

U.S. Virgin Islands Economic Development Authority

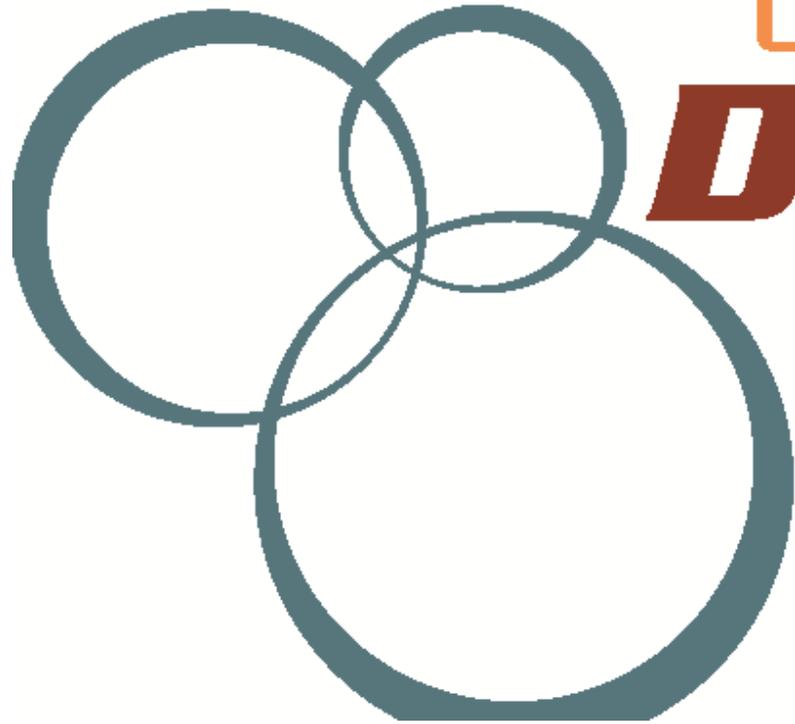


Webinar: Unemployment Insurance Updates and More from USVI Department of Labor

Moderator: Cusa Holloway, Incubator Program Manager

July 1, 2020

10:00am AST



US VIRGIN ISLANDS
DEPARTMENT
of **LABOR**

Getting the USVI Back to Work

PRESENTER: NESHA CHRISTIAN-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



Regular Unemployment Insurance

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.

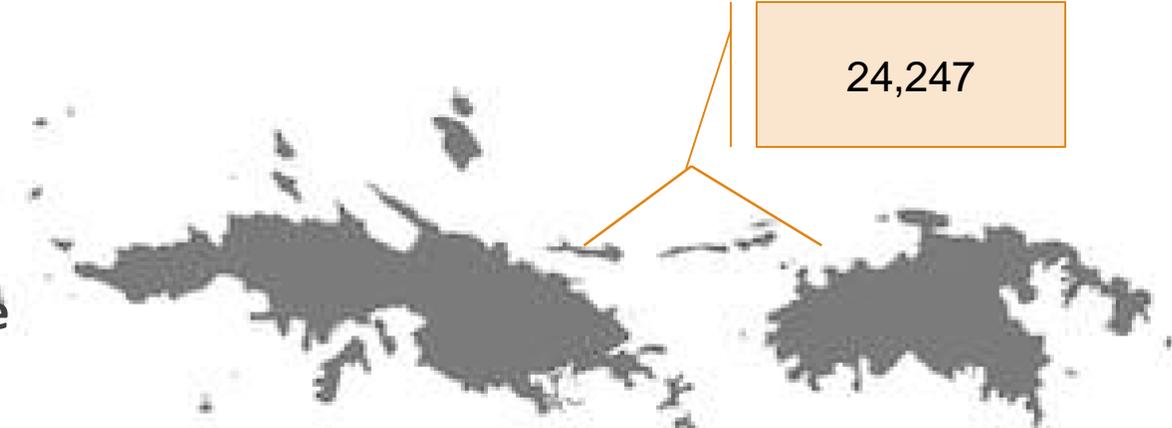
A signpost with two yellow directional signs is positioned in the center of a city street at night. The top sign points left and contains the text "Where Are", while the bottom sign points right and contains "We Now?". The background is a blurred city street with lights and buildings.

Where Are

We Now?

VI Labor Force Overview (April 2020)

