



Testimony
Senate Commerce Committee
May 14, 2020
Conference Call - Statehouse
Kansas Department of Labor
Secretary Delia Garcia

Chairwoman Lynn and Members of the Committee,

The national April Labor Report, released last Thursday, revealed a national unemployment rate increase of 10.3 percentage points to 14.7 percent. This magnitude is on par with the Great Depression. However, the speed is immensely faster. It took the Great Depression 2.5 years to see the employment declines we are seeing in six weeks. Kansas joins states across the country as we grapple to confront these capacity challenges. While our state April labor report is not released until May 22nd, in the interim, our unemployment data cements this historically unprecedented health and economic crisis. Between March 15 and May 09, 2020, we received 236,412 total initial claims. Last week, we had 115,536 continued weekly claims, with 93,888 individuals receiving benefit payments. So far, payments have totaled roughly \$320 million, including Federal Pandemic Unemployment Compensation (FPUC) of \$136 million. This amount will continue to increase as we begin to pay the retroactive additional \$600 payment. I want to **Thank You** for supporting the emergency declaration in order for us to accept these funds for our hard working Kansans to receive. As you can see this will not be over this month, and we continue to receive updated guidance from the U.S. Department of Labor on a weekly basis. We will need flexibility to continue working with the federal government for the rest of this year. Congress may pass further legislation to address continuing or new needs for employers and employees. We could face significant challenges or roadblocks to receiving further funding if the Kansas Legislature is not in session. I ask for your continued partnership and support in the coming weeks and months in order to continue serving your hard working constituents.

Despite these unprecedented challenges, I am thankful for the ingenuity and dedication of my staff, in combination with the swift actions and partnership of our Governor and our State Legislature. The Legislature's initial action of extending unemployment benefit weeks and suspending the waiting week, in tandem with the Governor's actions, like her Emergency Declaration, have been crucial for our hard working Kansans. These actions have allowed my agency to receive vital federal funding and implement essential operations, like allowing us to reassign staff from other agencies and divisions to assist with the immense volume of UI. Without these actions, I am confident we would be in a worse position.

Now, I want to share with you how we will need to continue serving our Kansans moving forward. We will need to maintain compliance with the Families First Coronavirus Response

Act (FFCRA) and extend the Kansas Legislature's previous actions on this. We must pass these federally mandated requirements in order to receive vital federal funding for your constituents.

On March 18, 2020, the President signed the families first coronavirus response act (FFCRA), which makes emergency supplemental appropriations in response to the spread of COVID-19 and includes the Emergency Unemployment Insurance Stabilization and Access Act of 2020 (EUISAA). EUISAA sets out requirements for emergency administrative grants to states, and provides: (1) emergency administrative grants to states; (2) emergency flexibilities to states relating to temporarily modifying certain aspects of their UC laws; (3) a short-term waiver of Title XII interest payments due and interest accrual on Title XII advances to states; and (4) full federal funding, under certain circumstances, of extended benefits paid through December 31, 2020. On March 27, 2020, the President signed into law the coronavirus aid, relief, and economic security act (CARES Act), which provides states with additional flexibility in meeting the UC application requirements to receive Allotment I of the emergency administrative grants.

EO 20-17 allowed the state to meet these requirements to receive emergency administrative grants (Allotments I and II) under FFCRA. Many of these requirements involved waiving statutory requirements on a temporary basis. EO 20-28 extended EO 20-17; thus, the state's ability to meet these requirements will end on or before May 31, 2020. If the state does not continue to meet these requirements on or before September 15, 2020, it will not be eligible for Allotment II under FFCRA. One of these requirements (waiting week waiver) also allows the state to receive additional federal reimbursement funding under the CARES Act.

In anticipation of EO 20-17 expiring at the end of this month, KDOL is proposing the following legislation:

- Section 1 (State's commitment to UC system) – meets FFCRA Allotment II requirement. See page 1.
- Section 2 (waiving work search requirement) – meets FFCRA Allotment II requirement. See page 2.
- Section 2 (waiving the waiting week) – meets FFCRA Allotment II requirement and CARES Act federal reimbursement funding. See page 2.
- Section 3 (employer notification to employees) – meets FFCRA Allotment I requirement. See page 3.
- Section 4 (noncharging allowance for contributing and rated governmental employers) – meets FFCRA Allotment II requirement. See page 7.
- Section 4 (reimbursing employers) – specifies that the charge of payments will be reimbursed to employers under the CARES Act federal reimbursement funding process. Also, expands allowance to reimbursing employers by authorizing the state to provide additional relief to such payments. See page 13.
- Section 6 (Kansas register publication) – requesting earlier enactment into law since EO 20-17 expires on or before May 31, 2020. See page 17.

Certain contributing employers have also reached out to us for a waiver of the “negative account employer” requirement. This waiver will allow them to participate in the state’s shared work unemployment insurance program. An employer may use Shared Work in lieu of a temporary or total layoff of employees as it allows for a partial workweek and partial unemployment benefit for employees. Contributing employers—which are the majority of Kansas employers and all private employers—are further required to not have a negative account. A negative account employer is one whose total benefits charged to the employer’s account exceeds all contributions paid by the employer for all years. Under Section 2108 of the CARES Act, payments under Kansas’ shared work UI program (e.g., UI payments) will be reimbursed by the federal government for weeks of unemployment beginning on or after March 27, 2020, to December 31, 2020. KDOL is proposing the following legislation to allow those employers to participate:

- Section 5 (shared work program) – in response to constituents’ requests, but the state will also receive federal reimbursement funding under the CARES Act for payments made under this program. See page 15.

When evaluating the status of the Unemployment Insurance system, it is important to understand the overall structure and the challenges presented. As has been discussed, the primary processing tool for the UI system is a legacy mainframe system. While reliable, mainframe systems do present challenges. Specifically, the ability to rapidly respond to numerous changes at once is extremely difficult. In the current crisis, KDOL IT staff are tasked with implementing the removal of the waiting week, an extension of Kansas benefits to 26 weeks from 16 weeks, a federally funded increase in benefits of \$600 per week, an additional 13 weeks of federally funded benefits for certain qualifying claims, and creation of the entirely new system to provide benefits to self-employed and others not traditionally eligible for unemployment insurance benefits. These changes all utilize the same payment file, so the changes must work in concert with one another. This requires painstaking code review and testing. Further, the ability to utilize additional outside resources is limited due to unfamiliarity with the KDOL mainframe environment. Even for current programming staff, inherent challenges are presented due to code documentation issues that have occurred over a period of several years.

In addition to the mainframe, KDOL also utilizes an internet web environment and a Siebel case management functionality. These distinct environments are part of previous modernization efforts that have increased functionality in certain areas. However, they are not a comprehensive technology stack and have not been upgraded and maintained over time. The result is that our unemployment system is extremely vulnerable to the types of massive data that is currently hitting the system due to the ongoing public health and economic crisis. As technology changes around the mainframe, the code does not and is inflexible, meaning it takes more effort to put changes into production.



As a result, our team must expend considerable resources trying to keep the system from crashing. This includes a multi-day effort to address issues with a software known as “Rocket” that links the web environment to the mainframe. When we installed Rocket in 2015, replacing an even older and less reliable technology called “Attachmate” that performed the same function, there was simply nothing included in that project design or implementation that imagined handling the amount of data that is currently required. Due to round the clock efforts by our KDOL IT team, OITS staff, outside contractors and vendors, the website is maintaining the ability to file claims. Further, we are constantly monitoring the situation and evaluating additional options to ease the data burden on our existing infrastructure.

I am inviting you, the State Legislature, to work together with my agency to be part of the solution to help our fellow Kansans by investing in modernizing Kansas and building a better system. We can do this in partnership as we move forward to respond to the current crisis, while also being proactive in preparing for a future crisis. By doing this, we can better position our state to be prepared for the next state emergency. This is especially important as we evaluate the longevity of COVID-19 and its impacts. About twenty years ago, we were amongst the first in the country to launch the ks.gov technology, which was a result of a public - private partnership, and I am confident we can utilize this once successful model to better serve our fellow Kansans.

In addition to the challenges presented by the IT infrastructure, the UI Contact Center was not adequately staffed for the historic levels of claims we are now receiving. The administrative costs of the unemployment insurance system are federally funded. Because federal funding links to the unemployment rate, when claims numbers are low, as they have been for the last few years, the administrative funding goes down dramatically. The underfunding of the unemployment insurance system has been a consistent area of concern over the last few years from advocacy groups such as the National Association of State Workforce Agencies. The number of customer service representatives in our contact center numbered in the low 20’s at the onset of this crisis. The problem is simply one of basic math.

We have taken multiple steps to increase the number of contact center representatives, and I will expand on this in a moment. It is important to understand why there is no easy path to rapidly increase the number of customer service representatives available. First, the unemployment law is complicated in normal times, and we are now adding multiple law changes and program enhancements at the same time that it must be learned. Second, the lack of a coherent system outlined above creates numerous challenges for frontline workers. CSR’s must navigate between both a mainframe screen and a Siebel screen while taking a call. These screens are difficult to learn and make customer service less efficient. The normal training class for a CSR is 4 weeks of classroom learning, followed by close monitoring once a CSR is on the “floor.” So, there is no easy way to simply hire 50 customer service representatives and have them start working claims the next day. This issue is exacerbated by a finite number of supervisors and training staff to work closely with new CSR’s and ensure they are not making mistakes on claims that will only



increase the workload. Finally, any effort to increase staff must also navigate the challenges of keeping our workforce safe through social distancing and working from home, which are the same challenges that are currently leading to the unprecedented numbers of unemployed workers across the country.

USDOL has authorized the states to ignore previous restrictions on utilizing private contractors to assist in the unemployment claims process. Even if KDOL hired 100 private call center workers to assist, those workers would still have to receive detailed training on the unemployment insurance and the technology systems that support the program. Again, those workers would have to be supported by a number of experienced supervisors and trainers that do not exist. Where private industry could potentially provide assistance would be in a lower-skilled virtual contact center that provided informational services without the knowledge and expertise to do actual work on claims. KDOL, in partnership with the Office of the Governor, the Kansas Department of Agriculture and the Kansas Department of Commerce, has utilized such an approach by standing up a virtual contact center through Amazon. With the addition of the “triage” contact center, our number of intake representatives grew to well over 100. Since then we continue to increase staffing by hiring former employees to assist not only with intake, but also with some of the back end processes necessary to operate our system. However, instead of utilizing private sector employees as allowed by the recent federal guidance, we have utilized our own state employees who are currently considered non-essential workers. Now, we are focused on long-term staffing solutions.

Finally, I will provide an overview and update on the status of the new federal programs. Some of these programs may look familiar to you, and that is because they are included in our first UI bill. Passing this bill will allow us to continue what we have been doing in addition to retaining vital federal funding. I cannot emphasize enough how important that is.

The **CARES Act** was signed into law on March 27, 2020. The law included a number of provisions on various topics, including: unemployment insurance such as Pandemic Unemployment Assistance (PUA); Emergency Unemployment Relief for Governmental Entities and Non-Profit Organizations; Federal Pandemic Unemployment Compensation (FPUC); Temporary Full Federal Funding of the First Week of Compensable Regular Unemployment; Emergency State Staffing Flexibility; Pandemic Emergency Unemployment Compensation (PEUC); Temporary Financing of Short-Time Compensation (STC) Payments in States with STC Programs; and Grants for STC Programs.

