STATE OF KANSAS

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GOVERNOR LAURA KELLY

EXECUTIVE ORDER NO. 20-38

Temporary relief from certain unemployment insurance requirements
during state of disaster emergency

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 of economic insecurity resulting from a rapid increase in unemployment and lost wages;

WHEREAS, economic insecurity due to unemployment is a serious menace to the health, morals, and welfare of the people of Kansas, as expressed in K.S.A 44-702 of the Kansas Employment Security Law;

WHEREAS, the economic recovery of Kansas is imperiled by the imminent threat of surges in COVID-19 infections in the State of Kansas as statewide restrictions on businesses and individual movement and gatherings are lifted—since May 15, 2020, fifteen counties in the State have for the first time issued an emergency declaration resulting from the pandemic, indicating a further threat to the State's economic recovery;

WHEREAS, on March 31, 2020, I executed Executive Order 20-17 providing temporary relief from certain unemployment insurance requirements in response to the COVID-19 pandemic, and the justifications for that Order are fully set forth therein and incorporated herein by reference;

WHEREAS, the operative provisions of Executive Order 20-17 were not only necessary to deal with the public health crisis caused by COVID-19 but are now also necessary to deal with the economic emergency resulting from COVID-19 in that the operative provisions allow the unemployment insurance system in Kansas to provide unemployment insurance funds sooner to unemployment claimants. Further, the operative provisions of Executive Order 20-17 were necessary for the State of Kansas to receive $9.5 million in emergency administrative grants through the Families First Coronavirus Response Act (Pub. L. 116 -127) to support the State's unemployment system;

WHEREAS, continuing the operative provisions of Executive Order 20-17 minimizes the economic loss that would result if the $9.5 million in administrative grants had to be returned due to noncompliance with the FFCRA, such funds being necessary for emergency administrative assistance to the Unemployment System to process as many claims as possible during historic unemployment;

WHEREAS, this Administration will do whatever it can to assist Kansans in these challenging times included providing temporary relief from certain unemployment insurance requirements during the COVID-19 pandemic; and

WHEREAS, in these challenging times this Administration will do whatever it can to avoid immediate dangers to the health, safety, and welfare of Kansans, including providing greater access to unemployment benefits.

NOW, THEREFORE, pursuant to the authority vested in me as Governor of the State of Kansas, including but not limited to the authority granted me by K.S.A 48-924 and K.S.A 48-925, in order to mitigate the effects of COVID-19 I hereby direct and order the following:

1. All employers operating in Kansas are required to provide notification of the potential availability of unemployment insurance benefits to employees at the time of separation from employment. Such notification shall be in compliance with requirements established by the Secretary of Labor.

2. The waiting week requirement for unemployment benefits, provided for in K.S.A. 44-705(d), is temporarily waived for all claimants.

3. The requirement that claimants for unemployment benefits actively seek work each week, provided for in K.S.A. 44-705(c), is temporarily waived for all claimants.

4. All other laws, regulations, or rules relating to unemployment benefits remain in effect.

5. This order supersedes any contrary order by any local health department regarding unemployment benefits and should be read in conjunction with previous executive orders responding to the COVID-19 pandemic. Any contrary provision in previous orders is superseded by this order.

This document shall be filed with the Secretary of State as Executive Order No. 20-38. It shall become effective immediately and remain in force until rescinded, until June 30, 2020, or until the statewide State of Disaster Emergency proclaimed on May 26, 2020, expires, whichever is earlier.

THE GOVERNOR'S OFFICE BY THE GOVERNOR _____

DATED 5.26.2020

FILED
MAY 26 2020
SCOTT SCHWAB
SECRETARY OF STATE

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Secretary of State

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Assistant Secretary of State