

Railroad Retirement Board Response to COVID-19 Pandemic

The Railroad Retirement Board (RRB) has received questions regarding eligibility for unemployment and sickness benefits for covered railroad employees affected by the COVID-19 virus. The information below will answer some of those questions. Circumstances and situations not listed below will be covered under the RRB's existing policies and procedures.

1. **Sickness benefits:** If an employee tests positive for the COVID-19 virus and has documentation to show that he or she is sick, the RRB will process a claim for sickness benefits for the period the employee is unable to work due to the virus. Proof of the positive test will be accepted as initial proof of days of sickness sufficient to certify for payment. Pursuant to section 12(i) of the Railroad Unemployment Insurance Act, the Board designates any provider conducting a valid test for COVID-19 as qualified to execute a statement of sickness.
2. **Sickness benefits:** If an employee with symptoms of COVID-19 is subject to a quarantine instruction or medical advice from a medical provider or public health official, but does not yet have a positive test for COVID-19 the employee may claim and be paid sickness benefits for the period the employee is subject to the quarantine instruction. The employee shall submit as proof, any documentation of the quarantine instruction from a medical provider or public official, or an affidavit in which the employee describes his or her symptoms and the quarantine instruction he or she was given. Either the affidavit, or documentation of quarantine instruction will be accepted in lieu of a statement of sickness and will be sufficient to certify the initial sickness claim, but an affidavit will not be sufficient to certify subsequent claims.
3. **Sickness benefits:** If an employee is directed by the railroad's management to self-isolate and refrain from reporting for duty due to COVID-19 exposure or potential COVID-19 exposure, and the worksite remains open, the employee may claim and be paid sickness benefits for the period the employer's restriction applies. The employee shall submit an affidavit describing the exposure and direction from the employing railroad. Proof of the instruction or an affidavit will be accepted in lieu of a statement of sickness and sufficient to certify an initial sickness claim.
4. **Unemployment benefits:** The usual rules that apply to individuals on furlough will apply. If an employer furloughs an employee the employee may claim and be paid unemployment benefits for the period of furlough.
5. **Unemployment benefits:** While most employees will be exempt from state and local orders to shelter in place or to self-quarantine, if an employee believes that he or she is subject to a state or local order which prevents him or her from reporting to work, the employee shall specify in the unemployment application to which order the employee believes he or she is subject. The RRB Office of General Counsel will review the order in question and identify what additional evidence, if any, the agency needs to determine whether the employee is subject to that

order. If the employee can provide the evidence determined necessary by the RRB Office of General Counsel to show the employee is subject to the order in question, then he or she will be deemed to have satisfied the eligibility requirement of being “available for work”.