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EXECUTIVE ORDER

Ordering Expedited Unemployment Insurance Claim Processing to Provide Relief to Coloradans Affected by COVID-19

Pursuant to the authority vested in the Office of the Governor of the State of Colorado and, in particular, pursuant to Article IV, Section 2, of the Colorado Constitution and the relevant portions of the Colorado Disaster Emergency Act, C.R.S. § 24-33.5-701, *et seq.*, I, Jared Polis, Governor of the State of Colorado, hereby issue this Executive Order ordering expedited unemployment insurance (UI) claim processing due to the presence of coronavirus disease 2019 (COVID-19) in Colorado.

I. Background and Purpose

On March 5, 2020, the Colorado Department of Public Health and Environment's (CDPHE) public health laboratory confirmed the first presumptive positive COVID-19 test result in Colorado. Since then, the number of confirmed cases has continued to climb, and we have evidence of community spread throughout the State. I verbally declared a disaster emergency on March 10, 2020, and on March 11, 2020, I issued the corresponding Executive Order D 2020 003, as amended by Executive Orders D 2020 018, D 2020 032, D 2020 058, and D 2020 076. On March 25, 2020, I requested that the President of the United States declare a Major Disaster for the State of Colorado, pursuant to the Stafford Act. The President approved that request on March 28, 2020.

My administration, along with other State, local, and federal authorities, has taken a wide array of actions to mitigate the effects of the pandemic, prevent further spread, and protect against overwhelming our health care resources.

The economic impacts of COVID-19 are significant, and threaten to undermine the economic stability of many Coloradans and local businesses. The risk of contamination posed by COVID-19 necessitated closure of multiple businesses. Employers and employees in virtually all sectors of the economy have been hard hit. We must take action to shore up economic security, employment, community cohesion, and community recovery. While we have seen indications that our efforts to "flatten the curve" are working, transmission of the virus continues to threaten Coloradans' way of life and livelihoods. Many Coloradans continue to reply on unemployment insurance to meet their basic needs.

This Executive Order expedites processing of unemployment insurance claims for Coloradans and will help protect the economic well-being of Colorado's communities impacted by COVID-19.

II. Directives

A. I order that the one million dollars ($1,000,000) from the Disaster Emergency Fund allocated to CDLE in Executive Order D 2020 012, as amended and extended by Executive Orders D 2020 031, D 2020 051, and D 2020 088, continue to be available to improve and expedite services available to individuals applying for unemployment insurance (UI) benefits to promote the economic stability of the State. These funds shall remain available for this purpose until six (6) months from the date of Executive Order D 2020 012 and any unexpended funds shall remain in the Disaster Emergency Fund. Funds reimbursed by the federal government will be returned to the Disaster Emergency Fund.

B. CDLE shall expedite UI benefits claim processing and distribution of payments to ensure displaced workers as a result of the impacts of COVID-19 will begin receiving such payments within ten (10) days of the receipt of filing their completed applications to the extent practicable.

C. To accomplish directives II.A. and II.B., I suspend the requirement under:

1. C.R.S. § 8-73-107(1)(d) that UI benefit recipients serve an unpaid waiting week prior to receiving benefits, and C.R.S. § 8-73-107(1)(g)(I) that UI benefit recipients actively seek work.

2. C.R.S. § 8-73-108(e) that UI benefits are charged to employer experience rating accounts, and I direct CDLE, through the Division of Unemployment Insurance, to charge benefits for claims resulting from the impact of COVID-19 to the fund rather than to employer experience rating accounts.

3. C.R.S. § 8-74-102(1) that CDLE staff notify other interested parties upon receipt of a UI benefit claim and that such parties be afforded twelve (12) calendar days to respond to said claim before CDLE issues a decision to award benefits, and I direct CDLE, through the Division of Unemployment Insurance, to prioritize the UI benefit payments resulting from the impacts of COVID-19 before providing notification of interested parties and additional fact finding as necessary to ensure prompt payment of benefits.

4. Pursuant to the authorities provided in C.R.S. § 8-74-102(1), the Executive Director of CDLE shall promulgate and issue emergency rules as needed to accomplish directives IV.A - IV.C. of this Executive Order.

III. Duration

This Executive Order shall expire thirty (30) days from June 13, 2020, unless extended further by Executive Order.

GIVEN under my hand and the Executive Seal of the State of Colorado, this thirteenth day of June, 2020.

Jared Polis
Governor