Webinar: Unemployment Insurance Updates and More from USVI Department of Labor
Moderator: Cusa Holloway, Incubator Program Manager
July 1, 2020
10:00am AST
Getting the USVI Back to Work

PRESENTER: NESHACHRISTIAN-HENDRICKSON, ESQ.
ASSISTANT COMMISSIONER/LEGAL COUNSEL
VI DEPARTMENT OF LABOR
About me:
Nesha R. Christian-Hendrickson, Esq,
Assistant Commissioner/Legal Counsel, V.I. Dept. of Labor

Born on the island of St. Croix, U.S. Virgin Islands.

Bachelor of Arts in Sociology with a minor in Information Systems and Statistical Analysis from the Pennsylvania State University

Juris Doctorate, Vermont Law School

Law Clerk Superior Court

Assistant Public Defender at the Office of the Territorial Public Defender

Served as Legal Counsel to the Virgin Islands Department of Labor since 2016

Sworn in as the President of the Virgin Islands Bar Association in December 2019
Today’s Agenda

- Unemployment Insurance
- FFRCA-Childcare
- OSHA and Health Concerns
What is unemployment?

- **Unemployment Insurance** (also known as UI) provides temporary compensation which we in VIDOL refer to as benefits. These benefits are given to employees who have lost their jobs, through no fault of their own, to be eligible for UI. The applicant must have worked in Virgin Islands within the last 18 months and lost their job.

Eligibility:

1. Able and available.
2. Work search verification.
3. No refusal of suitable work.

**Funded by quarterly reports**
Coronavirus Aid, Relief, Economic Securities (CARES) Act

- On March 27, 2020, the President of the United States signed a law that provides additional Unemployment Insurance ("UI") assistance to workers impacted by COVID-19. This new law provides:
  
  - **Federal Pandemic Unemployment Compensation (FPUC)** – An additional $600 per week, on top of regular benefits, to all UI recipients; and,
  
  - **Pandemic Emergency Unemployment Compensation (PEUC)** – An additional 13 weeks of UI benefits, beyond the regular 26 weeks already provided, for a total of 39 weeks of coverage.
  
  - **Pandemic Unemployment Assistance (PUA)** – Extended eligibility for individuals who have traditionally been ineligible for UI benefits (e.g., self-employed workers, independent contractors);
Coronavirus Aid, Relief, Economic Securities (CARES) Act- Flexibilities

Federal law permits states to amend their laws and policies to pay benefits where:

- An employer temporarily ceases operations due to COVID-19, preventing employees from coming to work;
- An individual is quarantined with the expectation of returning to work after the quarantine is over; and
- An individual leaves employment due to a risk of exposure or infection or to care for a family member.
- In addition, federal law does not require an employee to quit in order to receive benefits due to the impact of COVID-19.
Where We Are Now?
VI Labor Force Overview (April 2020)

Average Labor Force: 43,586

Current Unemployment Rate

Territory-wide: 8.4%
- STX: 7.0%
- STT/STJ: 9.5%

Minimum Wage: $10.50

Tipped Wage Rate:
No less than $4.20 per hour in direct wages and receive at least $10.50 per hour with wages and tips combined.

This is an increase of 67%

24,247
19,339
Unemployment Insurance Claims
week ending 6/26/2020

Applications

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<thead>
<tr>
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<tbody>
<tr>
<td>Virgin Islands</td>
<td>8,222</td>
</tr>
<tr>
<td>Paper</td>
<td>2,084</td>
</tr>
<tr>
<td>On-line</td>
<td>4,896</td>
</tr>
<tr>
<td>St. Croix</td>
<td>608</td>
</tr>
<tr>
<td>St. John</td>
<td>634</td>
</tr>
<tr>
<td>Interstate</td>
<td>634</td>
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</tbody>
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Updated Total 4/7 - 6/30/2020

