

August 27, 2020

**RE: Chicago Painters and Decorators Supplemental
Unemployment Benefit and IDES**

Brothers and Sisters:

Individuals who were eligible and received Illinois Department of Employment Security (IDES) unemployment benefits were also eligible to receive Painters Supplemental Unemployment Benefits (“SUB”) through May 31, 2020 through the Chicago Painters and Decorators Welfare Fund.

This Supplemental Unemployment Benefit payment was designed to provide an additional \$400 per week to augment Illinois unemployment benefits.

The Illinois Administrative Code explicitly provides that SUB benefits from an ERISA Fund **are not** a reason to deny or reduce unemployment benefits from IDES. (56 Ill. Admin. Code 2920.60 attached).

Should you receive correspondence from IDES denying, reducing or requesting repayment of your weekly unemployment benefit, or seeking repayment of benefits paid because of receipt of Painters Welfare Fund SUB Benefits, immediately contact our attorney, Steven F. McDowell, Arnold and Kadjan, LLP at (312) 236-0415 to assist you in this matter.

A member has brought this issue to our attention. We are working with IDES to resolve the situation. The Union is giving affected members advance notice to cure any potential problems.

Fraternally yours,

John Spiros, Jr.
Business Manager/Secretary Treasurer

Joint Committee on Administrative Rules
ADMINISTRATIVE CODE

TITLE 56: LABOR AND EMPLOYMENT
CHAPTER IV: DEPARTMENT OF EMPLOYMENT SECURITY
SUBCHAPTER g: INELIGIBILITY FOR BENEFITS
PART 2920 DISQUALIFYING INCOME AND REDUCED BENEFITS
SECTION 2920.60 SUPPLEMENTAL UNEMPLOYMENT BENEFITS (SUB PAY)

Section 2920.60 Supplemental Unemployment Benefits (SUB Pay)

Supplemental unemployment benefits paid or payable to individuals laid off by an employer under a plan intended to augment unemployment insurance benefits received under the Act shall not render the individual to whom such supplemental benefits are paid or payable ineligible to receive benefits, provided that all of the following conditions are satisfied:

- a) The individual is otherwise eligible to receive benefits under the Act; and,
- b) Payment of supplemental benefits is made under a trust agreement or other contractual plan which grants the individual a vested right to receive these supplemental payments once the conditions set forth in the trust agreement or contractual plan have been satisfied; and,
- c) The trust agreement or plan treats each individual of a class of employees similarly.