

TEXAS UNEMPLOYMENT BENEFITS FAQ

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MORE HELP



I'VE LOST MY JOB DUE TO COVID-19 AND/OR THE QUARANTINE. WHAT CAN I DO?

Contact the Texas Workforce Commission (TWC) for unemployment assistance. You can apply online or call their call center at 1-800-939-6631. Call center hours are M-F 8:00am to 6:00pm and expanded to Saturdays on March 28, 2020.

TWC has issued new guidance for calling based on the first digit of your area code in order to ease the backlog of callers created as a result of claims arising from COVID-19. **Effectively immediately, TWC asks that Texans use their area code to find their proposed call and access times listed below. See the chart for recommended call and access times:**

RECOMMENDED CALL AND ACCESS TIMES

Area Code of Applicant	Suggested Call Time
Area Codes Beginning with 9	Mon-Wed-Fri 8:00 a.m.-Noon
Area Codes Beginning with 3, 4, 5,6	Mon-Wed-Fri 1:00 p.m. - 5:00 p.m.
Area codes Beginning with 7, 8	Tues -Thurs-Sat 8:00 a.m. - Noon
Area codes Beginning with 2	Tues-Thurs-Sat 1:00 p.m. -5:00 p.m.

I CAN'T GET THROUGH TO THE CALL CENTER OR THE WEBSITE – WHAT CAN I DO?

Please be patient. The volume of calls and visits to the website have been overwhelming, so please try again during the time that coincides with your area code as referenced in the chart above.

WHEN DO UNEMPLOYMENT ASSISTANCE BENEFITS START?

As soon as the paperwork is finalized. TWC indicated on April 3, 2020 that **Texans will not be penalized for a delay due to call or user volume.** Claims for individuals affected by COVID-19 are eligible to be backdated. Staggering claims will provide help to reduce frustrations for many Texans and provide better access to needed services.

WILL THE NUMBER OF DAYS ALLOWED FOR UNEMPLOYMENT ASSISTANCE BE INCREASED?

The newly passed Coronavirus Aid, Relief and Economic Security Act (CARES Act) provides an additional 13 weeks of unemployment benefits (ending on December 31, 2020) to help those who remain unemployed after weeks of state unemployment benefits are no longer available.

WHAT WAYS ARE TWC HELPING THOSE UNABLE TO FIND WORK DURING THE QUARANTINE? WHAT CHANGES HAVE BEEN MADE TO THE APPLICATION PROCESS?

TWC has suspended the work search requirement and the week waiting period. Additionally, if you have been overpaid in the past, normally it would be deducted from current benefits before you receive benefit. They just changed the rules and they will not be collecting any overpayment before paying.



ARE SELF-EMPLOYED OR INDEPENDENT WORKERS ELIGIBLE FOR UNEMPLOYMENT BENEFITS FROM TWC?

The CARES Act creates a temporary Pandemic Unemployment Assistance Program through December 31, 2020 to provide payment to those not traditionally eligible for unemployment benefits (self-employed, independent contractors, and those with limited work history) who are unable to work as a direct result of the coronavirus public health emergency.

HOW DO I KNOW IF I AM CLASSIFIED AS AN EMPLOYEE OR AS AN INDEPENDENT CONTRACTOR?

The three essential elements of the definition of employment are service, wages, and direction and control. Direction and control can be present in an employment relationship even if the employer does not exercise direction and control, but retains the right to do so.

You can use this PDF as a comparison between employment and contract work for further clarification: <https://twc.texas.gov/files/businesses/form-c-8-employment-status-comparative-approach-twc.pdf>

HOW DO I KNOW WHAT MY WORK CLASSIFICATION IS?

The Texas Workforce Commission offers guidance with questions about the classification of workers. Contact your nearest TWC tax office for assistance: <https://twc.texas.gov/unemployment-tax-contact-information>

I APPLIED FOR BENEFITS AND WAS DENIED. WHAT DO I DO NOW?

Believe it or not, this is great news! If you were denied based on insufficient wages, the TWC system will flag your application. Once the TWC system is upgraded in a few weeks, they will contact you to move on to the next step in the applications process.

CAN TWC HANDLE THE VOLUME OF APPLICATIONS AND CALLS?

The COVID-19 outbreak has created a flood of new claims and contacts (example: on March 22 alone, they took over 100,000 calls). You may have to call back several times – it is important to be persistent.

WHAT STEPS HAVE BEEN TAKEN BY TWC TO PREVENT LOSS OF SERVICE?

TWC has done the following:

- moved staff from other divisions to the call centers
- temporarily hired 100 additional staff
- expanded hours

Additionally, they are working to increase server capacity and increase the number of servers in operation to help with the website.

CAN TIPPED WORKERS COUNT THEIR TIPS TOWARDS UNEMPLOYMENT BENEFITS?

Yes, if the tips were reported by your employer.



HOW MANY UNEMPLOYMENT CLAIMS WERE THERE IN MARCH?

As of now, there has been an increase from 3,000 – 9,000 claims a day to 25,000. In the past week alone, there were 150,000. However, do not let the numbers dissuade you from applying for assistance if it is needed – TWC is increasing capacity to help as many people as necessary.

WITH THIS NUMBER OF NEW CLAIMS AND PEOPLE AFFECTED, IS THERE ENOUGH FUNDING AVAILABLE TO TWC TO HELP EVERYONE WHO IS ACCEPTED?

Yes. There is enough funding now, and TWC will seek additional funding from the Federal government if necessary.

MORE HELP

A flowchart and checklist explaining eligibility for unemployment during the Coronavirus Pandemic is available at:

<https://www.texasaflcio.org/unemployment-flowchart>