STATE OF MINNESOTA
Executive Department

Governor Tim Walz

Emergency Executive Order 20-29

Amending Executive Order 20-05 to Expedite State Unemployment Insurance Benefits During the COVID-19 Peacetime Emergency

I, Tim Walz, Governor of the State of Minnesota, by the authority vested in me by the Constitution and applicable statutes, issue the following Executive Order:

On March 16, 2020, I issued Executive Order 20-05 to provide immediate relief to employers and unemployed workers during the COVID-19 peacetime emergency declared in Executive Order 20-01. The temporary assistance offered by the Unemployment Insurance Program ("Program") established in Executive Order 20-05 helps Minnesotans afford crucial necessities. The Program has already allowed more than 300,000 Minnesotans affected by the economic impact of COVID-19 to quickly access necessary resources to sustain their livelihoods.

As the peacetime emergency continues, the Program faces administrative issues due to an unprecedented workload, resulting in delayed relief to Minnesotans. There are approximately 45,000 qualified workers with pending unemployment insurance applications who could immediately access benefits if some administrative requirements are suspended. These administrative requirements do not stem from federal unemployment insurance regulations, and many other states do not have such requirements. Several states that do have such requirements have already suspended them due to the COVID-19 pandemic.

To ensure that the Program can meet current demands, and to protect the health, safety, and wellbeing of Minnesotans who have become unemployed through no fault of their own, we must take steps to reduce unnecessary administrative burdens in the Program wherever possible.

In addition, new federal programs require states to mandate that employers notify separated employees about the availability of unemployment insurance benefits. Implementing such a mandate qualifies Minnesota for an infusion of federal funds to the unemployment insurance fund under the Families First Coronavirus Response Act, Public Law 116-127, Division D, the Emergency Unemployment Insurance Stabilization and Access Act of 2020 ("EUISAA"), consistent with Unemployment Insurance Program Letter No.13-20 ("UIPL 13-20"), issued on March 22, 2020.

For these reasons, I order as follows:

1. Paragraph 7 of Executive Order 20-05 is amended by the following additions (indicated by underlined text):

   Because strict compliance with Minnesota Statutes 2019, Chapter 268 and Minnesota Rules 2019, part 3310, will prevent, hinder, or delay necessary action under this Executive Order, those provisions, and any other provisions in Minnesota Statutes or Rules that are inconsistent with this Executive Order, are waived and suspended during the peacetime emergency declared in Executive Order 20-01. <u>This includes suspending enforcement of Minnesota Statutes 2019, section 268.085, subdivision 3, which delays unemployment benefits for any week an applicant is receiving, has received, or will receive vacation pay, sick pay, or personal time off (PTO) pay.</u>

2. Executive Order 20-05 is further amended to add the following paragraph as paragraph 8 (indicated by underlined text):

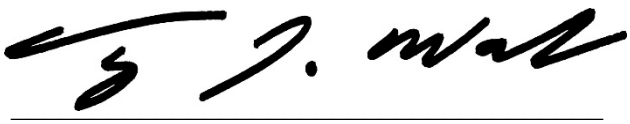
   <u>8. Effective immediately and through December 31, 2020, pursuant to the EUISAA and consistent with UIPL 13-20, employers must notify separated employees that they can apply for unemployment insurance benefits.</u>

3. All other provisions of Executive Order 20-05 remain in effect.

Pursuant to Minnesota Statutes 2019, section 4.035, subdivision 2, and section 12.32, this Executive Order is effective immediately upon approval by the Executive Council. It remains in effect until the peacetime emergency declared in Executive Order 20-01 is terminated or until it is rescinded by proper authority.

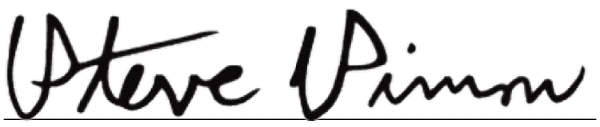
A determination that any provision of this Executive Order is invalid will not affect the enforceability of any other provision of this Executive Order. Rather, the invalid provision will be modified to the extent necessary so that it is enforceable.

Signed on April 6, 2020.



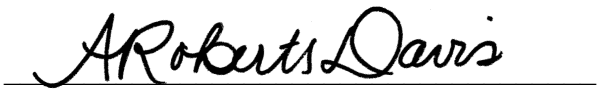
Tim Walz
Governor

Filed According to Law:



Steve Simon
Secretary of State

Approved by the Executive Council on April 6, 2020:



Alice Roberts-Davis
Secretary, Executive Council

Filed April 6, 2020
Office of the Minnesota
Secretary of State
Steve Simon