

COVID-19 Q&A: UNDERSTANDING BENEFITS YOU CAN RECEIVE DURING THE COVID-19 EMERGENCY CRISIS (April 2020)

The U.S. Congress has passed into law three relief bills to respond to the COVID-19 pandemic. This guide is intended to help NIJC clients and their loved ones understand the benefits that are currently available to them including: 1. Direct Cash Payments 2. Unemployment Insurance 3. Medical Care for COVID-19 and 4. Extended Leave for some eligible individuals.

DIRECT CASH PAYMENTS FROM THE FEDERAL GOVERNMENT

What is it?

The new laws give some people and families immediate cash to help recover from the impact of COVID-19. The law provides \$1200 direct cash to some single individuals and \$2400 to some taxpayers filing jointly as a married couple. These amounts will be given only to individuals who earn less than \$75,000 or couples that earn less than \$150,000 together. Lesser amounts may be available to individuals earning slightly more than this.

The law also gives another \$500 for every child who counts as a dependent of an adult who is eligible to receive the cash payment. This means that a U.S. citizen child can only receive the \$500 if he or she has a parent that also qualifies to receive the cash payment.

How do I know if I am eligible? There are three main requirements:

- 1. Social Security Number:** Any adult or child seeking must have a social security number.
- 2. U.S. Residency:** You must also have a green card or meet a specific residency requirement under the “substantial presence test.” If you have lived in the U.S. for the past three years, you meet the test. If not, it will depend on your specific situation.¹
- 3. Filed recent taxes:** You must have filed a 2018 and/or 2019 tax return or receive social security benefits. If you failed to file taxes in 2018 and/or 19, you can and should still file a return form in order to receive this cash payment.

What if I am married, but only one of us has a social security number?

If you are in a mixed-status marriage, only the person with the social security number is eligible and can file separately to receive this cash payment. However, filing separately for the cash payment could make you or your spouse ineligible for other health care benefits that are larger than this direct payment. It is best to consult a professional tax preparer in this situation if possible.

¹ To check test: <https://www.irs.gov/individuals/international-taxpayers/residency-starting-and-ending-dates>.

If I meet all of the requirements, do I need to do anything? No. If you have filed a 2018 or 2019 tax return, you will receive the cash payment automatically.

UNEMPLOYMENT INSURANCE

What is it?

Unemployed insurance is a program that gives people who lose their jobs through no fault of their own payments of money until they can find another job.

What immigration status is required to receive unemployment insurance?

You must have a valid work permit or any immigration status that allows you to work such as a green card or DACA or TPS status. You must be authorized to work at the time you apply for the benefit, throughout the time you receive the benefit, and also during the “base period” which is about a year prior to your application for this benefit. In Illinois, the “base period” is the first four of the last five completed calendar quarters before you start receiving unemployment insurance.²

What if I am undocumented?

Unfortunately, at this time you cannot receive this benefit.

What else is required to be eligible for unemployment insurance?

In Illinois, you have to make efforts regularly to find a new job and you must be physically able to work. You must also file a formal claim by registering with the state employment service.³

Are all types of work covered with unemployment insurance?

No. For example, some agricultural workers and many domestic workers cannot receive unemployment insurance in Illinois.⁴ However, under the new laws some people who previously could not receive unemployment insurance can receive it now, such as independent contractors and freelancers, workers seeking part-time work, and workers with a short employment history.

To learn more: <https://www2.illinois.gov/ides/IDES%20Forms%20and%20Publications/CLI105L.pdf>

What if I have temporarily lost my job due to the COVID-19 virus?

In Illinois, you will qualify so long as you are willing to return to work when it resumes.

What if I have to quit my job because I have to be home to take care of my child or care for someone with COVID-19 or stay home due to a quarantine order?

In Illinois, you can file a claim for unemployment insurance in each of these situations so long as you meet the other minimum requirements above including having valid work authorization. You will have to register with the employment service to receive the benefit.

² <https://www2.illinois.gov/ides/IDES%20Forms%20and%20Publications/CLI105L.pdf>, page 15

³ <https://www2.illinois.gov/ides/Pages/COVID-19-and-Unemployment-Benefits.aspx>.

⁴ <https://www2.illinois.gov/ides/IDES%20Forms%20and%20Publications/CLI105L.pdf>, page 3-4.

Where do I file a claim for unemployment insurance?

