



Employment Law Alert

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Jobless Benefits

After months of political stalemate, the Senate passed a measure on Wednesday to restore emergency jobless benefits to millions of people who have been out of work for over six months. The House approved the measure on Thursday, and shortly afterwards, President Obama signed the Unemployment Extension Bill into law.

The new jobless benefits law authorizes states to make retroactive payments to those whose unemployment benefits terminated on June 2, 2010. In addition, the law makes up to 99 weeks of payments available through the end of November 2010 to those who have exhausted their state benefits.

No Extension of COBRA Subsidy

To date, Congress has not (yet) extended the COBRA premium subsidy for employees who were involuntarily terminated. Therefore, the subsidy is not available to workers terminated after May 31, 2010.

However, those who qualified for the subsidy on or before May 31, 2010 may continue to pay reduced premiums for up to 15 months as long as they do not become eligible for another group health plan or Medicare.

Impact on Employers

Laws affecting employers and their obligations to employees are evolving faster than ever. While the COBRA subsidy has not yet been extended, employers should watch for additional legislation that may extend the eligibility period past May 31, 2010. For now, employers should again revise their COBRA notices so that employees who are involuntarily terminated do not receive notice that they may be eligible for a COBRA subsidy.

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