Totals for 4/7 – 6/30/2020

<table>
<thead>
<tr>
<th>UI</th>
<th>CHECKS</th>
<th>NETAMOUNT</th>
<th>TAXES WITHHELD</th>
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<tbody>
<tr>
<td></td>
<td>19271</td>
<td>$14,539,059.00</td>
<td>$275,409.00</td>
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</table>

<table>
<thead>
<tr>
<th>FPUC</th>
<th>CHECKS</th>
<th>NETAMOUNT</th>
<th>TAXES WITHHELD</th>
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<tbody>
<tr>
<td></td>
<td>14561</td>
<td>$24,324,720.00</td>
<td>$277,920.00</td>
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</table>

<table>
<thead>
<tr>
<th>Overall Totals</th>
<th>Checks</th>
<th>Net Amount</th>
<th>Taxes Withheld</th>
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<tbody>
<tr>
<td></td>
<td>33,832</td>
<td>$38,863,779.00</td>
<td>$553,329.00</td>
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Job losses were only in the private sector of the economy.

Within the private sector, leisure and hospitality led with the largest decline (-1,485), followed by trade, transportation, and utilities (-971), construction (-220), other services (-182), education and health services (-110) and financial activities (-103).

Smaller decreases were in information (-50), professional and business services (-31) and manufacturing (-20). Public sector employment remained unchanged.
## Occupation

<table>
<thead>
<tr>
<th>Occupation</th>
<th>Mean Salary (hourly)</th>
<th>UI Benefit (hourly breakdown)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Food Preparation &amp; Serving Related</td>
<td>$13.52</td>
<td>$16.73 (6 month compressed income)</td>
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<td></td>
<td></td>
<td><strong>Breakdown</strong></td>
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<tr>
<td></td>
<td></td>
<td>Weekly Benefit ($300 for 26 weeks)</td>
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<tr>
<td></td>
<td></td>
<td>FPUC ($600 for 16 weeks)</td>
</tr>
<tr>
<td>Sales and related</td>
<td>$16.46</td>
<td>$24.28 (6 month compressed income)</td>
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<tr>
<td></td>
<td></td>
<td><strong>Breakdown</strong></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Weekly Benefit ($602 for 26 weeks)</td>
</tr>
<tr>
<td></td>
<td></td>
<td>FPUC ($600 for 16 weeks)</td>
</tr>
</tbody>
</table>
WHAT'S YOUR NEXT STEP?
Evaluate the Factors Impacting Return to Work

- Increase Demand for Automation and Utilization of IT platforms for Communication
- Employer Overhead Costs to Operate
- Fear of the consequences of COVID-19/Quarantine
- Company Restructuring of Jobs/Hours/Wages due to Temporary Suspension of the Plant Closing Act for 120 Days
Return to Work and UI Benefits

- Able and Available
- Refusal to Work Procedures
- Quarterly Reports-Employers
- UI Registration- Employers
- Self-employed eligibility
**Families First Coronavirus Response Act: Employer Paid Leave Requirements**

- **FFCRA** requires certain employers to provide their employees with *paid sick leave or expanded family and medical leave* for specified reasons related to COVID-19 through **December 31, 2020**.
  - 50 or more employees
  - Tax credit in the amount of the leave-IRS

- **Childcare**: employees taking leave shall be paid at **2/3** rate
  - $200 per day and $12,000
  - Up to 2 weeks paid sick
  - 10 weeks additional FMLA
Best Practices in Ensuring a Safe Work Environment

- OSHA Occupational Risk Assessment - PPE
- 6 feet guideline
- Travel Policy
- Sick Leave Policy
Questions?

Resources:

OSHA- Guidance on Returning to Work  

Families First Coronavirus Response Act: Employer Paid Leave Requirements  
https://www.dol.gov/agencies/whd/pandemic/ffcra-employer-paid-leave
Together We will Thrive.

Thank you to the USVI Department of Labor for joining our weekly webinar!

The recording & PPT will be uploaded by the end of the week at: www.usvieda.org/webinars