

A RESOLUTION

23-563

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

October 20, 2020

To declare the existence of an emergency with respect to the need to amend the District of Columbia Unemployment Compensation Act to qualify District workers for additional weeks of unemployment insurance and pandemic unemployment assistance benefits under the extended benefits program.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Unemployment Benefits Extension Emergency Declaration Resolution of 2020”.

Sec. 2. (a) The COVID-19 pandemic created an unprecedented need for businesses to reduce capacity or close to prevent a worsening of the pandemic.

(b) There exists an immediate need to extend the number of weeks of benefits available to District workers unemployed due to the COVID-19 pandemic because the public health emergency is expected to continue for many more months before the District’s economy can fully reopen.

(c) The COVID-19 pandemic has caused immeasurable financial instability for workers, including traditional employees and those working as independent contractors or “gig” workers, also causing hardship for their families and household members.

(d) Unemployment benefits payments are a lifeline to help District workers continue to meet their basic needs, such as rent or mortgage payments, utilities, medical costs, groceries, childcare, and the other costs of living.

(e) The federal-state unemployment insurance (“UI”) system, created in 1935, provides partial wage replacement to employees who lose a job through no fault of their own.

(f) The federal government recognized the need for additional weeks of benefits payments in legislation that created the Pandemic Emergency Unemployment Compensation (“PEUC”) and Pandemic Unemployment Assistance (“PUA”) programs, which expanded eligibility for unemployment benefits available to workers unemployed due to the COVID-19 pandemic, and the Extended Benefits (“EB”) program which was established in 1970 and is accessible when state unemployment rates rise significantly.

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(g) Under current District and federal law, employees that qualify for UI may receive up to 26 weeks of UI benefits, up to 13 weeks of federal PEUC benefits, and up to 13 weeks of federal EB, for a total of 52 weeks of benefits.

(h) Under current District and federal law, individuals ineligible for traditional UI may receive up to 39 weeks of PUA benefits. These individuals are not eligible for PEUC or EB under current law.

(i) PUA recipients are eligible for benefits beginning the week of income loss that started after January 27, 2020. PUA recipients who received benefits for weeks starting with the week of January 27, 2020, will begin to exhaust their PUA benefits starting the week of October 25, 2020.

(j) The federal Coronavirus Aid, Relief, and Economic Security Act provided that PUA recipients and UI claimants in states with a high unemployment period in their state EB law may be eligible for up to 7 additional weeks of benefits under the EB program. These benefits are fully federally funded under federal law through December 31, 2020.

(k) The District's EB law does not currently have an applicable high unemployment period. During the 2009 Great Recession, the District enacted a high unemployment period provision to provide 7 additional weeks of EB, which were paid for with federal funds. The high unemployment period has been turned off since the end of 2009; however, the rate of unemployment currently in the District is similar to that of the Great Recession, especially for workers of color.

(l) There is now an immediate need to amend the District's unemployment insurance law to turn on a high unemployment period in District law to ensure that PUA recipients and traditional UI claimants who need EB can access 7 weeks of additional, federally funded benefits.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Unemployment Benefits Extension Emergency Amendment Act of 2020 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.