STATE OF KANSAS

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GOVERNOR LAURA KELLY

EXECUTIVE ORDER NO. 20-32

Temporary relief from certain restrictions concerning shared work programs

WHEREAS, securing the health, safety, and economic well-being of residents of the State of Kansas is this Administration's top priority;

WHEREAS, Kansas is facing a crisis—the pandemic and public health emergency of COVID-19—with effects of illness, quarantines, school closures, and temporary closure of businesses resulting in lost wages and financial hardship to Kansas citizens;

WHEREAS, the United States Departments of Health and Human Services declared a public health emergency for COVID-19 beginning January 27, 2020, with more than 1,364,000 cases of the illness and more than 82,000 deaths as a result of the illness across the United States;

WHEREAS, the World Health Organization declared a pandemic on March 11, 2020;

WHEREAS, a State of Disaster Emergency was proclaimed for the State of Kansas on March 12, 2020;

WHEREAS, on March 13, 2020, the President of the United States declared the ongoing COVID-19 a pandemic of sufficient severity and magnitude to warrant an emergency declaration for all states, tribes, territories, and the District of Columbia pursuant to Section 50 l (b) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act, 42 U.S.C. § 5121-5207 (the "Stafford Act");

WHEREAS, on March 13, 2020, the President of the United States pursuant to Sections 201 and 301 of the National Emergencies Act, 50 U.S.C. § 1601, et seq. and consistent with Section 1135 of the Social Security Act, as amended (42 U.S.C. § 1320b-5), declared a national emergency that the COVID-19 outbreak in the United States constitutes a national emergency beginning March 1, 2020;

WHEREAS, as of this date, there have been over 7,468 positive cases of COVID-19 in Kansas, spread among 84 counties and 164 deaths as a result of the illness;

WHEREAS, the COVID-19 pandemic threatens the stability of local, state, national, and global economies, with the potential to cause layoffs, furloughs, and significant decreases in pay;

WHEREAS, economic insecurity due to unemployment is a serious menace to the health, morals, and welfare of the people of Kansas;

WHEREAS, involuntary unemployment of the type occurring because of the COVID-19 pandemic places a serious burden upon not only the unemployed individual but also his or her family and their ongoing wellbeing;

WHEREAS, Kansas expresses its commitment to its people to maintain and strengthen access to unemployment insurance;

WHEREAS, flexibility with the eligibility and certain other requirements of the employment security law would strengthen the economic security of the people of Kansas during the COVID-19 pandemic;

WHEREAS, under the federal Coronavirus Aid, Relief, and Economic Security ("CARES") Act, the federal government will reimburse 100% of any state unemployment insurance benefits paid through a "short-time" or "shared work" unemployment compensation program; and

WHEREAS, during the COVID-19 pandemic this Administration will do whatever it can to assist Kansans in these challenging times included providing temporary relief from certain unemployment insurance requirements and enabling Kansas to draw down additional federal funds to address the economic effects of the pandemic.

NOW, THEREFORE, pursuant to the authority vested in me as Governor of the State of Kansas, including the authority granted me by K.S.A 48-924 and K.S.A 48-925, in order to mitigate the effects of the spread of COVID-19, I hereby direct and order the following:

1. The provision in K.S.A. 44-757(d)(8) prohibiting a contributing employer that is a negative account employer as defined by K.S.A. 44-710a(d), and amendments thereto, from participating in a shared work plan is suspended for the limited purpose of allowing such employers, their employees, and the State to participate in the short-time compensation program under Section 2108 of the CARES Act.

2. Other than as provided in paragraph 1, above, this order does not alter other laws, regulations, or rules relating to the requirements in K.S.A. 44-757(d) for the Secretary of Labor to approve a shared work plan.

This document shall be filed with the Secretary of State as Executive Order No. 20-32. It shall become effective immediately and remain in force until rescinded, until May 31, 2020, or until the statewide State of Disaster Emergency proclaimed on April 30, 2020, relating to COVID-19 expires, whichever is earlier.

THE GOVERNOR'S OFFICE

BY THE GOVERNOR _____

DATED 5.14.2020

FILED
MAY 14 2020
SCOTT SCHWAB
SECRETARY OF STATE

Scott Schwab
Secretary of State

Byron A. Cook
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