Office of
The Governor

NO. 12 FY 20/21
DATE September 17, 2020

AN ORDER RESTORING WORK SEARCH REQUIREMENTS FOR UNEMPLOYMENT BENEFIT ELIGIBILITY

WHEREAS, I proclaimed a state of emergency on March 15, 2020 and renewed states of emergency on April 14, 2020, May 13, 2020, June 9, 2020, July 8, 2020, August 5, 2020, and September 2, 2020 to authorize the use of emergency powers in order to expand and expedite the State's response to the serious health and safety risks of the highly contagious COVID-19 virus; and

WHEREAS, eligibility requirements for unemployment benefits were modified during the state of emergency pursuant to 26 M.R.S. § 1199(2)(B) to waive the requirement to conduct work search activities if an individual is temporarily laid off due to a partial or full closure of the individual's place of employment, and is expected to return to work once the emergency is lifted; and

WHEREAS, Maine now has one of the lowest COVID-19 infection rates in the country, Maine businesses are reopening and demonstrating that work can be performed safely; and many Maine businesses are actively seeking workers;

WHEREAS, the Maine Department of Labor has expanded its definition of "work search" to include work-related activities such as attending skill development seminars or networking events; and

WHEREAS, a continuing waiver of the work search requirement is no longer justified in light of the changed circumstances described above;

WHEREAS, the Governor's emergency powers expressly include the authority to adjust timeframes and certain deadlines imposed by law when necessary to mitigate the effect of the emergency pursuant to 37-B M.R.S. § 742(1)(C)(13)(a), and suspend the enforcement of statutes inconsistent with managing the emergency pursuant to 37-B M.R.S. §§ 742(1)(C) and 834;

NOW, THEREFORE, I, Janet T. Mills, Governor of the State of Maine, pursuant to 37-B Ch. 13, do hereby Order the following:

I. ORDER

The waiver of the requirement to conduct work search activities as a condition of unemployment benefit eligibility provided by 26 M.R.S. §1199(2)(B) is hereby suspended. The eligibility requirements set forth in 26 M.R.S. §§ 1192(2) & (3) are in full force and effect, except as to individuals in temporary medical quarantine or isolation restriction due to actual or potential COVID-19 exposure, as provided in 26 M.R.S. §1199(2)(A).

II. INTERPRETATION

This Order is subject to interpretation by the Maine Department of Labor.

III. EFFECTIVE DATE

This Order takes effect on October 4, 2020 and shall remain in effect until amended, rescinded, or until the State of Civil Emergency to Protect Public Health is terminated, whichever occurs first.

Janet T. Mills
Governor