

The Virgin Islands Consortium

V.I. Labor Department Has Issued 1,390 Unemployment Checks as of Thursday; Issuance of Federal Unemployment Benefits Should Start Soon

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As of Thursday the Virgin Islands Department of Labor had issued 1,390 local unemployment checks for a total of \$969,176, Governor Albert Bryan said during his Friday coronavirus press briefing. It was the first figure given following a V.I. Dept. of Labor interview with the Consortium [two weeks ago](#), where Labor Commissioner Gary Molloy said the department had received over 4,000 claims as a result of redundancies ignited by the deadly pathogen.

"We continue to build the capacity within the Dept. of Labor to ensure that we're cutting out checks and processing claims as quickly as possible," Mr. Bryan said Friday. The governor did not provide details relative to how many unemployment insurance claims D.O.L. had received as of Thursday, which would have given a good sense of the territory's economic standing relative to layoffs as a result of the pandemic.

During the Consortium's interview with Mr. Molloy and V.I. D.O.L. Legal Counsel and Assistant Commissioner, Nesha Christian-Hendrickson, the officials said the department was being inundated with calls and that it was very difficult for potential claimants to get through. However, D.O.L. was expected to boost its workforce by 50 persons to help mitigate the backlog of claims while responding more swiftly to newly unemployed individuals.

Mr. Molloy and Ms. Christian-Hendrickson two weeks ago said the federal unemployment programs would come online in three weeks, which means barring any major changes, the department should start working on issuing those checks in a week's time.

Information of the three main federal programs

- **Pandemic Unemployment Assistance:** That's the program for the self-employed, along with those who don't have sufficient quarters and wages in the system to produce a claim, along with other issues that prevent them from qualifying for regular unemployment benefits.
- **The Federal Pandemic Unemployment Compensation:** This program provides \$600 on top of the regular benefits. Those who qualify will receive \$600 per week for 4 months on top of their regular unemployment benefits. (This program started on April 5 and ends July 31, 2020. The program is also retroactive, so though the program is not yet available in the USVI, those who qualify will get the funds for the entire four months).
- **Pandemic Emergency Unemployment Compensation:** This program provides an additional 13 weeks — beyond the 26-week limit — for those persons who would have exhausted the 26 weeks of unemployment and had yet to find a job. If you are still unable to get a job, there's another 13 weeks of unemployment on top of the extra 13 weeks for those who qualify, Ms. Christian-Hendrickson said.

"What Congress has tried to do is that if people really can't get back to work, that there are sufficient programs in place so people could continue receiving some kind of compensation until they are able to get back to work," stated Ms. Christian-Hendrickson. She said the U.S. Dept. of Labor had sent about 400 pages of laws along with another 300 pages of explanation of said laws that must be understood before implementation. "For the last few weeks we have been furiously trying to implement that, so in the next couple of weeks a lot more will go out from us," she said.

Furthermore, Ms. Christian-Hendrickson said the new programs have very specific language for qualifications and only people who qualify will be eligible to receive benefits. If persons who qualify initially are found to have gamed the system, they will be prosecuted and will have to pay back the money, Ms. Christian-Hendrickson warned.

Has your employer made adequate quarterly payments into the V.I. D.O.L. system to cover your unemployment benefits?

While some employers have been paying unemployment wages for their employees into the Labor Department's system, not all have been fully compliant. This may lead to delayed unemployment payments to some laid-off workers, and therefore Mr. Molloy encouraged all businesses that have yet to fully make payments into the system to do so immediately.

"It's going to delay you getting a check," Commissioner Molloy said. "Because we have to check and cross check to ensure wages for those particular quarters were in fact paid into the system."

Employers are taxed by the Dept. of Labor based on the wages of their employees, and that generates a pool, said Ms. Christian-Hendrickson. Employees don't put anything into the system; this particular system is based on the funds that employers are taxed on. Therefore, if an employer has not provided accurate data on its employees to provide a true picture on how much this employer needs to be taxed, then employees who have been laid off could see the unfortunate outcome of having their payments delayed.

"That's why you're hearing me ask and make the plea to please make sure that your quarterlies are up to date," Mr. Molloy said, referring to businesses. "It's important that you get your quarterlies in timely. Because if, in fact, it is not, you're looking at a situation where somebody that really needs the unemployment payments that was your employee before they were our client, won't be able to get access to the benefits as quickly as possible. And so with this influx of claims, then rather than getting it out within a two to three-week period, you're looking at that application now has to be put on the side until additional documentation is made," Mr. Molloy said.

He said a lot of employers are doing the right thing. However, there are those employers who, for example, may have 15 employees but their quarterly payments only show 10 employees — leaving the remaining five who may seek unemployment benefits in a bad place.

"We're seeing those kinds of situations," Mr. Molloy said. "We're also seeing that there are some employers that have not even registered with our system. And we're now in the mode of addressing that as well."