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GOVERNOR LAURA KELLY

EXECUTIVE ORDER NO. 20-17

Temporary relief from certain unemployment insurance requirements
in response to the COVID-19 pandemic

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—resulting in illness, quarantines, school closures, and temporary closure of businesses resulting in lost wages and financial hardship to Kansas citizens;

WHEREAS, the United States Department of Health and Human Services declared a public health emergency for COVID-19 beginning January 27, 2020, with now more than 140,000 cases of the illness and more than 2,500 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 501(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 368 reported positive cases of COVID-19 in Kansas spread among 37 counties;

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, the public policy of Kansas, as expressed in K.S.A. 44-702, is that 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 is committed to maintaining and strengthening access to unemployment insurance during the COVID-19 pandemic in particular because during this time any financial insecurity for those experiencing unemployment can easily and quickly lead to problems maintaining shelter, buying medicine and food, or caring for vulnerable family members, and such problems present additional public health threats to the health care system and to the state's ability to respond to the COVID-19 pandemic;

WHEREAS, emergency administrative funding for unemployment insurance, authorized under the Families First Coronavirus Response Act (Pub. L. 116-127) signed into law by the President on March 18, 2020, requires the State to, among other things, mandate that employers provide notice to employees of the potential availability of unemployment insurance benefits and requires Kansas to ease current eligibility restrictions on unemployment benefits, including waiving the one-week waiting period and modifying or suspending work search requirements for those impacted by COVID-19 as a condition of receiving the additional administrative funds;

WHEREAS, strict compliance with certain Kansas employment security laws would prevent, hinder, or delay necessary action in coping with the COVID-19 pandemic;

WHEREAS, flexibility with the eligibility and certain other requirements of the employment security law would promote and secure the safety and protection of Kansans during the COVID-19 pandemic;

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 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. 20-17. It shall become effective immediately and remain in force until rescinded, until May 1, 2020, or until the statewide State of Disaster Emergency proclaimed on March 12, 2020, relating to COVID-19 expires, whichever is earlier. This order may be extended as circumstances dictate.

THE GOVERNOR'S OFFICE BY THE GOVERNOR Laura Kelly

DATED 3.31.2020

Scott Schwab
Secretary of State

Jennifer R. Cook
Assistant Secretary of State

FILED
MAR 31 2020
SCOTT SCHWAB
SECRETARY OF STATE