Pandemic Unemployment Assistance (PUA) provides relief to those not traditionally eligible for unemployment compensation, such as contract labor, self-employed, and “gig” workers. A covered individual is eligible for weeks of unemployment caused by COVID-19 beginning

January 27, 2020, and ending no later than December 31, 2020—eligibility ends when the unemployment is no longer COVID-19 related. The amount payable under the program cannot be less than \$192 or more than \$488 in the state of Kansas. Payment of these benefits also include applicable “push-up” dollars authorized by the Act.

Governor Kelly signed the agreement for Kansas to participate in PUA on March 28, 2020, and I submitted the agreement to the United States Department of Labor (USDOL) on the same day. The KDOL UI, IT, and Legal teams have been working together to interpret the CARES Act and federal guidance from the United States Department of Labor in order to implement this new program. We are utilizing a phased approach. Phase 1 involves creating a new system to be able to accept applications for those with no covered wages such as individuals that are fully self-employed and was completed on May 12, 2020. As of noon yesterday, we received 14, 626 initial PUA claims and 29,557 weekly PUA claims. Phase 2 will allow our developers to process those applications and issue payments with payments being issued no later than May 25, 2020. Phase 3 will involve issuing payments to claimants that are eligible for partial UI payments and/or claimants that have exhausted UI benefits will be completed no later than June 16, 2020.

Emergency Unemployment Relief for Governmental Entities and Non-Profit Organizations offers relief to governmental entities and non-profits by covering benefit costs at 50%. The benefit applies to weeks from March 13, 2020 to December 31, 2020.

Governor Kelly signed the agreement for Kansas to participate in this program on March 28, 2020, and I submitted the agreement to the United States Department of Labor (USDOL) on the same day. At this point, we are evaluating the best way to implement this law within the state of Kansas. Current USDOL guidance requires KDOL to bill the governmental entities and non-profit organizations for the full 100% of their benefit costs and only offers relief after that money is received.

Emergency Increase in Unemployment Compensation Benefits provides Federal Pandemic Unemployment Compensation (FPUC), which has also been referred to as a “push-up” payment. A payment of \$600 is added to each week claimed by an individual in addition to their calculated weekly benefit amount. The benefit is payable for weeks after the necessary agreement is entered into, but ends no later than July 31, 2020.

Governor Kelly signed the agreement for Kansas to participate in FPUC on March 28, 2020, and I submitted the agreement to USDOL on the same day. On April 22, 2020, FPUC payments began. Back payment of prior weeks began on May 6, 2020.



Temporary Full Federal Funding of the First Week of Compensable Regular Unemployment for States with no Waiting Week provides for 100% funding for states who do not have, or have waived, the traditional waiting week. The 100% funding includes actual benefit costs as well as administrative costs.

Governor Kelly signed the agreement for Kansas to participate in this program on March 28, 2020, and I submitted the agreement to USDOL on the same day. We continue to work toward compliance with the requirements. March 31, 2020, Governor Kelly issued Executive Order 20-17 to waive the waiting week requirement for claims related to COVID-19. The mainframe programmers in our IT team worked to write and deploy code that would waive the waiting week for claims related to COVID-19 with the first attempt at deployment made on March 26, 2020; however, the attempt was not successful. After numerous attempts to fix the issues by the mainframe team with the assistance of Unemployment Insurance staff, there are still claims in which the waiting week has not paid out. The mainframe team will continue to work with Unemployment Insurance staff to address this issue as our fiscal team will work to receive reimbursement from USDOL for the costs.

Emergency State Staffing Flexibility lifts the usual merit staffing requirements that apply to unemployment insurance through December 31, 2020, in order to facilitate quick hiring and rehiring of staff.

When we started the week of March 15, 2020, we had just over 20 people working as intake representatives answering the phones for KDOL in the Unemployment Insurance Division. During the week of March 22, 2020, I acted quickly to double our staffing by bringing back staff that had previously worked in intake, but had been promoted internally. During the week of March 29, 2020, we brought in staff from other sections of the Unemployment Insurance Division to work in intake answering the phones, which provided us with approximately 60 intake representatives. A triage contact center was created with the assistance of the Governor's Office, Department of Agriculture, and Department of Commerce. The triage contact center answers basic unemployment insurance questions, which leaves the KDOL intake staff for the more difficult questions that require access to our complicated system. With the addition of the triage contact center, our number of intake representatives grew to well over 100.



With Department of Agriculture and Department of Commerce employees returning to their normal job duties on May 18, 2020. We begin moving away from the triage contact center model and focusing on our more long-term solutions. It is imperative that we increase our number of skilled intake staff to meet the needs of the claimants and employers across the state. We are working to hire consecutive small intake classes that can be trained while still social distancing. On May 11, 2020, our first class of five began taking calls full-time, and our second class of seven began training. We are currently interviewing for our next intake class.

Throughout the pandemic, we have also been heavily recruiting former employees and rearranging staff within KDOL to best respond to this crisis; we currently have 109 employees that fall into one of these categories. We continue to look for strategies to increase staffing throughout the unemployment insurance division of KDOL.

Pandemic Emergency Unemployment Compensation (PEUC) details the additional unemployment compensation benefits for those claimants who exhaust regular unemployment under state law. The program is optional for states, and states wishing to take part will have to enter into necessary agreements with the Secretary of the United States Department of Labor.

To be eligible, the individual must have exhausted all rights to unemployment compensation otherwise already available under state and federal law for their current benefit year. Eligibility for PEUC requires the individual to be able for work, available for work, and to actively seek work; however, that eligibility is determined under the same flexibility and guidance provided by the United States Department of Labor and is already in place due to COVID-19. This benefit is available upon the execution of an agreement through December 31, 2020.

Individuals are eligible for payment at the same weekly benefit amount they had for regular unemployment, but it also includes the “push-up” payment if PEUC is paid during the “push-up” eligibility period.

Governor Kelly signed the agreement for Kansas to participate in PEUC on March 28, 2020, and I submitted the agreement to USDOL on the same day. USDOL released guidance on PEUC through UIPL 17-20 on April 10, 2020. Unemployment Insurance staff at KDOL completed business requirement on April 13, 2020. The KDOL IT team will begin taking action on this project this week. They have not been able to focus their efforts on this project prior to this week as it requires significant mainframe programming, and the mainframe programmers have been focused on the previous mentioned efforts.



Temporary Financing of Short-Time Compensation (STC) Payments in States with STC Programs provides for 100% reimbursement to states for benefits paid under the State's STC program. Reimbursement may be made for up to a maximum of 26 times the weekly benefit amount.

In Kansas, this program is referred to as Shared Work. An employer/business owner may use Shared Work in lieu of a temporary, total layoff of employees. It allows for a partial workweek and partial unemployment benefits for employees. It is not available for seasonal layoffs.

Governor Kelly signed the agreement for Kansas to participate in this program on March 28, 2020, and I submitted the agreement to the United States Department of Labor (USDOL) on the same day. We plan to seek reimbursement for weeks after enactment of the Act through December 31, 2020, which is the maximum time period for which reimbursement may be sought under the federal law.

Grants for Short-Time Compensations (STC) Programs provides for administrative grants to states to enact STC programs or to promote and assist enrolling employers in existing STC programs. The total pool of grant funds available is \$100,000,000. The pool is subject to allocation as provided for under federal law. Kansas will seek these grant funds when available in order to promote our Shared Work Program.

Aside from all the above mentioned Unemployment Insurance programs, I would like to share with you one more separate issue related to COVID-19 that my agency has been working on. The Kansas Department of Labor submitted a regulation regarding protections for our first responders and healthcare workers as they risk their lives battling COVID-19 on the frontlines by providing lifesaving care to Kansans, even if they may not have healthcare or resources of their own. We would join other states, like our neighboring state of Missouri, to ensure the safety of our frontline workers so they can know while they are risking their lives to take care of our fellow Kansans, we are taking care of them. This regulation was denied on the basis that it needs to be a legislative action, so we would be asking for your support on this as well. We are exploring all options to serve our Kansas workers and welcome your partnership on this essential endeavor.

In closing, thank you for this opportunity to update your committee on the unemployment services and activity of the Kansas Department of Labor. As we all adjust to our new normal, I am looking forward to our continued partnership to build a better Kansas and move our state forward. At this point, I am happy to stand for any questions. I have key staff on the line to assist with questions you may have. Thank you.

UNEMPLOYMENT IN KANSAS



LAST WEEK

May 3 - May 9

Initial Claims
13,002



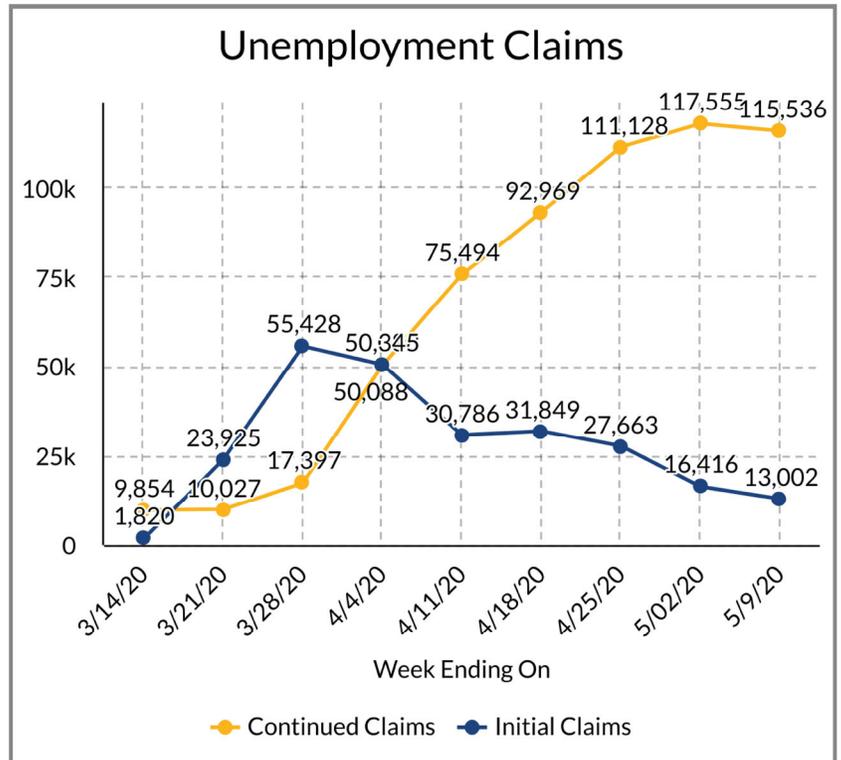
3,178
By Phone



9,824
Online

Individuals
Receiving Payments

93,888



CURRENT TOTALS

March 15 - May 9



WEEKLY CLAIMS

590,194



TOTAL FPUC

\$136,369,539



STATE UNEMPLOYMENT PAID

\$182,946,796

File weekly claims
online: www.GetKansasBenefits.gov
phone: (800) 292-6333

Check your claim status at
www.GetKansasBenefits.gov



Unemployment Insurance Weekly Review Week Ending May 09, 2020

Unemployment Insurance Weekly Review

Regular Program	This Week	Last Week	Year Ago	Percent Change	
	May 09, 2020	May 02, 2020	May 11, 2019	Over-the-Week	Over-the-Year
Initial Claims	13,002	16,416	1,580	-20.8%	722.9%
Call Center	3,178	2,869	1,023	10.8%	210.7%
Internet	9,824	13,547	557	-27.5%	1663.7%
Continued Claims	115,536	117,555	8,136	-1.7%	1320.1%
Total Payments	\$111,089,999	\$99,702,919	\$2,365,660	11.4%	4595.9%
Regular Unemployment Payments	\$38,069,462	\$36,353,917	\$2,365,660	4.7%	1509.3%
Federal Pandemic Unemployment Payments	\$73,020,537	\$63,349,002	N/A	15.3%	N/A
Weeks Compensated	111,839	103,486	6,333	8.1%	1666.0%
Final Payments	241	310	282	-22.3%	-14.5%
Individuals Receiving Payments	93,888	92,171	5,897	1.9%	1492.1%
Average Weekly Benefit Amount	\$340.40	\$351.29	\$373.54	-3.1%	-8.9%
U.I. Trust Fund Balance (Millions)	\$957.5	\$966.1	\$954.0	-0.9%	0.4%

