

# WorkShare

## Frequently Asked Questions

### COVID-19



#### **What is WorkShare?**

WorkShare is a program available to employers who reduce employee hours and wages as an alternative to layoffs. This program allows the payment of a percentage of Unemployment Insurance benefits to employees whose hours and wages are reduced from 10% to 50%.

#### **Who may apply for WorkShare?**

All New Hampshire employers whose taxes are currently up to date are eligible to apply for WorkShare. Interested employers may apply for the Program by visiting the WorkShare website at: <https://www.nhes.nh.gov/nhworking>

#### **What are the advantages to the employer?**

- Avoid layoffs
- Retain skilled and trained employees
- Maintain morale and productivity
- Respond quickly as business increases

#### **What are the advantages to the employee?**

- Hours are reduced rather than eliminated
- Collect wages for hours worked plus Unemployment benefits for reduced hours
- Continue to receive health insurance
- Work search requirement is waived

#### **Who is eligible to participate in a WorkShare Plan?**

The plan can cover the employer's total workforce, a particular shift, or a specific unit. The plan only applies to employees who normally work full-time or on a permanent part-time basis.

WorkShare provides benefits to employees who are experiencing a reduction in hours at their location or within their specific unit. Business owners and corporate officers are generally **not** eligible for WorkShare benefits.

#### **Is there a limit to the size of the employer's workforce?**

The affected unit must have a minimum of 2 employees in order to participate. There is no limit to the maximum number of employees who can participate.

#### **What are the criteria that need to be met for the plan to be approved for WorkShare?**

- The plan must identify the affected unit or units and specify the proposed start date of the plan
- The employees in the affected unit or units must be identified by name, social security number, the usual weekly hours worked, proposed hour reduction and any other information the Commissioner requires
- The usual weekly hours of work for employees in the affected unit or units are reduced by not less than 10% and not more than 50% and the reduction in hours in each affected unit is spread equally among all the employees in said unit
- The plan must certify that the reduction in the normal weekly hours is instead of layoffs and must state the reason for and duration of the work reduction
- The employer agrees to furnish reports relating to the proper conduct of the plan and agrees to allow the Commissioner or his/her authorized representative access to all records necessary to verify and evaluate the plan
- Plans cannot exceed 26 weeks but back-to-back plans may be filed

## **Can an employer apply for WorkShare if the employees are represented by a collective bargaining agent or union?**

Yes. If employees are represented by a collective bargaining agent or union, the plan must be approved in writing by the collective bargaining agent or union who covers the affected employees. In the absence of a collective bargaining agent or union, the plan must contain a certification by the employer that it has made the proposed plan or a summary of the plan available to each employee affected by the program.

## **Are seasonal employers eligible for WorkShare?**

No. WorkShare does not serve as a subsidy of seasonal employment during the off season or as a subsidy for intermittent employment.

## **How will my company be notified?**

If the plan meets the requirements of NH law, it will be approved in writing by the Commissioner of NH Employment Security. The Commissioner has 15 days from date of receipt of the plan to accept or reject a plan.

## **Who gets charged for WorkShare benefits?**

During the time Governor Sununu's Executive Order 2020-4, Emergency Order #5, remains in effect, all employers are being relieved of all charges. Further, for purposes of WorkShare, all benefits paid under WorkShare, are being paid 100% by the US Department of Labor.

## **Must the employee serve a Waiting Period?**

The waiting week is currently waived.

## **What conditions apply to employees collecting WorkShare benefits?**

- The employee must be able and available for the normal work week with the WorkShare employer
- The employee must work all the hours offered by the WorkShare employer in any given week
- If the employee is also working for a non-WorkShare employer, the employee must report gross wages earned from that employer so that the wages can be entered on the appropriate weekly claim.

## **What is an individual's weekly WorkShare benefit amount?**

An individual's weekly WorkShare benefit amount is the person's regular weekly benefit amount multiplied by the percentage reduction in the individual's weekly hours of work. For example, if an employee's weekly benefit amount is \$405 and a Plan is filed with a 20% reduction in hours of work, the employee could be eligible for \$81 in Unemployment benefits ( $\$405 \times 20\% = \$81$ ). WorkShare benefits are reduced when an employee works for a non-WorkShare employer and earns in excess of \$128 in any given week. If a WorkShare participant is eligible for benefits in any given week, they would also be eligible for the \$300.00 weekly stimulus being provided by the CARES Act extension.

## **How many weeks can an employee receive WorkShare benefits?**

An employee can collect a maximum of 26 times their maximum weekly benefit amount in unemployment benefits during a single benefit year. Since the WorkShare benefit amount is a % of an employee's maximum weekly benefit amount, it is possible for a WorkShare participant to collect up to 51 weeks of benefits.

## **Additional Questions?**

Please contact NH Employment Security's WorkShare Unit:

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