

Unemployment Compensation and Workers' Compensation in the COVID-19 Emergency

Massachusetts Unemployment

Quoting from the state website: The Massachusetts Department of Unemployment Assistance (DUA) may pay unemployment benefits if a worker is quarantined due to an order by a civil authority or medical professional, or leaves employment due to reasonable risk of exposure or infection or to care for a family member. The worker need not provide medical documentation and need only be available for work when and as able.

To assist individuals who cannot work due to the impact of COVID-19, the Baker-Polito administration filed emergency legislation that will allow new claims to be paid more quickly by waiving the one-week waiting period for unemployment benefits. This means that DUA would be authorized to pay benefits without delay to persons who become unemployed because of lay-offs or business shutdowns taken in response to the virus, because of quarantine orders or directives, because of illness that prevents them from leaving their homes, or because they must care for a sick or quarantined family member.

For more information and to apply visit <https://www.mass.gov/info-details/massachusetts-covid-19-unemployment-information>.

Massachusetts Workers' Compensation:

Quoting from the state website: If a person contracts the virus for any work-related reason, that person could be eligible for workers' compensation. If you qualify, you can receive payments to partially replace your paycheck and for medical care related to your injury. [Learn more about workers' compensation](#).

In most cases, a claimant is not eligible for both unemployment benefits and workers' compensation.

Which should I apply for? The MNA's Advice

The default choice is unemployment compensation. If you are out because you are sick with a positive COVID-19 diagnosis, presumptively from workplace exposure, you can file for workers compensation claim. If you do this after having already filed for unemployment, simply disclose that fact in your application.

Watch this space for updates as the MNA receives further advice from the state government.