Overview

Claims by County

Initial Claims

Continued Claims

Trust Fund

Contributions

[Weekly Review Archive](#)

[Kansas Labor Information Center](#)

Unemployment Insurance Weekly Review Week Ending May 09, 2020

Claims by County

Payments

Claims

Overview

Claims by County

Initial Claims

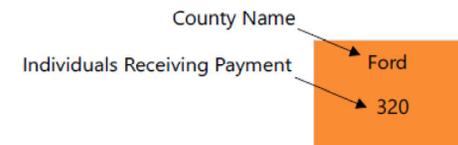
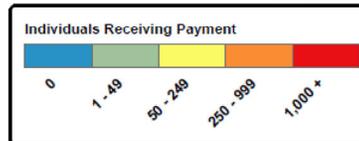
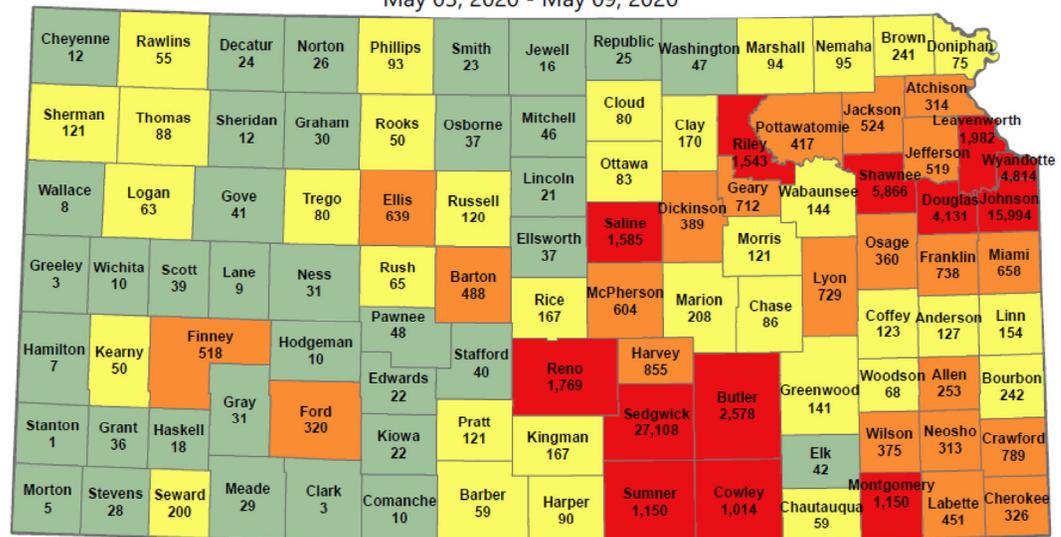
Continued Claims

Trust Fund

Contributions

Unique* Individual Claimants Receiving Payment, by County of Residence

May 03, 2020 - May 09, 2020



*Data represents the number of individual claimants living in Kansas receiving regular UI payment, including those on workshare. Claimants residing outside of Kansas are not included.

Created: 05/12/20

Unemployment Insurance Weekly Review

Week Ending May 09, 2020

Claims by County

Payments

Claims

Overview

Claims by County

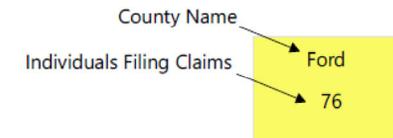
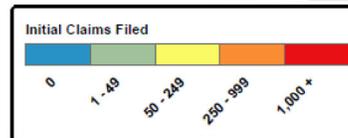
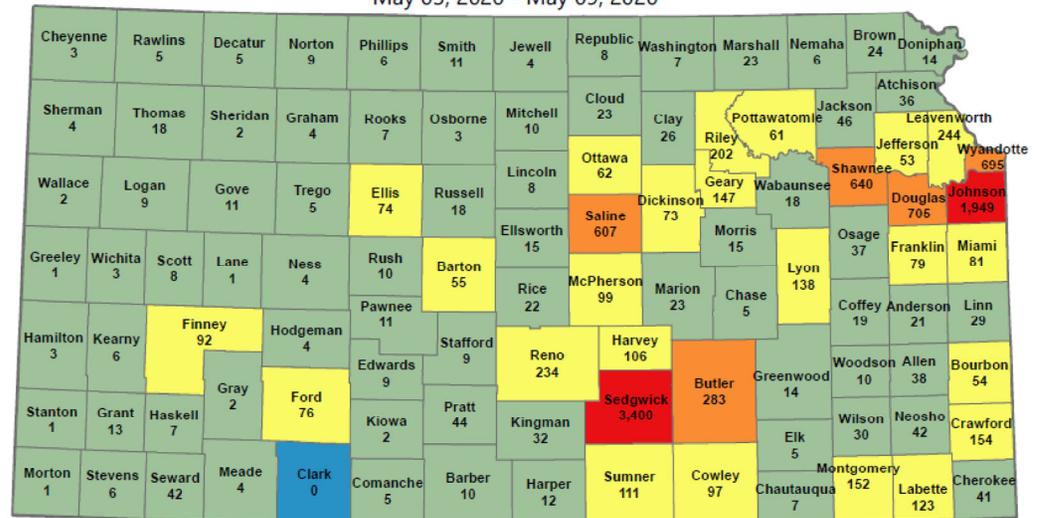
Initial Claims

Continued Claims

Trust Fund

Contributions

Initial Claims Filed, by County of Residence
 May 03, 2020 - May 09, 2020



*Data represents the number of initial claims for claimants living in Kansas, including those on workshare. Claimants residing outside of Kansas are not included.

Created: 05/12/20

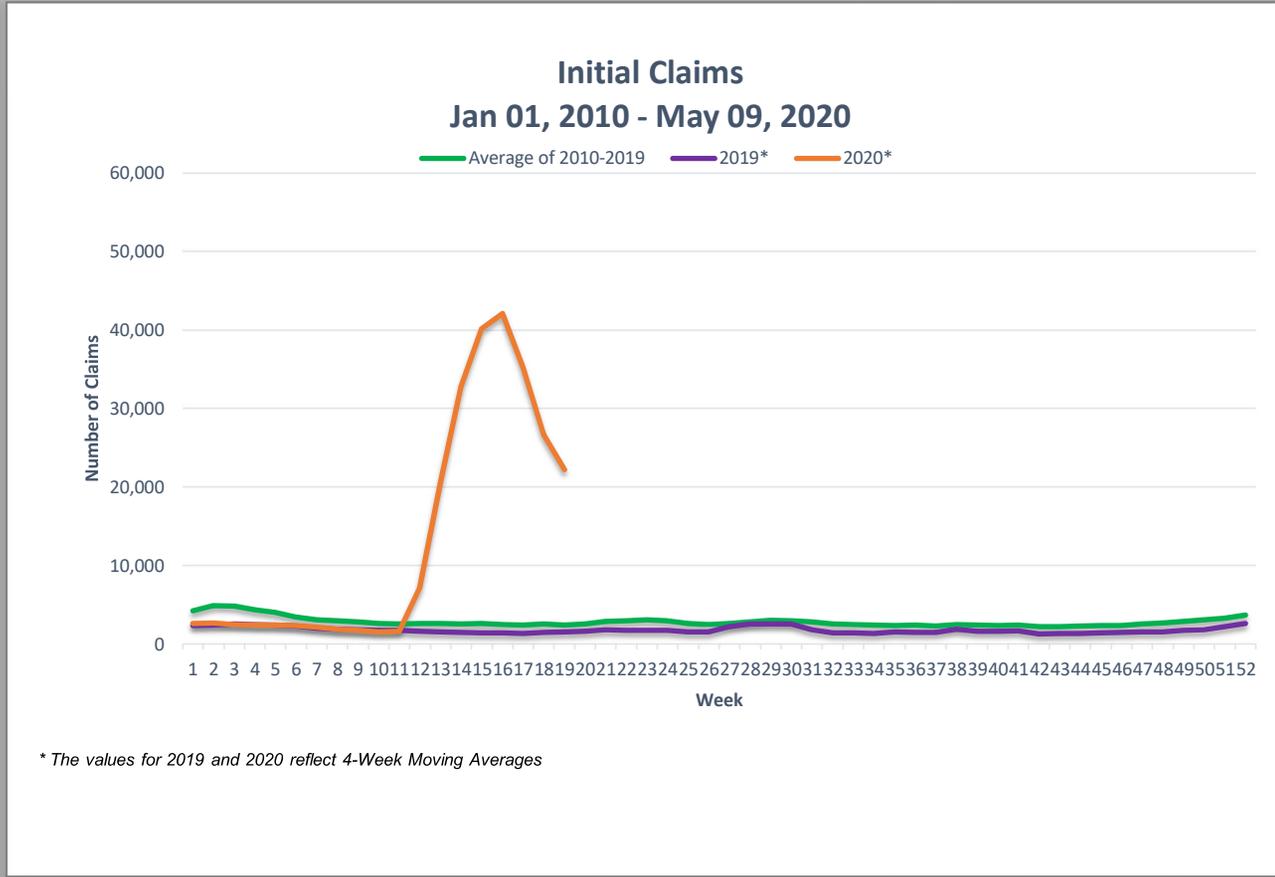
Unemployment Insurance Weekly Review

Week Ending May 09, 2020

- Overview
- Claims by County
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- Continued Claims
- Trust Fund
- Contributions

