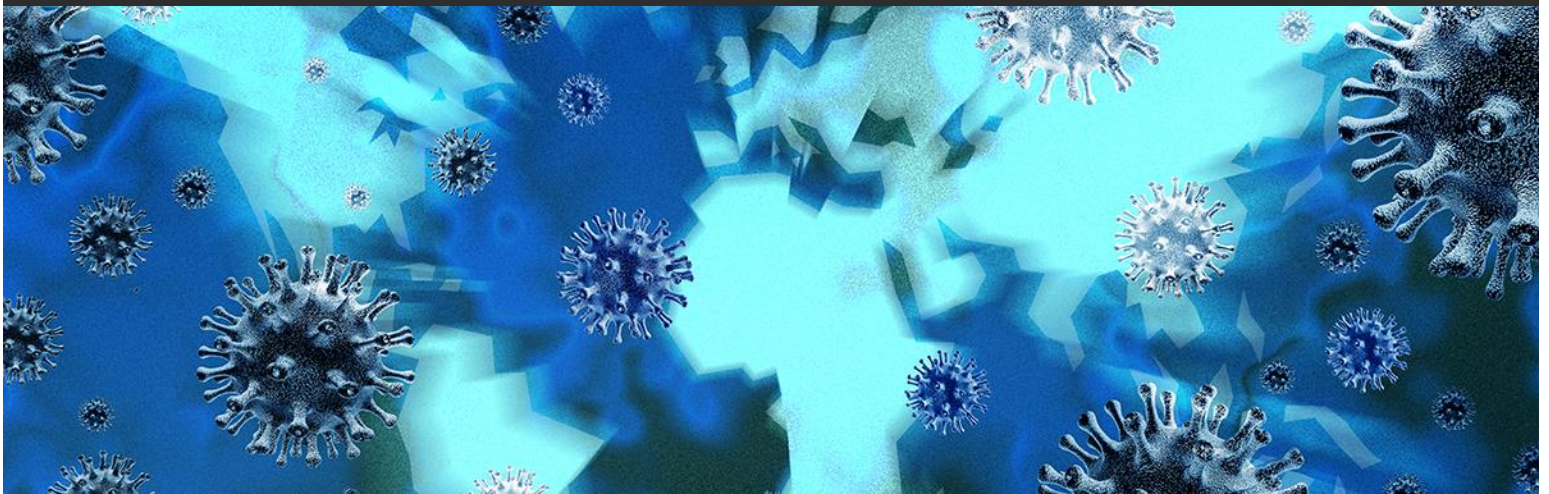


**Alert | Health Emergency Preparedness Task Force:  
Coronavirus Disease 2019**



**March 2020**

## **Georgia Department of Labor Issues Emergency Rule Requiring Employers to File Claims for Employees Affected By COVID-19**

On March 16, 2020, in response to the COVID-19 pandemic and the state of emergency proclaimed by federal and state governments, the Georgia Department of Labor issued a new **Emergency Rule**. This new Rule shifts the burden of filing claims for unemployment compensation from employees to employers. Specifically, starting after the week of March 15, 2020, employers must file partial unemployment claims online for any week during which an employee works less than full time due to a partial or total company shutdown resulting from COVID-19. According to the Georgia Department of Labor and **guidance provided by Georgia Governor Brian Kemp**, the mandate requiring that employers file partial claims for all employees whose employment is affected by COVID-19 – either because of reduced hours or a temporary shutdown of business – will streamline the process and result in employees receiving benefits more quickly. **Under this Emergency Rule, if an employer fails to file a claim, the employer will be required to reimburse the Commissioner the full amount of unemployment insurance benefits paid to the employee.**

Importantly, although the scope of the claim-filing requirement is not entirely clear from the rule itself, the Department of Labor has taken the position that it applies to all employees for whom the employer pays unemployment benefits. This means that employers who lay off employees, furlough employees, reduce employee hours (whether the employee is full or part time), or temporarily shut down operations as a result of the COVID-19 pandemic, must file unemployment claims online on behalf of their

employees. This requirement will apply until further notice from the Department of Labor. *See more information regarding this Emergency Rule and [how to file unemployment claims contemplated by the Emergency Rule](#).*

In addition, the Emergency Rule waives all work search requirements until Governor Brian Kemp lifts the state of emergency or until July 14, 2020, whichever is earlier. Employees for whom a partial claim is filed are not required to report to a career center, register for employment services, or seek other work.

For more information and updates on the developing situation, visit [GT's Health Emergency Preparedness Task Force: Coronavirus Disease 2019](#).

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