STATE *of* NEBRASKA

OFFICE OF THE GOVERNOR

LINCOLN

EXECUTIVE ORDER NO. 20-04
CORONA VIRUS -- EMERGENCY UNEMPLOYMENT INSURANCE BENEFIT RELIEF

WHEREAS, unemployment insurance benefits are designed to provide income to individuals who are laid-off through no fault of their own and are able and available to work; and

WHEREAS, federal and state law determine the eligibility requirements for unemployment insurance benefits; and

WHEREAS, federal and state law determine how unemployment insurance benefits are charged; and

WHEREAS, in order to combat the spread of COVID-19, individuals may need to stay home from work even though healthy due to possible exposure of the worker or an immediate family member to the COVID-19 virus or to care for an immediate family member as a result of a quarantine, closure of schools, or daycares; and

WHEREAS, employers may need to send healthy workers home from work in order to facilitate a partial or total cessation of operations in order to stem the spread of the COVID-19 virus; and

WHEREAS, employers and employees need to work in concert to prevent or contain the spread of the COVID-19 virus; and

WHEREAS, in some circumstances, requiring workers to seek work while quarantined could effectively deny the worker any access to unemployment benefits or encourage the spread of the COVID-19 virus by forcing the worker into the community.

NOW THEREFORE, I, Pete Ricketts, Governor of the State of Nebraska, by virtue of the authority vested in me by the Constitution and laws of Nebraska, find these conditions merit the granting of a waiver of certain provisions within the Nebraska Employment Security Law, *Neb. Rev. Stat.* §§48-601 to 48-683. These statutes and regulations are hereby suspended, effective for claims filed on or after March 22, 2020 through May 2, 2020.

Pursuant to this declaration, I hereby order the following:

1. Suspend certain provisions of subdivisions (22) and (33) of *Neb. Rev. Stat.* §48-602 and direct the Commissioner of Labor to treat workers in an unpaid status for any reason as a

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result of COVID-19 exposure or illness as being on a temporary layoff and attached to their employment.

2. Suspend the provisions of subdivision (4) of *Neb. Rev. Stat.* §48-627 requiring an unpaid waiting week for any eligible individual.

3. Suspend the provisions of 219 NAC 4 (006) and provide that an individual is available for work as required by Neb. Rev. Stat §48-627, if any limitation placed by the individual on his or her availability does not constitute a withdrawal from the labor market.

4. Waive work search requirements otherwise required under *Neb. Rev. Stat.* §48-627 and 219 NAC 4 because compliance would be oppressive or inconsistent with the purpose of the Employment Security Law.

5. Suspend certain provisions of (1)(b) of *Neb. Rev. Stat.* §48-652 and grant an employer relief from charging for benefits paid to individuals eligible for unemployment benefits solely as a result of COVID-19 exposure or illness.

6. Suspend certain provisions of *Neb. Rev. Stat.* §48-681 and grant a contributory employer relief from charging for benefits paid to individuals eligible for short-time compensation benefits due to reduction in work as a direct result of COVID-19 exposure or illness.

7. Suspend certain provisions of *Neb. Rev. Stat.* §§48-632 and 48-652 and grant employers relief from charging and appeal rights when an employer's failure to respond to requests for separation information within ten days is reasonably attributable to absences or temporary separations resulting from COVID-19 exposure or illness.

IN WITNESS THEREOF, I have hereunto set my hand and caused the Great Seal of the State of Nebraska to be affixed on this 17th day of March, 2020.

ATTEST:

Pete Ricketts, Governor

Robert B. Evnen, Secretary of State