Initial Claims

- Graph
- Age
- Gender
- Industry



Initial Claims

Graph

Age

Gender

Industry

Overview

Claims by County

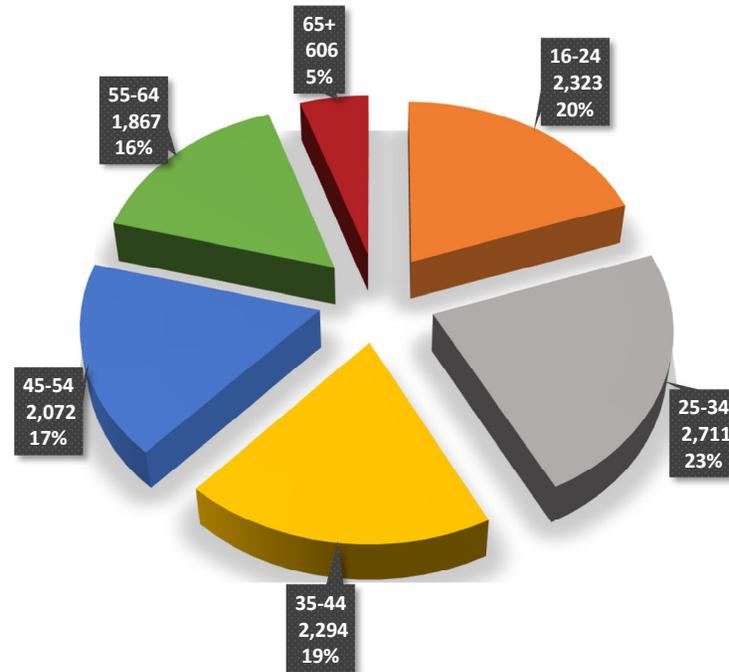
Initial Claims

Continued Claims

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Contributions

Initial Claims by Age



Overview

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Initial Claims

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Initial Claims

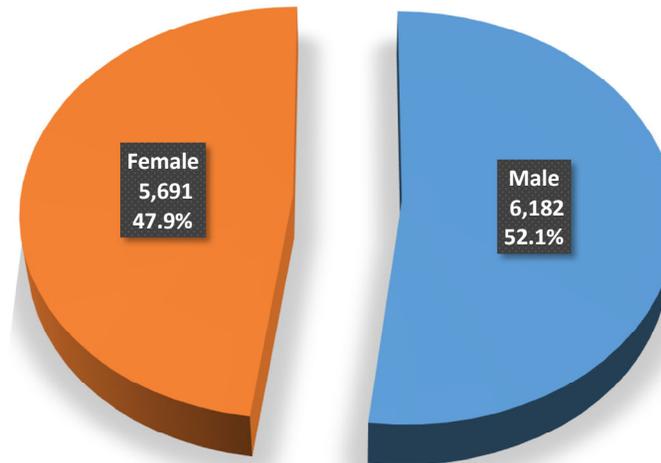
Graph

Age

Gender

Industry

Initial Claims by Gender





Unemployment Insurance Weekly Review Week Ending May 09, 2020

Initial Claims

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Graph

Age

Gender

Industry

Initial Claims by Industry May 09, 2020

Industry Title	Initial Claims	Percent of Total Initial Claims
Manufacturing	2,945	24.8%
Health Care and Social Assistance	1,524	12.8%
Accommodation and Food Services	1,257	10.6%
Retail Trade	1,114	9.4%
Administrative and Waste Services	984	8.3%
Other Services (except Public Administration)	607	5.1%
Construction	514	4.3%
Transportation and Warehousing	503	4.2%
Public Administration	402	3.4%
Professional, Scientific, and Technical Services	400	3.4%
Educational Services	376	3.2%
Wholesale Trade	370	3.1%
Real Estate and Rental and Leasing	225	1.9%
Arts, Entertainment and Recreation	217	1.8%
Information	154	1.3%
Finance and Insurance	138	1.2%
Mining	72	0.6%
Agriculture	46	0.4%
Management of Companies and Enterprises	20	0.2%
Utilities	5	0.0%