Average Labor Force: 43,586



24,247

Current Unemployment Rate

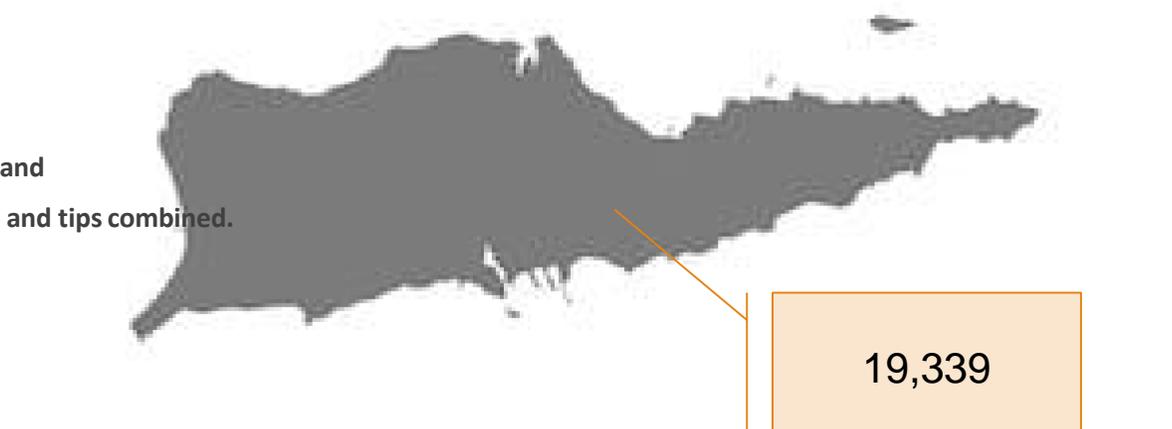
Territory-wide: 8.4%

- STX: 7.0%
- STT/STJ: 9.5%

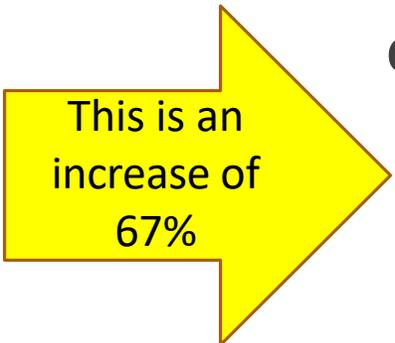
Minimum Wage: \$10.50

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.



19,339



This is an increase of 67%

Unemployment Insurance Claims

week ending 6/26/2020

Applications

Area	
Virgin Islands	11,075
Paper	4005
On-line	7,070
Area	New Claims 3/8/2020 – 6/26/2020
Virgin Islands	8,222
St. Croix	2,084
St. Thomas	4,896
St. John	608
Interstate	634

Updated Total 4/7- 6/30/2020

Totals for 4/7 – 6/30/2020

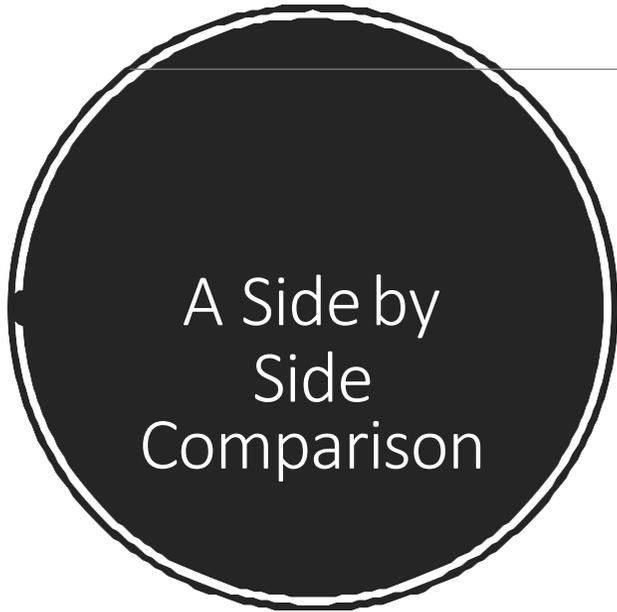
UI			
CHECKS	NETAMOUNT	TAXES WITHHELD	
19271	\$ 14,539,059.00	\$ 275,409.00	
FPUC			
CHECKS	NETAMOUNT	TAXES WITHHELD	
14561	\$ 24,324,720.00	\$ 277,920.00	
Overall Totals			
Checks	Net Amount	Taxes Withheld	
33,832	\$ 38,863,779.00	\$ 553,329.00	

Sectors Most Impacted by COVID-19

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	Mean Salary (hourly)	UI Benefit (hourly breakdown)
Food Preparation & Serving Related	\$13.52	\$16.73 (6 month compressed income) Breakdown Weekly Benefit (\$300 for 26 weeks) FPUC (\$600 for 16 weeks)
Sales and related	\$16.46	\$24.28 (6 month compressed income) Breakdown Weekly Benefit (\$602 for 26 weeks) FPUC (\$600 for 16 weeks)

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

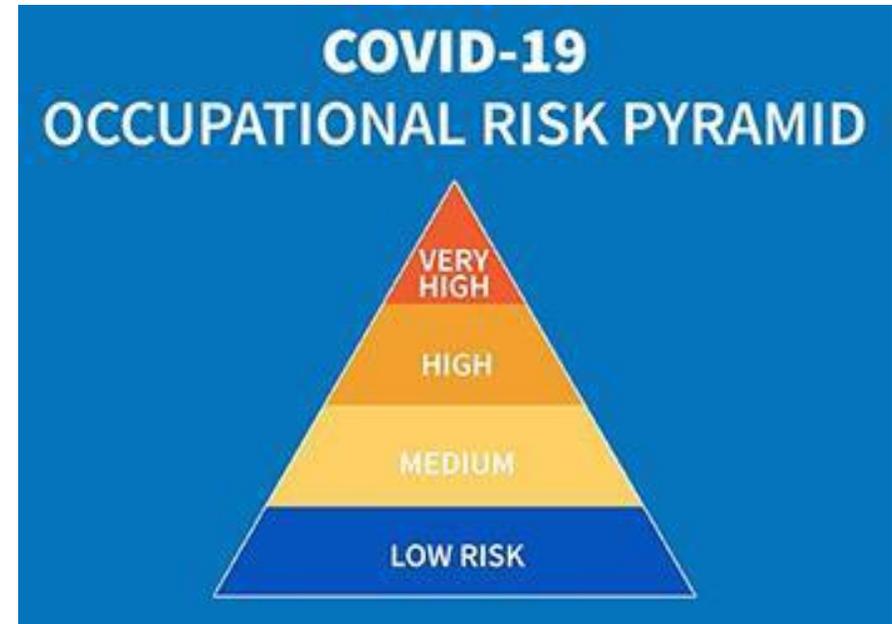
- Able and Available
- Refusal to Work Procedures
- Quarterly Reports-Employers
- UI Registration- Employers
- Self-employed eligibility

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

<https://www.osha.gov/Publications/OSHA4045.pdf>

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



@usvieda



@usvi_edu