You file your claim with the Illinois Department of Employment Services. To file online:
<https://www2.illinois.gov/ides/aboutides/Pages/10%20Things%20You%20Should%20Know.aspx>

You can also call this number to file your claim by phone: 1 (800) 244-5631. You can only file claims for unemployment insurance at certain times depending on the first letter of your last name.⁵

If I do qualify, for how long can I receive these unemployment payments?

In Illinois, you can receive up to 26 weeks of these payments. Under the new laws from Congress, that period is extended to 39 weeks.

How much will I receive?

It depends on your prior work history and other factors, but under the new laws you can receive \$600 more per week than you would have otherwise received through July 31, 2020.

Will receiving unemployment insurance make me a “public charge” when I am being considered for a visa or adjustment of status?

No. It is not considered a public benefit so it should not be a negative factor against you.

COVID-19 TESTING AND TREATMENT

I have symptoms of the COVID-19 virus and want to be tested. Will I have to pay for a test?

No. In Illinois, everyone regardless of status is eligible for free COVID-19 testing. However, testing is still limited.

What about COVID-19 *treatment*—do I have to pay for that if I have the virus?

It depends. If you are covered by Medicaid or are eligible for Medicaid, then you can receive free COVID-19 treatment. Depending on your immigration status, you may also qualify for emergency Medicaid. If you are receiving treatment for COVID-19 at the ER, you should ask to apply for emergency Medicaid.

If you are undocumented, you are not eligible for free treatment under Medicaid at this time. However, Illinois is working to expand emergency Medicaid to undocumented individuals and that may change in coming months. There are also clinics that provide charity care where you may receive treatment at low or no cost.

Where can I find clinics that will provide medical care and treatment regardless of my immigration status?

⁵ For online filing: Last name starting with letters A-M must file on Sundays, Tuesdays, or Thursdays. Last names starting with N-Z must file unemployment claims on Mondays, Wednesdays, or Fridays. On Saturdays, anyone can file. For call center filings: Last names starting with A-M must call on Tuesdays or Thursdays between 7:30 am to 6:00 pm. Last names starting with N-Z must call on Mondays or Wednesdays between 7:30 am and 6:00 pm. On Fridays, anyone can call to file for unemployment.

If you are experiencing mild symptoms related to COVID-19, you should contact a healthcare provider at a clinic, community health center, or a federally qualified health center (FQHC) rather than visit an emergency room. Visit this site for a list of clinics in the Chicago area that provide treatment and care: <https://www.illinoisfreeclinics.org/clinic-search/clinic-directory>.

Is it safe for me to visit a clinic or hospital if I do not have current immigration status?

It should be, yes. Under current immigration policy, health care facilities are considered locations where the government will not take immigration enforcement actions such as arrests. The risk of any interaction with immigration authorities is low at a health care facility.

Will receiving testing or treatment for COVID-19 make me a “public charge” when I am being considered for a visa or trying to adjust status?

No. Testing and/or treatment should not count against you.

PAID MEDICAL AND FAMILY LEAVE

If I get COVID-19 or have to care for someone with it, can I take time off and still get paid?

It depends where you work. Under the new laws, any employee working for an employer with less than 500 employees is entitled to emergency paid sick leave for COVID-19 related treatment or caregiving regardless of immigration status. Employers can only deny paid medical leave for COVID-19 to medical workers and first responders.

How long can I receive paid medical leave for COVID-19 related treatment or caretaking?

For up to two weeks, if you work for an employer covered by the laws described above.

Do I need to interact with a government agency to receive this paid medical leave?

No. Paid medical leave is given directly from your employer to you.

What if I need to take time off temporarily from my job to care for my child because childcare and/or school is no longer available due to COVID-19?

Under the new laws, you may also take paid medical and family leave to care for your child in this situation for up to 12 weeks, depending on where you are employed. Employers required to provide this leave include public agencies and private sector entities with more than fifty employees. If your employer is covered by this law, you should receive at least two-thirds of your regular rate of pay. You are eligible regardless of your current immigration status.

For more information about the three relief bills from U.S. Congress, visit this site:

www.nilc.org/issues/economic-support/impact-of-covid19-relief-bills-on-immigrant-communities/

For more information about services in Illinois, visit this site:

https://docs.google.com/document/d/1_FkBlQh4AluGm3_rQAVBIHmDM-i5cxatvnIoxElbmCc/edit