Unemployment Insurance Weekly Review

Week Ending May 09, 2020

Overview

Claims by County

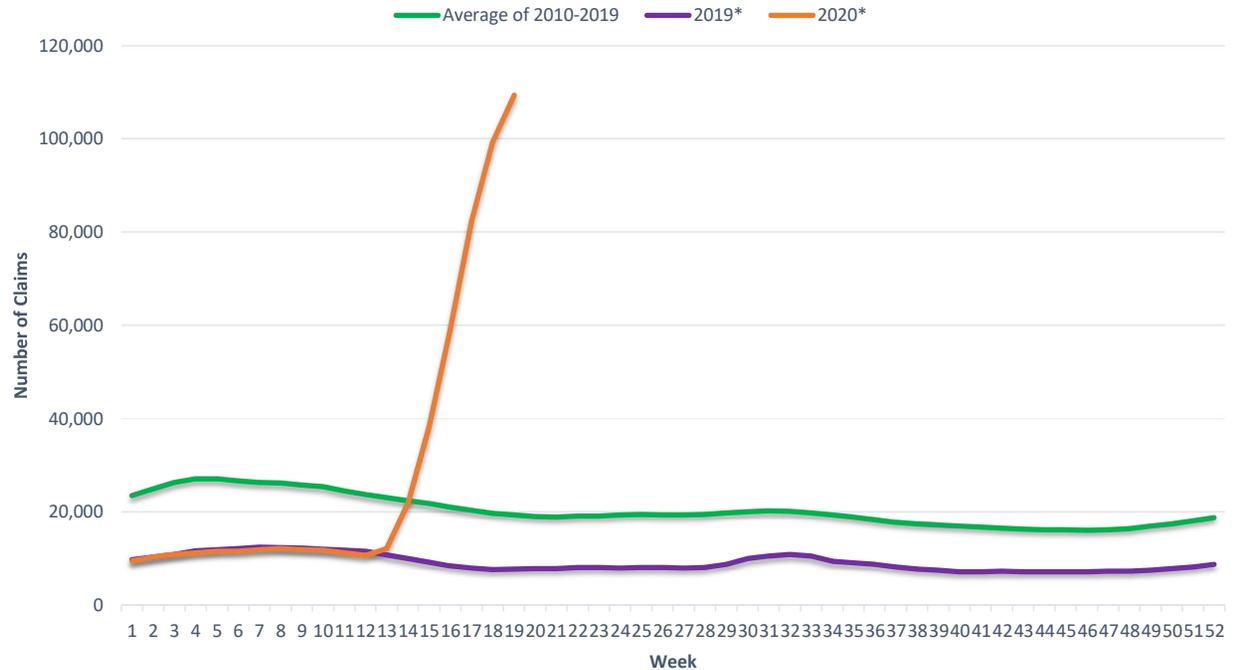
Initial Claims

Continued Claims

Trust Fund

Contributions

Continued Claims
 Jan 01, 2010 - May 09, 2020



* The values for 2019 and 2020 reflect 4-Week Moving Averages

Unemployment Insurance Weekly Review Week Ending May 09, 2020

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Claims by County

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Trust Fund

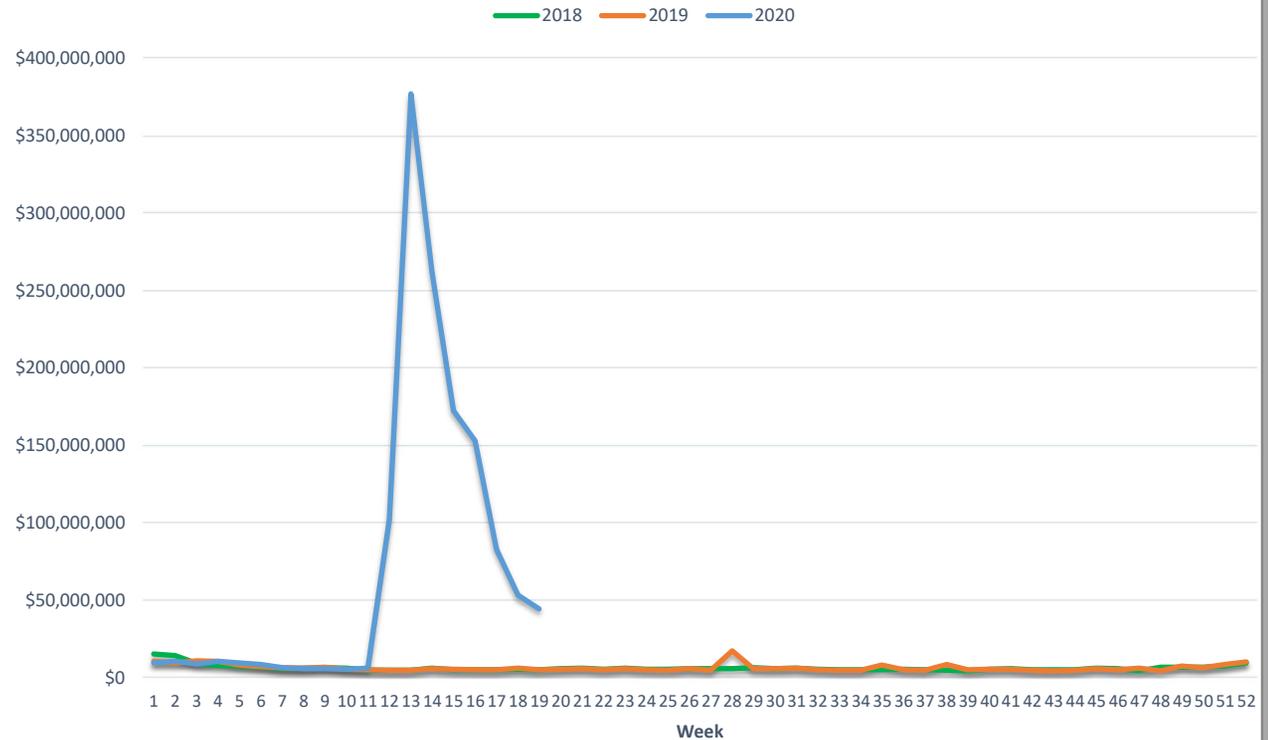
Balance

Benefit Liability Est. by Week

Benefits Paid by Week

Total Benefits Liability & Payment

Benefit Liability Established by Week



Unemployment Insurance Weekly Review

Week Ending May 09, 2020

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Trust Fund

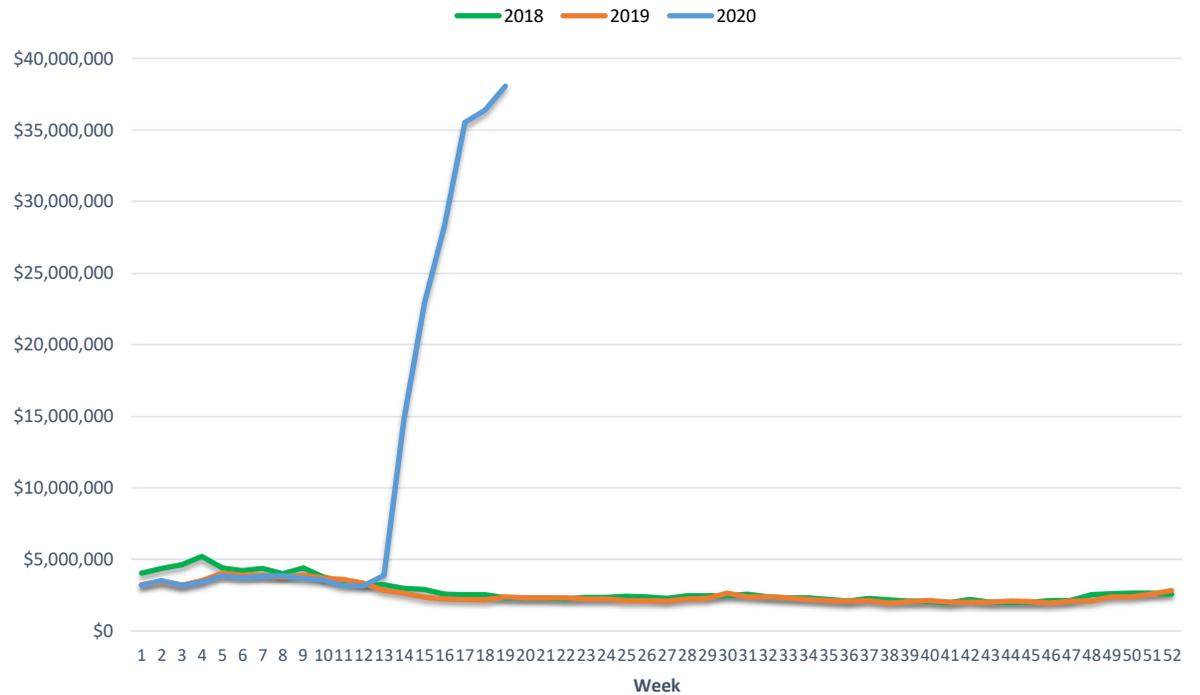
Balance

Benefit Liability Est. by Week

Benefits Paid by Week

Total Benefits Liability & Payment

Benefit Payments Occurring by Week



Unemployment Insurance Weekly Review Week Ending May 09, 2020

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Trust Fund

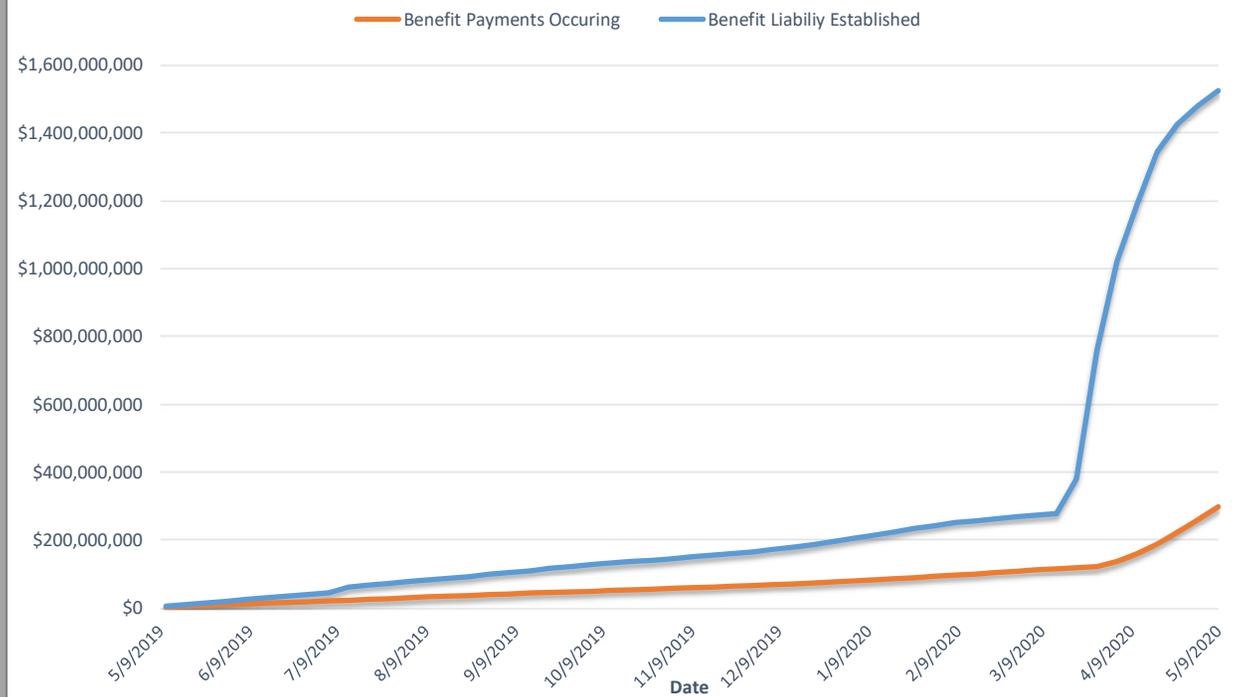
Balance

Benefit Liability Est. by Week

Benefits Paid by Week

Total Benefits Liability & Payment

Benefit Liability Established & Benefit Payments Occurring Cumulative One Rolling Year





Unemployment Insurance Weekly Review

Week Ending May 09, 2020

Contributions

Week & MTD

Month & Last Year

YTD & Last YTD

Overview

Claims by County

Initial Claims

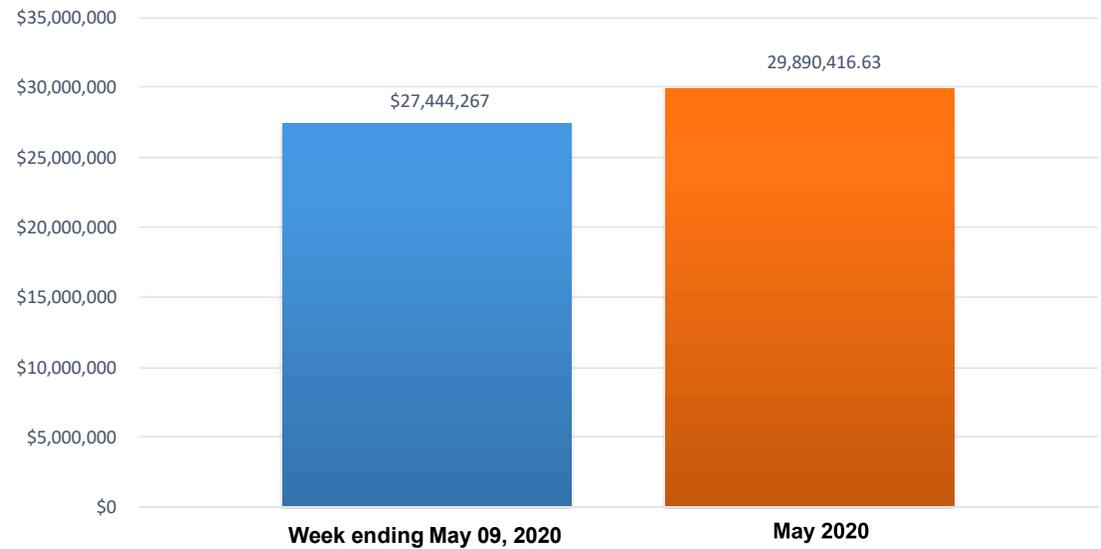
Continued Claims

Trust Fund

Contributions

Contributions

Current Week & Month-To-Date



Unemployment Insurance Weekly Review Week Ending May 09, 2020

Contributions

Week
&
MTD

Month
&
Last Year

YTD
&
Last YTD

Overview

Claims by County

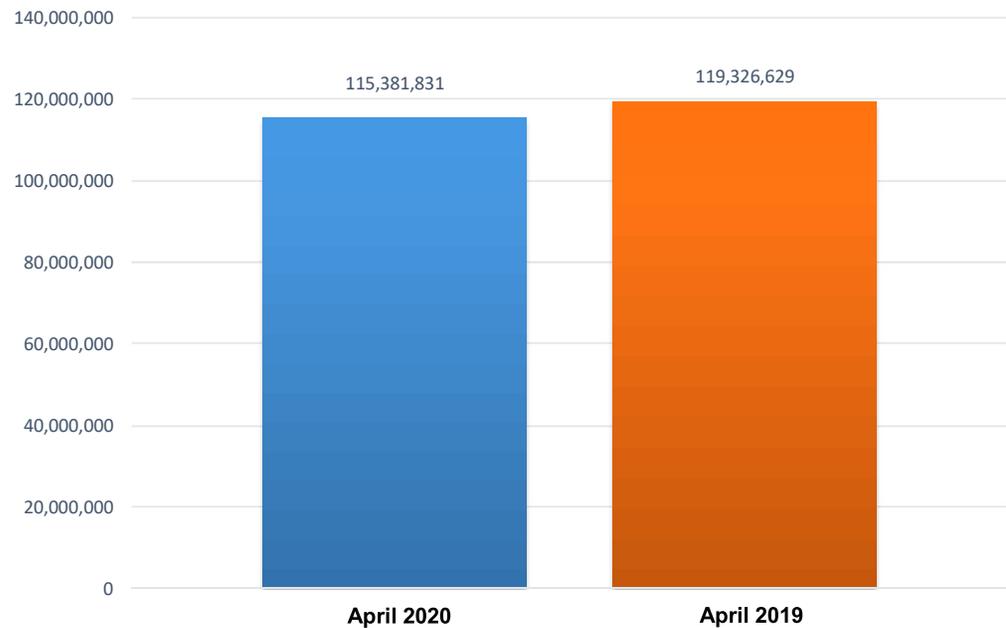
Initial Claims

Continued Claims

Trust Fund

Contributions

Contributions
April 2020 & April 2019





Unemployment Insurance Weekly Review

Week Ending May 09, 2020

Contributions

Week & MTD

Month & Last Year

YTD & Last YTD

Overview

Claims by County

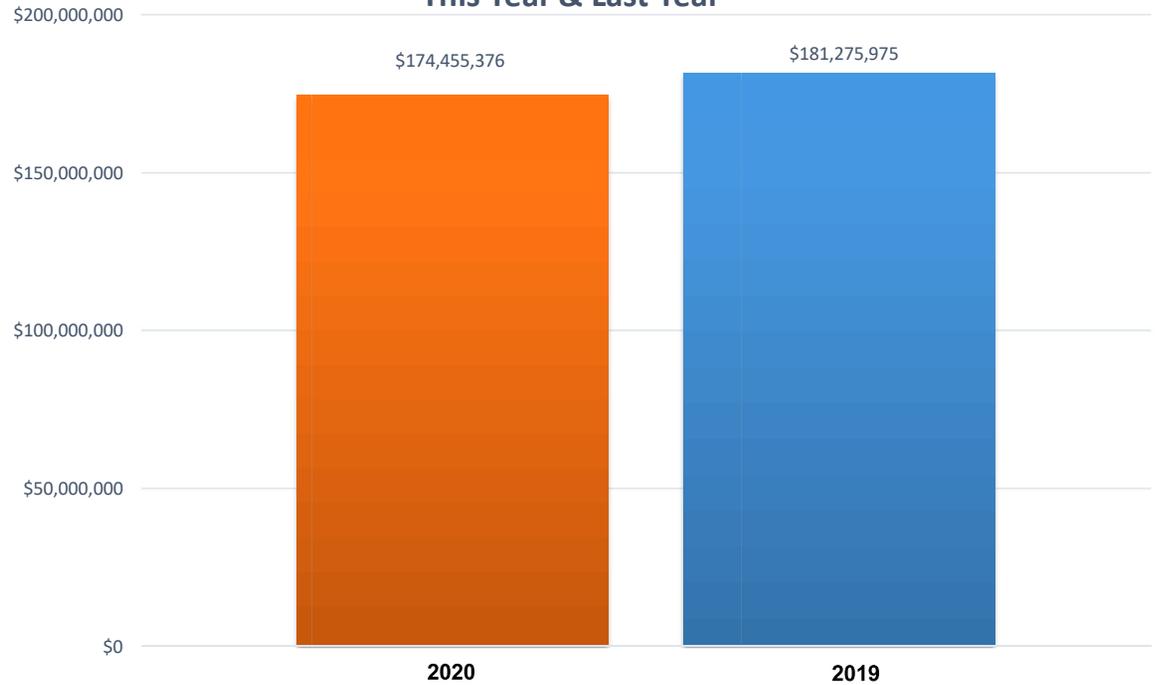
Initial Claims

Continued Claims

Trust Fund

Contributions

Total Contributions To-Date This Year & Last Year



HOW TO

APPLY FOR PUA BENEFITS



PUA is a broad program that expands access to unemployment, in addition to what state and federal law already pay. All PUA applications are taken online at www.PUA.GetKansasBenefits.gov

1. To apply, go to www.PUA.GetKansasBenefits.gov and click on the blue "Apply Here" button.

Tip

Make sure you have already applied for and been denied for regular unemployment insurance benefits at www.getkansasbenefits.gov.

