes. Under the new federal stimulus bill, self-employed workers qualify. This includes small business owners, independent contractors, and gig-economy workers, like ride-share drivers.

We expect the TWC to provide you with benefits without proving your income initially, the same way Disaster Unemployment Assistance was approved in the past. You will have to prove your income eventually. Be prepared to provide your filed tax returns from 2019 like a 1040 and Schedules C, F, or SE by December 26, 2020 to prove your income. If you do not, the TWC may require you to pay back any benefits you were given.

DO I QUALIFY IF I WASN’T FIRED, BUT MY HOURS WERE REDUCED?

Yes. You likely qualify for partial unemployment.

DO I QUALIFY IF I ONLY WORKED PART-TIME BEFORE COVID-19 AND LOST MY JOB?

Yes. Part-time workers can also get unemployment if they lost their job because of COVID-19,

The Texas Workforce Commission has more FAQ about qualifying for benefits if you are out of work because of COVID-19:

https://texasworkforce.wordpress.com/2020/03/19/unemployment-eligibility-faq/?fbclid=IwAR1ouqTHNA2t-xtW79a9_vXimirjfRO1SaqExu7AeJFsghEPIWQJzyWXC_E

I WAS PAID IN CASH. DO I QUALIFY?

Yes. If you were paid only in cash, you may still be eligible. But you could have issues proving you were previously employed and how much you earned. Be prepared to provide tax documents and any other documents showing your earnings. Normally your employer has to report your wages to the Texas Workforce Commission for you to qualify. But since the federal stimulus bill does not require wage history, you should still qualify if you can prove you were working and stopped working because of COVID-19. If you cannot prove how much you earned, the TWC will give you a minimum benefit amount.

I’M A TIPPED WORKER. DO I STILL QUALIFY?

Yes. Tipped workers qualified for benefits even before COVID-19 and should continue to be eligible for Texas benefits or federal stimulus bill benefits. Your employer is supposed to report all of your income, including tips. If your employer didn’t report any or all of your income you should still qualify for benefits under the federal stimulus bill because it doesn’t require any earning history. But you will need to provide documentation showing that you worked if your employer did not report any earnings to the TWC.

DO I NEED TO HAVE A CERTAIN AMOUNT OF WORK HISTORY OR PAST EARNINGS TO QUALIFY?

No. Normally you would, but the new stimulus package lets workers who don’t have enough work history to get benefits if they can’t work because of COVID-19.
I RECENTLY APPLIED AND WAS DENIED BECAUSE I DIDN’T HAVE ENOUGH PAST EARNINGS. I THOUGHT THE FEDERAL STIMULUS BILL DIDN’T REQUIRE PAST EARNINGS, SO WHY DIDN’T I QUALIFY?

The Texas Workforce Commission is working to update its system to review for eligibility under the federal stimulus bill. If you received a notice that you did not have enough past earnings to qualify, you probably applied before they were reviewing for federal stimulus bill eligibility. The Texas Workforce Commission will go back and review your application again to see if you qualify for benefits under the federal stimulus bill. You do not need to reapply.

However, in the future, the Texas Workforce Commission may review for both Texas benefits and federal stimulus bill benefits at the same time. So, if you receive a notice that you do not qualify for benefits make sure to meet any deadline to appeal the decision, which is fourteen days from the date the decision is mailed to you. The notice stating that you do not qualify for benefits will have your appeal deadline on it with instructions on how to appeal.

I WAS ALREADY RECEIVING BENEFITS BEFORE COVID-19 AND USED UP MY 26 WEEKS OF UNEMPLOYMENT BENEFITS AND CAN’T FIND A NEW JOB BECAUSE OF COVID-19. CAN I GET MORE UNEMPLOYMENT BENEFITS?

Yes. The federal stimulus bill will give you 13 additional weeks of unemployment. You do not need to reapply if you ran out of benefits on or after July 1, 2019.

WHAT ABOUT THE EXTRA $600 I’VE HEARD ABOUT?

The federal stimulus bill provides everyone who qualifies for regular Texas benefits or benefits under the federal stimulus bill with an extra $600 per week. But it’s only available from April 3 to July 31, 2020. You should have started seeing the extra $600 by April 12, 2020.

DO I HAVE TO APPLY SEPARATELY FOR THE EXTRA $600 THE FEDERAL STIMULUS BILL PROVIDES?

No. It is automatic if you qualify for Texas benefits or federal stimulus bill benefits.

HOW DO I APPLY FOR UNEMPLOYMENT BENEFITS?

Whether you were laid off, had your hours reduced, had to quit for a qualifying reason, or were self-employed and lost work, everyone applies with the Texas workforce Commission. You can apply online or by phone.

