

OPINION

With rise in Delaware unemployment, people are going to be denied. We can help. (Opinion)

Betsy Price, Delaware News Journal Published 12:00 p.m. ET March 20, 2020

Thousands of Delaware workers have already been laid off, furloughed or otherwise deprived of income as businesses shutter during the coronavirus pandemic.

The loss of income is harmful to anyone, but is particularly devastating for low-wage hourly workers who live paycheck-to-paycheck. The bills will keep coming, and many will struggle to keep up with rent or buy food, medicine and other necessities.

Unemployment compensation is generally available to Delaware workers who are laid off or otherwise deprived of work through no fault of their own.



Douglas B. Canfield is executive director of Legal Services Corp. of Delaware Inc. (Photo: Courtesy of Legal Services Corp. of Delaware)

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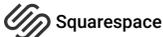
In light of the current emergency situation, the Delaware Department of Labor has announced that it is expanding eligibility to workers who would not ordinarily be entitled to claim unemployment insurance benefits. This includes:

- Workers who are ill with COVID-19 and unable to work;
 - Workers whose employers have temporarily curtailed operations in order to comply with the governor's State of Emergency declaration;
 - Workers who have been ordered by a medical professional to self-quarantine due COVID-19 or potential exposure to that disease;
 - Parents who have been forced to quit or take unpaid leave to care for children as a result of the effect of the governor's emergency closure of schools;
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- Workers who have been forced to quit or take unpaid leave to care for a loved one who has contracted COVID-19;
 - Part-time workers who have lost hours due to any of the forgoing reasons.

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Carney's administration also has announced that it is making changes to help hospitality and service workers.

Workers who earn tips can include them in their calculation of wages when applying for unemployment benefits. That is important because the amount of benefits a worker is entitled to is based on the wages the worker earned in the period leading to the loss of employment.

A second recent announcement is that workers may continue to work part-time without losing their eligibility for unemployment insurance benefits. That is a significant change. Workers ordinarily would lose their unemployment insurance benefits upon returning to work part-time.

Claimants can apply for unemployment benefits from home using the Delaware Department of Labor's web portal at <https://ui.delawareworks.com/>.

It is important to file for benefits as soon as possible in order to perfect the claim. The Department of Labor has made a commitment to expedite its review of unemployment insurance benefit applications and process all applications within one week.

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Due to this unprecedented health emergency, unemployment claims to the Department of Labor have increased greatly. People with limited access to computers should also attempt to use smartphone internet access that they, or a household member, may possess to submit claims.

People should not attempt to go to the Department of Labor offices in person. Unemployment claims must be filed electronically. The Department of Labor has indicated that their offices will be closed to the public.

Despite the laudable attempts to expand benefits and simplify the process, it is likely that many eligible people will have their claims denied.

There are very strict deadlines for the filing of appeals. If those deadlines are missed, the right to appeal ends. The appeals process can be complicated and having a lawyer is crucial.

Legal Services Corp. of Delaware Inc provides free legal services to low-income Delawareans, including with unemployment compensation appeals. If you are denied benefits, you should immediately contact us to obtain representation. All of our services are free of charge to eligible clients.

Although short staffed due to this crisis, Legal Services stands ready to provide representation to people to obtain their crucial benefits. You can reach us at <https://www.delawareonline.com/story/opinion/2020/03/20/rise-delaware-unemployment-people-going-denied-we-can-help/2881711001/> at [SCD.com](https://www.delawareonline.com/story/opinion/2020/03/20/rise-delaware-unemployment-people-going-denied-we-can-help/2881711001/).
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With rise in Delaware unemployment, people are going to be denied. We can help.

Although all of us are in some way facing this crisis, we are here to help our fellow citizens with assistance with their vital lifeline of unemployment compensation benefits.

Douglas B. Canfield is executive director of Legal Services Corp. of Delaware Inc.

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