English Español

KANSAS.GOV

f t y g

SIGN IN

PANDEMIC UNEMPLOYMENT ASSISTANCE

EASY. FAST. SECURE. APPLY HERE

Pandemic Unemployment Assistance (PUA) is a broad program that expands access to unemployment, in addition to what state and federal law already pay. This includes those who traditionally are not able to get unemployment such as:

- Self-employed
- Independent Contractors
- "Gig" workers such as Uber and Lyft drivers
- Employees of religious organizations whose employment has been impacted by COVID-19
- Those who lack sufficient work history to file a claim or have been disqualified for state benefits but who are impacted directly by COVID-19

To learn more, visit our FAQs.

Before filing, you may want to have documentation available to prove your prior income (you do have 21 days from applying to submit the documentation). Acceptable documentation of wages can include but is not limited to:

- 2019 Tax Returns;
- 2019 1099 Form(s);
- paycheck stubs;
- bank receipts;
- ledgers;
- contracts; and/or
- invoices; and/or
- billing statements.

2. Use your username, password, and PIN from your regular unemployment insurance account to log in.

Tip

If you do not have an account for regular unemployment insurance, you will need to create one.

PANDEMIC UNEMPLOYMENT ASSISTANCE (PUA)

If you are locked out of your account please call the Contact Center.

Create Your User Name, Password and PIN

You need a user name, password and PIN to file your application. This allows you to save your information, check on the status of your claim, file your weekly claim and make changes to your personal information.

Create a user name, password and PIN

CREATE

Already have a user name, password and PIN?

LOGIN

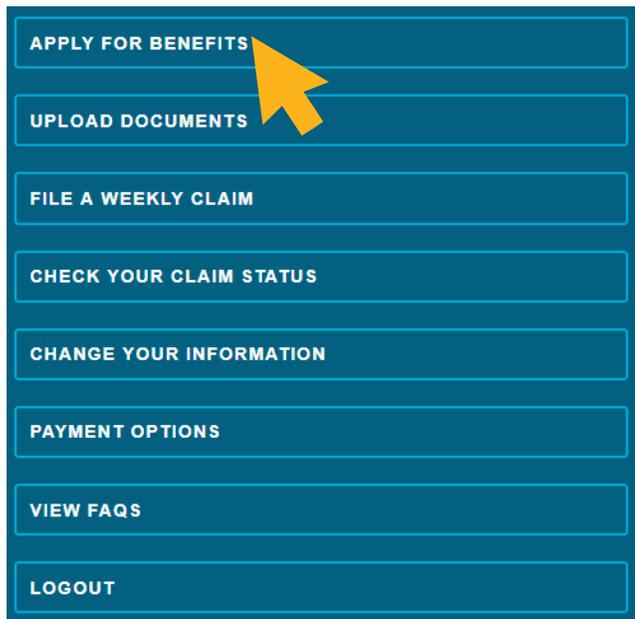
Forgot your user name, password, or PIN?

FORGOT ACCOUNT INFO

Update your email address

UPDATE EMAIL ADDRESS

3. Once logged in, click Apply for Benefits.



4. Fill out the application, answering all questions.

5. The final question requires you to provide your 2019 earnings and upload documentation to prove those earnings. **You may continue your application without uploading these documents if you do not have them.**

Tip *If you do not have documentation at the time, you can come back within 21 days to provide it.*

6. The final step in the application process is to submit your claim.

Tip *We recommend printing off the final submit screen for your records.*

CLAIMANT DETERMINATION

WILBUR CARTER

5/11/2020

NOTICE: Please read and print copies for your records.

Your unemployment claim application filed on 5/11/2020, has been successfully accepted.

The Kansas Department of Labor is always seeking talented individuals. If you're interested in working for an organization that will empower you, make you feel proud and enable you to enjoy working again, please follow the link below and consider an opportunity with us.

www.admin.ks.gov/services/state-employment-center

RETURN TO MAIN MENU

PRINT

LOGOUT

7. Your application for PUA benefits is now complete! Don't forget to submit your weekly claims for each week you have not worked.

Pandemic Unemployment Assistance (PUA)



We have compiled this list of frequently asked questions about the **Pandemic Unemployment Assistance (PUA)** program to be able to assist you. For more information, please visit our websites: www.getkansasbenefits.gov or www.dol.ks.gov; or follow us on Facebook, Twitter, or Instagram.



What is Pandemic Unemployment Assistance (PUA)?

PUA is a broad program that expands access to unemployment, in addition to what state and federal law already pay. This includes those who traditionally are not able to get unemployment such as:

- Self-employed
- Independent contractors
- “Gig” workers such as Uber and Lyft drivers
- Employees of religious organizations whose employment has been impacted by COVID-19;
- Those who lack sufficient work history to file a claim or have been disqualified for state benefits but who are impacted directly by COVID-19.



I have not worked in the last two years. Can I get PUA benefits?

Likely not. Like all unemployment programs there must be a connection to the labor market either by showing work history or showing concurrent attempts to join the labor market.



I have not been working, but I had an offer to start a job that was rescinded or delayed due to COVID-19, can I get PUA?

Potentially. Definite plans to join the labor force are enough of a connection. You must still be directly impacted by COVID-19.



What does it mean for my unemployment to be directly impacted by COVID-19?

This means that your unemployment must be caused directly by COVID-19 in one of the following ways:

- You have been diagnosed with COVID-19 or are seeking diagnosis because you are experiencing symptoms of COVID-19.
- You live in a house where someone in that same household has been diagnosed with COVID-19.
- You are providing care for a family member or household member who has been diagnosed with COVID-19.
- You are the primary caregiver for someone who cannot attend school or some other facility because it has been closed because of COVID-19, AND the availability of that school or facility is needed in order for you to work.

- You cannot report to work due to an imposed quarantine resulting directly from COVID-19 (cannot be self-imposed).
- You have been advised by a health care provider to self-quarantine due to COVID-19.
- You were scheduled to begin employment but are unable to do so as a direct result of COVID-19 (the business closed, you were mandated quarantine, or have been diagnosed).
- You have become the head of the household because of the death of the usual head of household that was caused by COVID-19.
- You have been forced to quit your job as a direct result of COVID-19.
- Your work has closed because of COVID-19.
- You are an independent contractor who does not have a traditional place of business, but you cannot provide or sell your services due to the direct impact of COVID-19.



I was offered the option to work from home, but I chose not to work. Am I eligible for PUA?

No. If you are able to work from home, you cannot be paid PUA.



I am not working due to COVID-19, but I am being paid leave from my employer. Am I eligible for PUA?

Likely not. If you are being paid by the employer as if you were working your usual work hours and rate of pay, then you are not eligible for PUA. If you are being paid leave but not being paid your usual wages, then you may be eligible for some PUA—it would depend on the amount you are being paid just like if you are earning money while on unemployment benefits.



I formerly worked on a small farm or for a church or religious organization. Am I eligible for PUA?

Yes, provided your unemployment was caused directly by COVID-19, you may be eligible for PUA.



How much will I receive if I am eligible for PUA?

Like state unemployment, this depends on your work history during the base period. The base period for PUA is the most recent tax year (i.e. 2019). We will use the same calculation as we use for state unemployment to determine your benefit amount. If you lack sufficient work or earnings but otherwise meet all requirements, then you will be eligible for the minimum. The minimum you can receive is \$192. The maximum you could receive is \$488.



Does FPUC also apply to PUA payments?

Yes. In addition to your weekly amount, you are eligible for the additional \$600 payments for weeks between March 29, 2020, and July 25, 2020.



How long is PUA available?

PUA is available for eligible claimants from February 2, 2020, until December 26, 2020. It is only available for 39 weeks within that period of time. If you received state unemployment or extended benefits, then the number of weeks for PUA is reduced from 39 by the number of weeks you received state and extended benefits.



How do I apply for PUA?

The program is not currently operational. However, at this time, you can apply for regular unemployment insurance benefits as you must be ineligible for regular unemployment insurance benefits in order to qualify for PUA. When the program is up and running, we will share information on our website, social media, and the news on additional steps to apply for PUA.



Do I need any documentation for my application?

Yes. You will need to provide proof of your quarterly earnings during 2019.



The program is not operational yet, but is there anything I can do to get ready for when it is up and running?

Yes. You should file a state unemployment claim. One of the things we must do is show that you are not entitled to state benefits. A denial from the state will be the best evidence of this. You should also start gathering needed employment documents to prove your quarterly earnings in 2019.



When will PUA be operational?

At this time, we estimate that we will be able to accept applications for PUA by May 12, 2020 and that payments will begin being issued by May 25, 2020.

What do I need to apply for PUA?

Before filing, you may want to have documentation available to prove your prior income (you do have 21 days from applying to submit the documentation).

Acceptable documentation of wages can include but is not limited to:

- 2019 Tax Returns
- 2019 1099 Form(s)
- Paycheck stubs
- Bank receipts
- Ledgers
- Contracts
- Invoices; and/or
- Billing statements



Pandemic Emergency Unemployment Compensation (PEUC)



We have compiled this list of frequently asked questions about the **Pandemic Emergency Unemployment Compensation (PEUC)** program to be able to assist you. For more information, please visit our websites: www.getkansasbenefits.gov or www.dol.ks.gov; or follow us on Facebook, Twitter, or Instagram.



What is Pandemic Emergency Unemployment Compensation (PEUC)?

PEUC is a federal extension of benefits for those who have exhausted state unemployment benefits.



How many additional weeks of benefits does PEUC allow?

PEUC is an extension of up to 13 weeks.



How do I apply for PEUC?

Once the program is fully implemented, you will be notified if you are potentially eligible for PEUC. That notification will include details about how to file for PEUC. The announcement will also be made on the news, our social media and our website at www.GetKansasBenefits.gov.



How much does PEUC pay each week?

PEUC will pay the same weekly benefit amount as you received on state unemployment before you started PEUC's 13 weeks.



Are there other limits on who is eligible for PEUC?

Yes. The person must be able to work, be available for work, and must be seeking work just like when drawing state unemployment benefits. However, at this time, the work search has been waived for all claimants in Kansas due to the impacts of COVID-19. This includes claims for PEUC. Additionally, the PEUC program expires in December 2020.



What are the weeks within which I could be paid PEUC?

PEUC is available for up to 13 weeks beginning March 29, 2020, and ending December 26, 2020.



Does FPUC apply to the PEUC program?

