

UNEMPLOYMENT BENEFITS AND THE DUTY CREW SHIFT

The State Fire Marshal Division has received numerous questions surrounding unemployment benefits and working on a **duty crew** with your fire department. After reaching out to Department of Employment & Economic Development (DEED), they have offered the following guidance.

PLEASE NOTE: THE FOLLOWING GUIDELINES REFER TO ANY FIRE DEPARTMENT THAT EITHER OPERATES A DUTY CREW SYSTEM CURRENTLY, OR ANY DEPARTMENT THAT IS PLANNING ON DEVELOPING ONE DURING THIS COVID-19 PANDEMIC.

1. Under Minnesota law, earnings for **emergency calls** as a volunteer/ paid-on-call firefighter or volunteer/paid-on-call ambulance service personnel do NOT reduce unemployment benefit payments. <https://uimn.org/applicants/affectsbenefits/other-income/index.jsp>
 - a. The section above refers to the firefighters who are **paged out** for an emergency response.
 - b. This also includes the page-out to “standing by” at a neighboring community as part of a mutual aid agreement. The standby was due to an emergency call-out, and was not a scheduled event.

2. However, this exception **does not** apply to on-call or standby pay provided to a volunteer/ paid-on-call firefighter or volunteer/ paid-on-call ambulance service personnel. See here for info about working while requesting unemployment benefits. <https://www.uimn.org/applicants/affectsbenefits/report-work/index.jsp>
 - a. The section above refers to the firefighters who sign up for a duty crew. (A scheduled event)

It is important to note here that UI does not act as a disincentive for part-time work.

You **can** receive a partial unemployment benefit for any week you work less than 32 hours and your earnings are less than your weekly benefit amount. The UI (unemployment insurance) system will deduct 50% of your duty crew earnings from your UI benefit payment. We are using \$10.00/hr. as an example. Please insert your own duty crew hourly wage in to the equations to get a clearer representation of your UI matrix.

DUTY CREW HOURS BELOW 32 HOUR/WEEK THRESHOLD - @ \$10.00/HR.

Scenario 1

- Say you have a UI weekly benefit amount of \$500.
- You earn \$80 for working 8-hour duty crew @ \$10.00/hr.
- The state deducts \$40 of that \$80 from your UI benefit (50% of your duty crew pay).
- **Your gross pay is now \$540, instead of \$500. ($\$500 - \$40 + \$80 = \540)**

Scenario 2

- You have a UI weekly benefit amount of \$500.
- You earn \$160 for working 2 8-hour duty crew @ \$10.00/hr.
- The state deducts \$80 of that \$160 from your UI benefit (50% of your duty crew pay).
- **Your gross pay is now \$580, instead of \$500. ($\$500 - \$80 + \$160 = \580)**

DUTY CREW HOURS IN EXCESS OF 32 HOURS/WEEK THRESHOLD - @ \$10.00/HR

Under Minnesota law, you are not eligible for unemployment benefits in any week you work **32 or more hours, or** when your gross earnings for the week are **equal to or greater** than your weekly benefit amount.

Scenario 3 (Hours worked is greater than 32, and gross pay is greater than weekly UI benefit)

- Say you have a UI weekly benefit amount of \$500.
- You earn \$600 for working 6 days (8 hrs./ea.) on a duty crew – 48 hr. total
- The state will not pay any of your weekly unemployment benefits because you worked more than 32 hours, and your GROSS PAY is equal to, or greater than your weekly UI benefit.
- But, you will keep all your weekly earnings from the fire department duty crew work.
- **Your gross pay is now \$600, instead of \$500.**

Be aware of the following scenario!

Scenario 4 (Hours worked is greater than 32 hours, but gross pay is less than weekly UI benefit)

- You have a UI weekly benefit amount of \$500.
- You earn \$400 for working 5 days (8 hrs./ea.) on a duty crew – 40-hour total
- The state will not pay any of your weekly unemployment benefits because you worked more than 32 hours, even though your GROSS PAY is less than your weekly UI benefit.
- **Your gross pay is now reduced to \$400, instead of \$500.**

Also note that workers can qualify for CARES Act benefits (the \$600 additional payment) even if they are receiving a partial unemployment benefit.

For questions, please call:

Minnesota Department of Employment & Economic Development

Twin Cities area: **651-296-3644** Greater Minnesota: **1-877-898-9090**