You can apply online 24/7 here:
https://www.twc.texas.gov/jobseekers/unemployment-benefits-services

You can apply by phone at either (800) 939-6631 or (512) 463-2700.
Please note that the Texas Workforce Commission has a schedule for phone applications based on your area code.

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<tr>
<th>AREA CODE OF APPLICANT</th>
<th>SUGGESTED CALL TIME</th>
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<tbody>
<tr>
<td>Area Codes Beginning with 9</td>
<td>Mon-Wed-Fri 8:00 a.m.-Noon</td>
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<tr>
<td>Area Codes Beginning with 3, 4, 5,6</td>
<td>Mon-Wed-Fri 1:00 p.m. – 5:00 p.m.</td>
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<td>Area codes Beginning with 7, 8</td>
<td>Tues -Thurs-Sat 8:00 a.m. – Noon</td>
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<td>Area codes Beginning with 2</td>
<td>Tues-Thurs-Sat 1:00 p.m. -5:00 p.m.</td>
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I'M HAVING TROUBLE GETTING THROUGH ON THE PHONE TO APPLY. WHAT SHOULD I DO?

Keep trying or, if you can, apply online. We understand it is frustrating. If you cannot apply online, you can now call 7:00 am to 7:00 pm, Monday through Sunday. The Texas Workforce Commission will soon have 1,500 call-center workers to help you apply. They have already accepted over a million applications.

I'M HAVING TROUBLE FILING ONLINE BECAUSE THE WEBSITE WON'T LOAD OR KEEPS CRASHING. WHAT SHOULD I DO?

The Texas Workforce Commission suggests that you try filing your online application between 10:00pm and 8:00 am. They are also fixing their website so more people can apply online, but record numbers of Texans are unemployed and applying so issues may remain.

I LOST MY JOB WEEKS AGO BUT WAS ONLY ABLE TO APPLY RECENTLY. CAN I STILL GET UNEMPLOYMENT BENEFITS FOR THOSE PAST WEEKS?

Yes. The Texas Workforce Commission will pay benefits based on the week you lost your job, not the date you apply.

AFTER I'M APPROVED FOR UNEMPLOYMENT BENEFITS, DO I NEED TO DO ANYTHING ELSE?

Yes. You have to request a payment after you are approved and keep requesting payments every two weeks. You can request payment either by direct deposit to a checking or savings account or through a debit card the Texas Workforce Commission will send you.

ONCE I GET UNEMPLOYMENT BENEFITS, WHAT DO I NEED TO DO TO KEEP IT?

When you request payment every two weeks, you will have to answer some questions to prove you are still eligible, like whether you are still unemployed, or your child's school or day care is still closed.

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This is legal information, not legal advice.
DO I HAVE TO SEARCH FOR A NEW JOB TO KEEP MY UNEMPLOYMENT BENEFITS?

No. The Texas Workforce Commission has temporarily suspended the work search requirement for continuing to receive unemployment. The Texas Workforce Commission does plan to put the work search requirement back in place in the future, so stay tuned for that.

THE GOVERNOR DECLARED A STATE OF DISASTER FOR TEXAS. CAN I GET DISASTER UNEMPLOYMENT ASSISTANCE?

No. But don’t worry! The federal stimulus bill provides benefits for more people and provides a greater amount of benefits than Disaster Unemployment Assistance.

DO I HAVE TO BE A U.S. CITIZEN TO GET UNEMPLOYMENT BENEFITS?

No. Immigrants who are authorized to work in the U.S., including legal permanent residents, may also qualify for benefits.

Immigrants without work authorization do not qualify for benefits.

For advice about your particular situation, contact Texas Rio Grande Legal Aid at 888-988-9996.

ARE THERE ANY REASONS I SHOULDN’T APPLY FOR UNEMPLOYMENT BENEFITS?

If you believe that you qualify for unemployment, it is a very important lifeline and is here to help people through this crisis.

But please be aware, if you receive benefits and then later the Texas Workforce Commission decides you did not qualify you will have to pay back all the benefits you received. Make sure to be truthful and accurate. Inaccurate information, even if you were being honest, can still result in being made to pay back the money you received.

I STILL HAVE MORE QUESTIONS ABOUT HOW TO APPLY FOR UNEMPLOYMENT BENEFITS. WHERE CAN I FIND MORE ANSWERS?

The Texas Workforce Commission’s Unemployment Benefits Handbook may have the answer you are looking for. You can find that Handbook here:


If you still have questions on how to apply, the Texas Workforce Commission now has a virtual assistant you can chat with to answer questions. You should be able to get answers to basic eligibility and application questions much faster than by calling the phone lines.

The virtual assistant is available on any Texas Workforce Commission website page: https://www.twc.texas.gov

It is found in the bottom right corner under the “CHAT WITH US” tab.