Yes. In addition to a weekly benefit under PEUC, you could also receive the additional \$600 for eligible weeks, provided those eligible weeks are between March 29, 2020 and July 25, 2020.



I have not had a claim since 2019, can I get PEUC?

Potentially. As long as you meet the requirements of exhausting state unemployment and otherwise not having a claim for benefits, and your prior claim was filed on or after July 8, 2018, then you may be eligible.



When will PEUC be available in Kansas?

At this time, we estimate that PEUC will be available in late May 2020 in Kansas.

We have compiled this list of frequently asked questions about the **adjudications process** to be able to assist you. For more information, please visit our websites: www.getkansasbenefits.gov or www.dol.ks.gov; or follow us on Facebook, Twitter, or Instagram.



What does adjudication mean?

Adjudication is the process we use to resolve questions. We will call to gather more information about an unemployment insurance claim. Your claim may go to adjudication if there are questions about why you left your job, or are meeting other eligibility requirements. During adjudication, we will make a determination about your claim based on the current information we have, additional information we receive from you, your previous employer and even other sources.



Why did my claim go to adjudication?

In broad terms, a claim goes to adjudication if it raises questions about why you left your job, or your eligibility for benefits. For example, if you said on your application that you were fired from your job, we'll need to find out more about those circumstances before we can decide if you're qualified for benefits. All reasons other than lack of work (layoffs) will trigger adjudication. (These include getting fired, quitting, taking a leave of absence and or being involved in a labor dispute.) There are a number of eligibility factors that will also trigger adjudication.



If my application goes to adjudication, does that mean I've been denied unemployment benefits?

No. If your case goes to adjudication, it means there are questions or issues that must be addressed before your claim can be cleared for payment or denied. We temporarily suspend your claim until we resolve those issues by obtaining information from you and/or your employers and by seeking additional information to clear up any conflicting or missing information. Issues often include the reason or circumstances that led to your job loss.



Should I continue to file weekly claims even though my case is in adjudication?

Yes, you should file a claim each week as long as you remain unemployed. If your case is cleared for payment and you have met all eligibility requirements, you'll get back payments for any weeks you claimed and were eligible to receive, in one lump sum.



What happens after my claim goes to adjudication?

We may call to ask you questions about your claim, or we may mail you a form and ask you to send in more information explaining the circumstances. (If you're filing online, we'll provide this form for you to complete right away and mail, fax or email back to KDOL.UICC@ks.gov, so we have that information in our system to make a determination or follow-up with a call.



What happens if I am called by an adjudicator?

We'll ask you a variety of questions to help us determine your eligibility for unemployment benefits. It's very important that you answer all of our questions completely and honestly.



Will my employer be on the phone call with me?

No. Adjudication calls are just between the claimant and KDOL.



What happens if I miss my phone call?

This phone call is important! If you miss the first call, we will make a second attempt to contact you. If we are not able to connect during that time, we have to make a decision about your eligibility or separation based on the information we have.



How will I know what happens after the adjudication process?

We'll send you a letter of determination that says you've been approved for unemployment benefits or explains why we've denied your claim. If we deny your claim, the letter includes information about how to appeal and where to send your appeal. If you are denied and you decide to file an appeal, you'll get a copy of all the documentation we used to make our decision. During your appeal, you should continue to file weekly claims as long as you remain unemployed.



How long will it take for a decision to be made?

At this time, determinations are estimated to take 8-12 weeks.



How soon will I get my benefits?

If there are no other issues, your benefits will be released the day after we enter your determination into our computer system. Your benefits—and any back payments—will be automatically deposited on your debit card or into your bank account depending on which method of payment you selected when filing your application.



How can I keep my claim moving?

- Complete and return all information requests promptly. The sooner we have answers to our questions, the sooner we can make a determination.
- Pay attention to information requests that appear on the "confirmation" page when you file your claim online. They must be printed, filled out and returned before we can make a determination on your claim.
- Watch your mailbox. We may send you requests for additional information. And if you move, let us know promptly.
- Send your information to the address or fax number indicated on our form.
- download.) You should respond to our request for information Print clearly, answer all the questions and explain yourself fully.
- Make sure your name and Social Security number are on all pages of correspondence.
- Be available when we schedule a call for your determination interview. It might come a little earlier or later in the day because of the length of other scheduled calls.
- Continue to file weekly claims while any investigations are underway.

Unemployment Appeals Process



We have compiled this list of frequently asked questions about the **appeals process** to be able to assist you. For more information, please visit our websites: www.getkansasbenefits.gov or www.dol.ks.gov; or follow us on Facebook, Twitter, or Instagram.



What are my appeal rights?

If you disagree with the Notice of Determination mailed to you following adjudication of a claim, you may file an appeal with the Kansas Department of Labor within 16 days of the mail date of the determination. Your appeal rights and time limits for filing an appeal are explained on the back of your Notice of Determination.



How do I request an appeal?

Write a letter asking for an appeal and submit it to the Office of Appeals. The letter should include the claimant's name, the last four digits of the claimant's Social Security number, your current address, your phone number, and the determination you are appealing. Send the letter to the Office of Appeals by mail to 401 SW Topeka Boulevard, 2nd Floor Topeka, KS 66603-3182; by fax to 785-296-4065; or by email to KDOL.Appeals@ks.gov.



What happens after I file an appeal?

After you file your appeal, staff in the Office of Appeals will prepare your hearing packet, which includes the letter of appeal, any documentation submitted with the letter of appeal, the determination being appealed, and all documentation previously submitted by both the claimant and the employer to the Kansas Department of Labor that is relevant to the issue appealed. The case will then be scheduled for hearing. Cases are scheduled on a first in, first out basis.



How will I learn about the hearing?

After you request an appeal and your appeal has been scheduled, you will receive a Notice of Telephone Hearing, instructions on how to prepare for your appeal hearing and your hearing packet. The Notice of Telephone Hearing will list the date and time of your hearing. It is important that you follow the directions on the Notice of Telephone Hearing to register for the hearing by providing a telephone number at which to be contacted for the hearing. Register as soon as you receive your hearing notice, but in any event no later than 1 p.m. the business day before the scheduled hearing or you will not be called for the hearing.



What do I do after receiving my Notice of Telephone Hearing?

In order to participate in the hearing, you are required to call the Office of Appeals by 1 p.m. the business day prior to the scheduled hearing and provide a telephone number at which you can be contacted for the hearing. If you do not provide a telephone number by 1 p.m. the business day prior to the hearing, you will not be called for the hearing. It is important that you participate in the hearing because the decision will be based on information you give at the hearing. Failure to take part in the hearing may result in an erroneous decision.



What if I am not available at the time of my scheduled hearing?

If you have good cause why you cannot participate at the scheduled time, you may request to reschedule the hearing—this is called a “continuance.” Good cause is a compelling personal emergency and not simply inconvenience. The request must be made in writing by 1 p.m. the business day prior to the scheduled hearing.



Can I have witnesses at the hearing?

Yes, you can have witnesses at the hearing. All witness names and telephone numbers must be provided to the Office of Appeals by 1 p.m. the business day prior to the hearing.



Can I subpoena evidence or witnesses?

You may request that the Office of Appeals issue a subpoena to obtain necessary witnesses or evidence. The request for a subpoena must be made in writing at least seven days before the hearing date. Your request for a subpoena can be denied, and you can state your objection to the denial at the hearing. You must also attempt to obtain the evidence or witness for the hearing yourself before seeking a subpoena.



Can I submit evidence?

Yes. All evidence must be submitted to both the Office of Appeals and the opposing party no later than 1 p.m. the business day prior to the hearing. If you do not provide the evidence to both parties in advance as required, use of the evidence may be denied. The name and address of the opposing party you should use is listed on the bottom of the Notice of Telephone Hearing.



Do I need an attorney?

Although it is not required, you have the right to be represented by an attorney licensed in the state of Kansas or a duly authorized representative at your hearing. A duly authorized representative is a union representative, a supervised law student, an employee of a corporate employer or an employee of the employer’s cost control firm.

**If I get an attorney, what do I need to do?**

An attorney must file a written entry of appearance before the hearing with the Office of Appeals.

**Who pays for the attorney?**

All attorney fees must be paid by the person or company hiring the attorney. Attorney fees assessed to the claimant must be approved by the Secretary of Labor in accordance with K.S.A. 44-718(b). The Secretary of Labor will not approve fees in excess of 25 percent of the claimant's total benefit amount.

**How is the appeal hearing conducted?**

The appeal hearing will likely be scheduled to take place by telephone. You will be called by the Appeals Referee at the time of your hearing. The opposing party and any additional witnesses or representatives will also appear on the same telephone call. The Appeals Referee will explain the hearing procedures and then both parties will have the opportunity to present their testimony and evidence. Cross-examination is also allowed. Both parties will have the chance to make a final statement before the conclusion of the hearing. After the hearing, the Appeals Referee will consider both the facts and the law and issue a written decision that will be mailed to both parties. You will not be given a decision the day of your hearing.

**What if I need an interpreter or some other accommodation for the hearing?**

Interpreter services or disability assistance will be provided upon request.

**How long will the hearing take?**

Hearings are normally scheduled for 45 minutes to an hour, but the length of the hearings can vary depending on number of witnesses, volume of evidence and types of issues.

**What if I want an in-person hearing?**

In-person hearings are held on a very limited basis if a telephone hearing is not possible. To request an in-person hearing, you must submit the request in writing. The party requesting the in-person hearing may be granted the right to appear in person, but the other party will have the option of appearing via telephone or in person unless the Appeals Referee determines that it would be best for all parties to appear in person. All in-person hearings are held in Topeka, Kansas.



How long does the whole process take?

Your hearing will be set for the first available time after we receive your request. The length of time before your hearing will depend on the number of other appeals to be heard. Appeals Referees are scheduled up to 35 cases per week and the length of time to issue each decision varies widely depending upon the complexity of the case. Your decision will be mailed to you as soon as possible after the hearing.



Do I keep filing weekly claims?

Yes. During the appeal process, you should continue to file your weekly claim for payment for each week you are unemployed. You will not be paid for any week for which you have not filed a weekly claim for payment, even if an appeal decision finds you eligible for benefits.



The opposing party filed an appeal. Do I have to participate?

You are not required to participate. However, failing to participate could negatively impact your benefits (for claimants) or your employer tax liability (for employers). For example, a claimant who has been paid benefits and receives an unfavorable appeal decision could result not only in a loss of future benefits, but also an overpayment of benefits previously paid that the claimant would be required to repay. It is important to appear and participate in the hearing to protect your rights.



What if I disagree with the decision of the Appeals Referee?

Either party may request the decision not in their favor be reviewed by the Employment Security Board of Review (the Board). Instructions for filing that appeal are on the last page of the Appeals Referee's decision. The Board will review the hearing testimony and evidence and will not hold a new hearing or accept additional evidence. You may appeal the Board's decision to the District Court and up through the Court of Appeals and Kansas Supreme Court if you so desire. These additional appeals are at your expense.

For additional information about the appeals process, watch our video tutorials at <https://www.dol.ks.gov/tutorials>.

As we enter Phase 1 of Governor Kelly's Executive Order to reopen Kansas, we know many employers will be asking employees to come back to work. The Kansas Department of Labor (KDOL) is committed to ensuring the health, safety and well-being of all workers, employers, and the public as we all make this transition.

