GOVERNOR DOUGLAS A. DUCEY

STATE OF ARIZONA

EXECUTIVE ORDER

Executive Order 2020-11

Ensuring Individuals Whose Employment Is Affected by COVID-19 Have Access to Unemployment Insurance

WHEREAS, a Public Health State of Emergency was declared in Arizona on March 11, 2020 to prepare for and respond to the outbreak of the 2019 novel coronavirus (COVID-19); and

WHEREAS, many businesses have greatly reduced their hours and operations in an effort to protect public health and slow the spread of COVID-19; and

WHEREAS, these business decisions have created a hardship on Arizonans and their families who have lost income due to these circumstances; and

WHEREAS, since 1937, every state has operated an unemployment insurance program that provides an economic lifeline to workers experiencing unemployment; and

WHEREAS, on March 12, 2020, the United States Department of Labor issued guidance allowing states increased flexibilities in administering unemployment insurance programs to provide vital economic assistance to Americans affected by the COVID-19 outbreak; and

WHEREAS, on March 18, 2020, the President of the United States signed into law the Families First Coronavirus Response Act, which expands funding to states for unemployment and requires states to relax certain prerequisites for individuals to obtain unemployment benefits as a qualification for receiving increased federal funding; and

WHEREAS, on March 19, 2020, the Arizona State Senate passed SB1694 that provides flexibility to determine eligibility for unemployment compensation for those affected by a federal declaration of national emergency and it is anticipated that the Arizona House of Representatives will do the same with retroactive and emergency clauses; and

WHEREAS, the economic well-being of Arizonans necessitates actions be taken to implement these new flexibilities immediately and provide assistance to Arizonans whose employment has been affected by the outbreak of COVID-19.

NOW, THEREFORE I, Douglas A. Ducey, Governor of the State of Arizona, by virtue of the authority vested in me by the Constitution and laws of this state, hereby order as follows:

1. The Arizona Department of Economic Security shall allow the following individuals to apply for and be approved for unemployment insurance in the state of Arizona if the individual meets existing requirements regarding work history, earnings, and residency:

    a. Individual whose employer has permanently or temporarily ceased or drastically reduced operations due to COVID-19 resulting in a reduction of wages as defined by the United States Department of Labor;

    b. Individuals who, due to requirements that the individual be quarantined, are not able to work and do not have any available paid leave even if the individual has an expectation of returning to work after the quarantine is over;

    c. Individuals that leave employment due to a risk of exposure or infection or to care for a family member who has been infected with COVID-19; or

    d. Individuals that for any other scenario are separated from work for reasons related to COVID-19, if the Arizona Department of Economic Security determines that such scenario is consistent with the guidance issued by the United States Department of Labor for Unemployment Compensation for Individuals Affected by the Coronavirus Disease 2019.

2. The Arizona Department of Economic Security shall waive all the following requirements for applications for unemployment insurance:

    a. Waiting period pursuant to A.R.S. § 23-771(A)(5).

    b. Able and available to work, actively seeking work, and daily job contacts pursuant to A.R.S. § 23-771(A)(3) and (4).

3. In adjusting employer contribution rates for the unemployment compensation fund established by A.R.S. § 23-701, the Arizona Department of Economic Security may not consider unemployment benefits granted pursuant to this Executive Order against an employer's account.

4. This order applies retroactively to March 11, 2020, when the State's Public Health Emergency was declared.

5. This order shall remain in place until further notice, and shall be considered for repeal or revision at least every two weeks following issuance.

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Arizona.

GOVERNOR

DONE at the Capitol in Phoenix on this twentieth day of March in the Year Two Thousand and Twenty and of the Independence of the United States of America the Two Hundred and Forty-Fourth.

ATTEST:

Secretary of State