



## Returning to Work for Employees FAQ

**The intent of the unemployment insurance program is to assist people during periods of unemployment when suitable work is not available. However, if suitable work is available, you are required to properly apply for and accept offered work. Remember, your primary obligation is to become reemployed. Refusing suitable work will likely result in a loss of unemployment benefits.**

### **Returning to full employment.**

Once you return to full time work there is no need to contact the Department of Workforce Services. Simply stop filing your weekly claim and your claim will automatically be closed by the system.

If you once again become unemployed or your hours are reduced, file for unemployment insurance online at [jobs.utah.gov/ui/home](https://jobs.utah.gov/ui/home). Depending on the date you file, your closed claim will be reopened or if your claim expired, you will be directed to file a new claim.

### **Returning to part-time employment.**

If you return to part-time work, depending on the number of hours you work and your earnings during a week, you may still be eligible for partial unemployment benefits.

If you return to part-time work, you may continue filing your weekly claim. Remember to report your gross earnings (before taxes/deductions) for the week, regardless of when you get paid. The system will adjust your weekly unemployment benefit payment based on the gross wages you report. Failure to correctly report work and earnings or refusing work may result in overpayments or possibly a fraud penalty and prosecution.

Remember, once your work returns to full-time, or you begin to consistently earn over your weekly benefit amount you are no longer eligible for benefits and can simply stop filing.

### **What about the \$300 Federal Pandemic Unemployment Compensation (FPUC) stimulus payment?**

As long as you are eligible for at least a \$1 weekly unemployment payment, you will also receive the \$300 FPUC stimulus payment. If your earnings for a week exceed your weekly benefit amount you will not be paid regular unemployment for that week, this also means the \$300 additional payment will not be paid.

**What if my earnings exceed the weekly benefit amount one week, then are below the weekly benefit amount the following week?**

The Unemployment Insurance system is designed to handle your eligibility week to week. If you report excess earnings one week, you will not be paid any benefit. However, if you report earnings less than your weekly benefit amount the following week the system will calculate any needed reductions and send out a payment, including the \$300 additional payment when applicable.

If you report excess earnings three weeks in a row the system will close your claim. If you find yourself making less than your weekly benefit amount in the fourth week, then you will need to reopen your claim at [jobs.utah.gov/ui/home/](https://jobs.utah.gov/ui/home/).

**I used to work full-time with my employer, but now they want me to return to part-time work. If I say no, can I continue receiving unemployment benefits?**

Any refusal of work must be reported when you file your weekly claim. An unemployment representative will gather information from you and your employer and determine your continued eligibility.

Please Note: If you fail to disclose refusal of an offer of suitable work which results in a denial and overpayment, you may be required to pay a penalty on the overpayment and face possible prosecution for fraud.

**My employer is now paying me my normal salary after getting SBA funding (like the Payroll Protection Program), will that impact my unemployment benefits?**

If your employer is not paying for back weeks, but will resume paying your regular salary moving forward, you will not be eligible for unemployment because you are receiving your normal pay/salary. If you find yourself in this situation, stop filing your weekly claim as you are not eligible for any additional benefits.

If your employer is paying you for back weeks of normal salary/pay and you also received unemployment benefits for those same weeks, you will need to repay the unemployment benefits you received. If you find yourself in this situation, notify the department that you have received back pay so the department can make arrangements for repayment. Contact the Claims and Reemployment Team at 801-526-4400, toll free 888-848-0688, or chat online at [jobs.utah.gov](https://jobs.utah.gov).

**My employer just told me they are paying me wages for back weeks that I have already been paid UI. What do I do?**

If your employer pays you for back weeks and you also filed for unemployment benefits for those same weeks, you will need to notify the department that you have received back pay. You may need to repay the unemployment benefits for those weeks. If you fail to disclose back pay it may result in overpayments or possibly a fraud penalty and prosecution. Contact the Claims and Reemployment Team at 801-526-4400, toll free 888-848-0688, or chat online at [jobs.utah.gov](https://jobs.utah.gov).

**How do I avoid creating an unemployment overpayment?**

Always report work and gross earnings for the week in which the work is performed, regardless of when you are paid. Also report any refusal of work or refusing to return to work. Failure to correctly report work and earnings or refusing work may result in overpayments or possibly a fraud penalty and prosecution.

**My employer asked me to return to work, but my children are not in school due to the Governor's decision to finish the school year electronically. I am responsible for their care during the time my employer wants me to work. Are there any options for child care?**

Utah's child care programs are open and available to families that need care. Child care programs are implementing strict safety protocols to help reduce the spread of Coronavirus. Families needing child care should contact Care About Childcare at [careaboutchildcare@utah.gov](mailto:careaboutchildcare@utah.gov). If you don't have access to the internet, please call 1-800-670-1552. For more information [jobs.utah.gov/covid19/](https://jobs.utah.gov/covid19/).

If you need assistance paying for child care, Workforce Services provide child care assistance to working families to help offset the cost of child care. Specific income limits and work requirements must be met. To apply online, go to [jobs.utah.gov/mycase](https://jobs.utah.gov/mycase).

**What if I believe I have good cause to refuse work being offered?**

If you have been offered an opportunity to return to work, and you refuse the offer, you must explain why, including why you believe you have good cause not to return in your weekly claim. The division will need to evaluate whether or not "good cause" exists for refusing the work. The unemployment benefit will not be paid during this evaluation, as the department works with both you and your employer.

The division will be using the guidance provided by the health department (found at [coronavirus.utah.gov/utahs-moderate-risk-phase/](https://coronavirus.utah.gov/utahs-moderate-risk-phase/)) as a tool to help determine the safety and suitability of an environment for individuals returning to work. It will also be taken into consideration when individuals are high risk or caretakers of others who are high risk, the documentation of which will be required.

We encourage employees to communicate with their employer once an offer has been made if they feel unsafe or are high risk. The department hopes that in most instances you and your employer will be able to resolve most concerns.