Claimants and employers alike have many questions about how unemployment insurance benefits will be impacted if an employee refuses to return to work. It is important for both to know the standards and process KDOL will be using to make those determinations.

If an individual is considered high-risk for COVID-19, or lives with someone who is considered high-risk for COVID-19 and refuses to return to work, the individual may not be disqualified for benefits.

The Center for Disease Control has put out guidance identifying persons at higher risk for severe illness from COVID-19. KDOL will use this guidance in conjunction with guidance that may be provided by the Kansas Department of Health and Environment to identify categories of high-risk individuals. These categories are subject to change as guidance from these organizations evolves. KDOL will consider different factors such as whether the employer has made reasonable accommodations for suitable work, such as allowing telework. We will also examine if the work environment has necessary safety measures in place for COVID-19. Employers must also act in accordance with, but not limited to, Governor Kelly's Executive Order 20-29 and guidelines from the Occupational Safety and Health Administration (OSHA), the Center for Disease Control, and the Kansas Department of Labor. Phases 1 and 2 of Governor Kelly's Executive Order direct telework when possible.

If an individual is not considered high-risk for COVID-19, or does not reside with someone considered high-risk for COVID-19 and refuses to return to work, the individual may be disqualified for benefits.

A claimant who refuses to apply for suitable work, refuses to return to work, or otherwise refuses an offer of suitable employment, without good cause, may be disqualified for unemployment insurance benefits. Claimants are required to report whether or not they refused work during the week claimed during the weekly claims process.* Employers can report job refusals by submitting a job refusal form available at [https://www.dol.ks.gov/docs/default-source/employer-documents/k-ben-3118-\(12-18\).pdf](https://www.dol.ks.gov/docs/default-source/employer-documents/k-ben-3118-(12-18).pdf) via email to UICC.JobRefusals@ks.gov.

Decisions about whether or not someone is disqualified for unemployment insurance benefits due to failing to return to work will be decided on a case-by-case basis.

Both claimants and employers should complete and return all forms received from KDOL as quickly as possible. This ensures a timely review of the claim by KDOL and reduces erroneous decisions.

In making this determination, KDOL will consider whether a bona fide offer of employment was made and refused, whether that employment was suitable, and whether the claimant had good cause for refusing the offer.

In considering whether there was an offer of work, KDOL will review whether specific information was provided regarding the position. Details such as duties, starting pay, and hours, must be conveyed to the claimant; however, if the claimant prevents the employer from providing those details by refusing the job or referral before they could be conveyed, a disqualification can still be imposed.

KDOL must then consider whether the employment offered was suitable.

Factors considered include whether the claimant has the skills, training, experience and capabilities to perform the work offered. Consideration also includes the claimant's prospects of finding work, the number of jobs available in the claimant's chosen occupation, the number of people unemployed in that occupation, and the length of time the claimant has been unemployed. If the work offered is not the claimant's normal profession, then considerations will include whether training will be offered to the claimant, and whether the job meets federal/state/local standards in terms of wages, hours or other conditions of the work. In light of COVID-19, KDOL will also consider whether the employer is taking appropriate measures to safeguard employee health and safety by providing personal protective equipment, practicing social distancing, disinfecting and cleaning practices, and following all Federal, State, and local guidelines.

Finally, KDOL will consider whether the claimant had good cause to refuse suitable work.

"Good cause" is not defined in K.S.A. 44-706(c). However, consideration of "good cause" may include whether the claimant's reason for refusing the offer of suitable work was of such nature that would impel a reasonable, not supersensitive, individual exercising ordinary common sense to refuse the work. Consideration will also be given as to whether the claimant showed good faith, which includes the presence of a genuine desire to work, when refusing the work.

Claimants who accept part-time work may still be eligible to receive benefits. Claimants who return to work and continue to file weekly claims are required to report their earnings as they are earned; not when they are paid.*

After all of these relevant factors are considered, a Notice of Determination will be mailed to both parties.

If either the claimant or the employer disagrees with the examiner's determination, that party may appeal at their own expense in increasing level of appellate review: The Kansas Department of Labor Office of Appeals, Employment Security Board of Review, State District Court and beyond.

Cases in which claimants intentionally misstate or omit facts are considered fraudulent and may result in prosecution. Claimants will be required to pay back benefits deemed to have been overpaid. Overpayments that are due to fraud will be subject to penalties and interest.

Kansans are experiencing hardships as a result of the COVID-19 outbreak. The Kansas Department of Labor wants to make sure you know your rights and resources available. These are a few state-level resources. Please check with your local options for community resources that can help.



The State of Kansas' new and comprehensive COVID-19 online resource center is now live. Visit covid.ks.gov for the latest news, information and resources related to unemployment and other assistance, business, agriculture, COVID-19 data and more.



FOOD ASSISTANCE

WIC is a nutrition program that provides nutrition and health education, healthy food and other services to qualifying women that are either pregnant or have a child between the ages of 0 and 5. Apply through your county's health department. Your local department can be found here: http://www.kansaswic.org/families/WIC_county_map.html

School Lunches: Free meals for children ages 1-18 are being served at numerous school locations throughout Kansas. Check with your local school district for meal distribution sites in your area. No application is necessary, and anyone can pick up meals for their children. Simply arrive at the meal distribution site and pick up your meals.

SNAP food assistance (formerly known as food stamps) provides qualifying low-income households with benefits to buy food. Paper applications are also available outside each DCF service center across the state. Completed applications can be left in drop boxes outside each service center. Apply online at:

<http://www.dcf.ks.gov/services/ees/pages/food/foodassistance.aspx>

Harvester's SNAP outreach program helps people apply by phone. Call: (877) 653-9522 or visit: www.harvesters.org/Get-Help/Snap

TEFAP (The Emergency Food Assistance Program) provides free foods to low-income households throughout Kansas. TEFAP food is shipped throughout the year to participating organizations for distribution. To find your county's distributing organization and food distribution site please visit:

http://www.dcf.ks.gov/services/ees/Documents/Food_Distribution_Programs/TEFAP%20Distribution%20Sites%20by%20County.pdf

CSFP (Commodity Supplemental Food Program) distributes monthly food packages to persons 60 years or older with income less than 130% of the Federal Poverty Level. To apply to receive a food package through one of the regional administering organizations please visit:

<http://www.dcf.ks.gov/services/ees/Pages/USDA-Commodity-Programs/CSFP/CSFP-FAQs.aspx>

Nutrition Services for Older Adults: Free meals for seniors are available for persons 60 years or older through the Older Americans Act. For information on how to access these meals in your area please call the Aging and Disability Resource Center at: (855) 200-2372. You can also visit the ElderCare Locator online at:

<https://eldercare.acl.gov/Public/Index.aspx>

Meals on Wheels provides meal delivery for seniors, apply at: www.mealsonwheelsamerica.org

Harvesters Community Food Network

Counties: SN, JO, DG, WY, FR, MI, JF, JA, PT, RL, CY, WS, MS, NM, OS, WB

Email: customercare@harvesters.org or call (877) 353-6639

Second Harvest Community Food Bank

Counties: LV, AT, BR, DP

Visit: www.shcfb.org or call (816) 364-3663

The Kansas Food Bank

Counties: All other counties

Email: info@kansasfoodbank.org or call (316) 265-3663



MEDICAL CARE

KanCare provides health coverage for qualifying families and children, pregnant women, as well as elderly and persons with disabilities.

For more information visit: www.kancare.ks.gov

Find additional information here: https://www.kdheks.gov/hcf/Medicaid/eligibility_guidelines.html



CASH ASSISTANCE

Temporary Assistance for Needy Families (TANF) Cash Assistance The amount of cash benefit provided depends upon the family's income and the county where the family lives. For more information please visit:

<http://www.dcf.ks.gov/services/ees/Pages/Cash/TANF.aspx>



HOUSING RELATED ASSISTANCE

Kansas Housing Corporation helps Kansans access safe, affordable housing. Find information on emergency housing and tenant based rental assistance here: www.kshousingcorp.org

Section 8 Voucher Assistance Programs assist very low-income families, the elderly, and the disabled to afford decent, safe, and sanitary housing apply at: www.hud.gov

Kansas LIEAP helps eligible households pay a portion of their home energy costs by providing a one-time per year benefit:

<http://www.dcf.ks.gov/services/ees/pages/energy/energyassistance.aspx>

Kansas Citizens' Utility Ratepayer Board (CURB) can help with utilities/shutoffs: www.curb.kansas.gov



OTHER SUPPORTS

Kansas Appleseed Rights and Resources Webinars: www.kansasappleseed.org

Kansas Legal Services provides direct legal assistance for things like evictions , wage issues, etc. For more information visit: www.kansaslegalservices.org

Hero Relief Program provides child care subsidies to eligible health care workers, first responders and other essential workers. For more information visit:

<http://www.dcf.ks.gov/Newsroom/Pages/HeroReliefProgram.aspx>



UNEMPLOYMENT INSURANCE

To apply for unemployment benefits please visit: www.GetKansasBenefits.gov

Contact Center Numbers

Kansas City (913) 596-3500

Topeka (785) 575-1460

Wichita (316) 383-9947

Toll-Free (800) 292-6333



FOLLOW KDOL ON SOCIAL MEDIA



GOVERNOR KELLY'S EXECUTIVE ORDERS FOR COVID-19

03.17.20 Executive Order No, 20-05. Temporarily prohibiting utility and internet disconnects.

03.18.20 Executive Order No. 20-06. Temporarily prohibiting evictions and foreclosures.

03.24.20 Executive Order No. 20-10. Rescinding E.O. 20-06 and temporarily prohibiting certain foreclosures and evictions.

03.24.20 Executive Order No. 20-12. Driver's license and vehicle registration and regulation during public health emergency.

03.24.20 Executive Order No. 20-13. Allowing certain deferred tax deadlines and payments during the COVID-19 pandemic.

03.31.20 Executive Order 20-17. Temporary relief from certain unemployment insurance requirements in response to the COVID-19 pandemic.

TO: Executive Branch Agencies

FROM: Governor Laura Kelly

DATE: May 12, 2020

RE: Policy for Executive Branch Employees who are Providing Testimony to Legislative Committees

The Kansas Legislature is set to return for Sine Die on May 21, 2020. Beginning this week, some legislative committees plan to resume their work, including in-person meetings for some Senate Committees.

While this Administration has always made state employees readily available to provide legislative testimony and will continue to do so, we must ensure that state employees are not unnecessarily exposed to COVID-19 because of appearing in-person at a legislative hearing.

As we have seen across the globe throughout recent months, the ability to hold meetings—including legislative sessions, board meetings, staff meetings, and even court hearings—by phone and videoconference allows important business to be conducted with no risk of exposure to COVID-19. The Legislative Coordinating Council and State Finance Council have regularly used video or phone conferencing capabilities to hold meetings. The available technology provides an adequate substitute to in-person testimony while COVID-19 continues to present a serious and deadly risk in any gathering.

Accordingly, unless I direct otherwise in specific instances, for any legislative committee hearings or other legislative meetings from now through May 21, 2020, employees in Executive Branch agencies should provide legislative testimony only in writing or by phone- or video-conferencing technology.

If you have any questions, please do not hesitate to contact my office.