

KDOL Response-Senate Commerce Committee Questions-5/14/2020

FISCAL – Chief Fiscal Officer, Dawn Palmberg

Below are the various funding opportunities for which we have applied. I have noted the two lots of funding we have received. All benefit money is available and can be drawn on a daily basis. There is no maximum amount of benefit money for FPUC, PEUC, or PUA at this time.

Date Applied	Program	Amount Requested	Amount Received
03/27/2020	Emergency UI Admin allotment	\$4,765,522.00	\$4,765,522.00
05/06/2020	Emergency UI Admin allotment	\$4,765,522.00	\$4,765,522.00
04/09/2020	FPUC Implementation	\$14,023.00	
04/29/2020	PEUC Implementation	\$50,394.00	
04/29/2020	PUA Implementation	\$350,227.00	

We have not applied for the following SBRs yet. However, we have not missed the due date for application. The waiting week implementation request is due May 29, 2020, and short time compensation is not due until December of 2023. The dates of the UIPLs are below.

The Cares Act Agreement-signed 03/28/2020

13-20 – High Level Guidance for Families First Act (includes application instructions for allotments 1 and 2 of the emergency UI Admin money) 03/22/2020

13-20, change 1 – 05/04/20

14-20 – Key UI provisions and guidance – 04/02/2020

15-20 – FPUC guidance - 04/04/2020

15-20, change 1 – 05/09/20

16-20 – PUA guidance - 04/05/2020

16-20, change 1 - 04/27/20

17-20 – PEUC guidance - 04/10/2020

17-20, change 1 – 05/13/20

18-20 – Emergency UI relief for government, nonprofit and Indian tribes – 04/27/2020

19-20 – Benefit Accuracy Measurement guidance during Covid – 04/29/2020

20-20 – Waiting Week implementation – 04/30/2020

21-20 – Short Time Compensation – 05/03/2020

22-20 – Short Time Compensation – 05/10/2020

23-20 – Program integrity guidance during Covid – 05/11/2020

24-20 – Federal-State Extended Benefits – 05/14/2020

UI Trust Fund Projections – Deputy Secretary Brett Flachsbarth

We currently do not have sufficient data to make accurate trust fund projections. At minimum, a more accurate projection could be developed after payment data for all of May is evaluated. A clearer picture will only be established after we determine what the payout rate is deeper into the crisis and have a better understanding of the impact the crisis is having on employer contribution levels.

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Canada Exception – Deputy Chief Counsel Eunice Peters

This is in Section 2107 of the CARES Act. (a)(2)(C)

SEC. 2107. PANDEMIC EMERGENCY UNEMPLOYMENT COMPENSATION.

(a) FEDERAL-STATE AGREEMENTS.—

(1) IN GENERAL.—Any State which desires to do so may enter into and participate in an agreement under this section with the Secretary of Labor (in this section referred to as the “Secretary”). Any State which is a party to an agreement under this section may, upon providing 30 days’ written notice to the Secretary, terminate such agreement.

(2) PROVISIONS OF AGREEMENT.—Any agreement under paragraph (1) shall provide that the State agency of the State will make payments of pandemic emergency unemployment compensation to individuals who—

(A) have exhausted all rights to regular compensation under the State law or under Federal law with respect to a benefit year (excluding any benefit year that ended before July 1, 2019);

(B) have no rights to regular compensation with respect to a week under such law or any other State unemployment compensation law or to compensation under any other Federal law;

(C) are not receiving compensation with respect to such week under the unemployment compensation law of Canada; and

(D) are able to work, available to work, and actively seeking work.

(3) EXHAUSTION OF BENEFITS.—For purposes of paragraph (2)(A), an individual shall be deemed to have exhausted such individual’s rights to regular compensation under a State law when—

(A) no payments of regular compensation can be made under such law because such individual has received all regular compensation available to such individual based on employment or wages during such individual’s base period; or

(B) such individual’s rights to such compensation have been terminated by reason of the expiration of the benefit year with respect to which such rights existed.

(4) WEEKLY BENEFIT AMOUNT, ETC.—For purposes of any agreement under this section—