



ANDY BESHEAR
GOVERNOR

EXECUTIVE ORDER

Secretary of State
Frankfort
Kentucky

2021-025
January 12, 2021

STATE OF EMERGENCY RELATING TO UNEMPLOYMENT ASSISTANCE

The novel coronavirus (COVID-19) is a respiratory disease causing illness that can range from very mild to severe, including illness resulting in death, and many cases of COVID-19 have been confirmed in the Commonwealth.

The Kentucky Constitution and Kentucky Revised Statutes, including KRS Chapter 39A, empower me to exercise all powers necessary to promote and secure the safety and protection of the civilian population. Under those powers, I declared by Executive Order 2020-215 on March 6, 2020, that a State of Emergency exists in the Commonwealth.

Since that time, thousands of Kentuckians have lost employment because of the COVID-19 pandemic. While increased Unemployment Insurance and other programs have provided vital assistance to many, federal restrictions in these programs and inconsistent federal guidance have slowed or prevented payments to some Kentuckians. Federal requirements for programs administered by the Office of Unemployment Insurance ("OUI") have prevented Kentucky from making payments to some qualifying individuals, through no fault of those applicants. In addition, the 2020 FEMA Lost Wages Assistance Program excluded individuals whose weekly benefit amount was below \$100.

This Executive Order provides essential assistance to those Kentuckians who need help but who have not received adequate assistance under these federal programs.

NOW THEREFORE, I, Andy Beshear, by virtue of authority vested in me pursuant to the Kentucky Constitution and by KRS Chapter 39A, do hereby Order and Direct as follows:

1. There is created the Unemployment One-Time Relief Payment Program (the "Program"), which shall be administered by the Office of Unemployment Insurance within the Labor Cabinet.
2. The Program shall be funded by a Coronavirus Relief Fund (CRF) allocation for FY 21 for the Office of Unemployment Insurance funded up to \$48,000,000.00.



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3. The Program will provide one-time supplemental economic relief payments to certain unemployment insurance payments as follows:
 - a. A one-time payment of \$400 to claimants under any program administered by the Office of Unemployment Insurance who would have otherwise qualified for the 2020 FEMA Lost Wages Assistance Program except that their weekly benefit amount was below \$100; and to claimants under any program administered by the Office of Unemployment Insurance in November and December 2020 who had an approved claim but a weekly benefit amount of less than \$176, and associated administrative expenses. Claimants may qualify for only one single payment under this provision. Notwithstanding KRS 341.430 to 341.450, no claimant has a right to appeal the determination of the Office of Unemployment Insurance regarding eligibility for this payment as this is a supplemental economic relief payment and not an unemployment benefit; and
 - b. A one-time payment of \$1,000 to claimants under any program administered by the Office of Unemployment Insurance between March 4, 2020 and October 31, 2020 with verified identities and no indicia of fraud, both as solely determined by the Office of Unemployment Insurance, but whose claims were not yet adjudicated and paid, and associated administrative expenses. Claimants may qualify for only one single payment under this provision. Notwithstanding KRS 341.430 to 341.450, no claimant has a right to appeal the determination of the Office of Unemployment Insurance regarding eligibility for this payment as this is a supplemental economic relief payment and not an unemployment benefit.
4. Payment under the Program shall be entirely within the discretion of the Office of Unemployment Insurance. Nothing in this Order shall be interpreted to create a right or entitlement to any payment for any individual.
5. The Office of Unemployment Insurance, Labor Cabinet, Office of State Budget Director, and Finance and Administration Cabinet shall take any necessary steps to implement the Program and carry out this Order promptly.




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This Order is effective upon filing with the Secretary of State.


ANDY BESHEAR, Governor
Commonwealth of Kentucky


MICHAEL G. ADAMS
Secretary of State

RECEIVED AND FILED

DATE

1/12/2021

MICHAEL G. ADAMS
SECRETARY OF STATE

COMMONWEALTH OF KENTUCKY

BY

Sumner M. Burgh