



EXECUTIVE DEPARTMENT

PROCLAMATION NUMBER 119 JBE 2020

***HURRICANE LAURA - EMERGENCY SUSPENSION OF
CERTAIN UNEMPLOYMENT INSURANCE LAWS***

- WHEREAS,** pursuant to the Louisiana Homeland Security and Emergency Assistance and Disaster Act, La. R.S. 29:721, *et seq.*, I declared a state of emergency through Proclamation Number 108 JBE 2020;
- WHEREAS,** Hurricane Laura made landfall on the Louisiana coast during the early morning hours on Thursday, August 27, 2020, bringing devastating winds, widespread power-outages, and severe damage to Louisiana;
- WHEREAS,** the evacuations, displacements, communication issues, the inability of employers to access personnel files, and the extraordinary volume of resulting unemployment claims pose serious challenges to the effective and timely administration of the unemployment compensation system;
- WHEREAS,** upon my request, President Donald J. Trump signed a major disaster declaration request making Disaster Unemployment Assistance (DUA) available to individuals and businesses whose employment or self-employment was lost or interrupted as a direct result of Hurricane Laura, if they did not qualify for State unemployment compensation, in Proclamation No. FEMA-4559-DR on August 22, 2020;
- WHEREAS,** La. R.S. 29:724 confers upon the Governor emergency powers to deal with emergencies and disasters and to ensure that preparations of this State will be adequate to deal with such emergencies or disasters, and to preserve the lives and property of the citizens of the State of Louisiana, including the authority to suspend the provisions of any regulatory statute prescribing the procedures for conduct of state business, or the orders, rules, or regulations of any state agency, if strict compliance with the provisions of any statute, order, rule, or regulation would in any way prevent, hinder, or delay necessary action in coping with the emergency; and
- WHEREAS,** the Secretary of the Louisiana Workforce Commission has requested the Governor, due to the extreme volume of claims to be processed, suspend the application of La. R.S. 23:1533, 1552 1541, 1600(2), (3), and (4), so as to allow the timely and fair administration of the unemployment insurance program.

NOW THEREFORE, I, JOHN BEL EDWARDS, Governor of the State of Louisiana, by virtue of the authority vested by the Constitution and the laws of the State of Louisiana, do hereby order and direct as follows:

SECTION 1: For the purpose of this Proclamation, “disaster-related claims” shall mean claims for unemployment compensation filed by persons whose unemployment is directly due to the effects of Hurricane Laura or due to their inability to get to their job or worksite because they cannot travel through an affected parish, as determined by the administrator of the state’s unemployment compensation program, i.e. the Secretary of the Louisiana Workforce Commission. Disaster-related claims will not necessarily include all claims in all parishes included in the disaster proclamations, declaration, or orders.

SECTION 2: The following statutes relative to unemployment insurance are hereby suspended to the extent and in the manner described below:

- A. La. R.S. 23:1533, which provides for claimants' benefits to be charged against base period employers for purposes of employers' tax experience ratings and the protesting of such charges by employers, shall be suspended for disaster-related claims made during the effective period of this Proclamation.
- B. La. R.S. 23:1552, which provides for the charging of claimants' benefits to certain employers, shall be suspended for disaster-related claims made during the effective period of this Proclamation.
- C. La. R.S. 23:1541, which provides for notice of benefits charged against employer's experience rating record, is extended only to the extent that it requires the administrator to render quarterly statements to each employer of benefits paid each individual and charged to his experience rating record. The benefits paid to persons whose unemployment resulted from the impact of disaster-related claims will not be charged against the employer's account. To send out notices as traditionally done is likely to cause confusion since such notices include benefit charges by all former employees, including those whose benefit will be charged against the social charge account.
- D. La. R.S. 23:1600(2), (3), and (4) shall be suspended while this Proclamation is in effect for disaster-related claims to the extent that they require claimants to register and search for work, have a waiting period of one week and be paid a required amount of wages to be eligible for unemployment insurance benefits. The requirements in La. R.S. 23:1600(2) that claimants continue to report in the manner prescribed by the Secretary, and in La. R.S. 23:1600(3) that claimants be able to work and be available for work, are waived. The requirement to continue to report, which is accomplished through either an automated telephone system or the Internet, is not impractical and avoids overpayments, which claimants would be liable to repay. The requirement in La. R.S. 23:1600(4) that claimants wait a period of one week before receiving benefits is waived. In the immediate aftermath of the emergency, waived requirements are not practical for claimants without fixed temporary or permanent housing and verification of such activities is not practical in many affected areas.

SECTION 3: This Order is effective for all parishes covered by the President's Major Disaster Declaration dated August 28, 2020, and to those parishes covered by any subsequent expansion of the August 28, 2020 Declaration. This Order shall apply retroactively from August 21, 2020, and shall continue through Sunday, September 20, 2020, or as extended by any subsequent Proclamation, unless terminated sooner.



**ATTEST BY THE
SECRETARY OF STATE**

IN WITNESS WHEREOF, I have set my hand officially and caused to be affixed the Great Seal of the State of Louisiana in the City of Baton Rouge, on this 11th day of September, 2020.

GOVERNOR OF LOUISIANA

SECRETARY OF STATE