STATE *of* NEBRASKA

OFFICE OF THE GOVERNOR

LINCOLN

EXECUTIVE ORDER NO. 21-03

CORONAVIRUS – UNEMPLOYMENT COMPENSATION PROGRAM IMPLEMENTATION OF THE FEDERAL CONTINUED ASSISTANCE FOR UNEMPLOYED WORKERS ACT OF 2020

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

WHEREAS, on December 27, 2020, the President of the United States signed into law the Consolidated Appropriations Act, 2021, specifically Division N, Title II, Subtitle A, the "Continued Assistance for Unemployed Workers Act of 2020" (Continued Assistance Act);

WHEREAS, the Continued Assistance Act amendments to the Pandemic Emergency Unemployment Compensation (PEUC) program will authorize new federal unemployment compensation benefits for some Nebraskans;

WHEREAS, the Continued Assistance Act amendments to the PEUC program further require coordination with regular state unemployment compensation (regular unemployment benefits) program eligibility in order to increase the amount of unemployment benefits available to a claimant;

WHEREAS, it is to the benefit of Nebraskans to receive PEUC prior to regular state unemployment insurance benefits when possible; and

WHEREAS, it is critical to have the newly available federal unemployment compensation funds to Nebraskans in an expeditious manner;

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 this limited waiver will facilitate the payment of additional federal unemployment compensation under the Nebraska Employment Security Law.

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Pursuant to this declaration, I hereby order the following temporary changes:

Suspend that portion of Nebraska Revised Statute § 48-625 which requires the payment of regular unemployment benefits to an individual for any week of unemployment, if the individual is eligible for a greater PEUC weekly benefit amount pursuant to section 206 of the Continued Assistance Act, subject to the following conditions. In order for the suspension of regular unemployment benefits to occur, the following conditions must apply:

1. The individual has been determined to be entitled to PEUC with respect to a benefit year;

2. The benefit year with respect to which the PEUC eligibility was established (i.e., the parent claim) has expired after the date of the enactment of the Continued Assistance Act;

3. The individual has remaining eligibility for PEUC with respect to such benefit year; and

4. The individual would qualify for regular unemployment compensation in a subsequent (new) benefit year and the weekly benefit amount for regular unemployment compensation in the new benefit year would be at least $25 less than the weekly benefit amount payable on the individual's PEUC claim.

Such suspension shall terminate upon the individual's exhaustion of benefits payable under the PEUC claim. Once the suspension ends, the individual will, if otherwise eligible, receive the regular unemployment benefits at the weekly benefit amount determined for the new benefit year for the remainder of the new benefit year, subject to all other provisions of the Employment Security Law and the regulations adopted pursuant thereto. Nothing in this Executive Order shall be construed to allow payment of both PEUC and regular unemployment benefits to an individual for the same week.

This Executive Order shall become effective immediately and shall remain in effect through the duration of the pandemic relief effort.

IN WITNESS THEREOF, I have hereunto set my hand and caused the Great Seal of the State of Nebraska to be affixed on this 22nd day of January, 2021.

Pete Ricketts, Governor
State of Nebraska

Attest:

Robert B. Evnen, Secretary of State
State of Nebraska