



DEPARTMENT OF UNEMPLOYMENT ASSISTANCE
UI POLICY & PERFORMANCE
INTEROFFICE MEMORANDUM

Date: April 7, 2020

Rescission(s): 2020.06 Emergency regulations

Reference No.: UIPP 2020.07

TO: All DUA Managers and Staff

FROM: Emmy Patronick, Director of Policy and Performance

SUBJECT: Emergency Regulations in effect due to hardship caused by COVID-19

1. **PURPOSE:**

To provide guidance to DUA staff regarding emergency regulations that were filed to establish procedures and interpret the provisions of G.L. 151A to alleviate hardship caused by COVID-19.

2. **ATTACHMENTS:**

- 430 CMR 22.00 COVID-19 Emergency Regulations

3. **BACKGROUND:**

On March 16, 2020, DUA filed emergency regulations relating to the current COVID-19 emergency. The regulations are 430 CMR 22.00 COVID 19 Emergency Regulations.

The regulations make several changes for the purposes of providing unemployment benefits to as many people as possible who have been affected. The regulations have been implemented immediately as a result of the hardship that COVID-19 may cause in workers and employers.

The following applies to claimants and employers:

Standby Status:

The regulations create a special standby status. That means that individuals who are temporarily unemployed due to lack of work because of COVID 19 will be eligible. The individual will be considered unemployed due to lack of work regardless of whether the individual's workplace is shut down or if the individual needs to stay home for any reason related to COVID 19.

In order to fulfill the requirements to be able, available and actively seeking work, the individual need only take reasonable measures to maintain contact with his or her employer, and to be available for hours offered by the employer.

Claimants will be presumed to be eligible for four weeks of standby status. The employer does not need to respond that the claimant is on standby.

DUA is going to waive the requirement in the emergency regulations that states that employers are required to request the additional four weeks for standby status. The standby status is going to be automatically extended for all claimants by eight weeks.

Suitable work:

We have changed the definition of suitable work. In determining whether work is suitable, we are required to take into consideration whether a claimant has a "condition" that prevents the claimant from performing the functions of the job without risk to his or her health or safety. Under the definition contained in the statute, there will be no suitable work for an individual who has been requested to self-quarantine by his or her employer or any other authority, or who is caring for a family member who has had been requested to self-quarantine. Such an individual will not have to fulfill work search requirements.

Good cause for missing deadlines due to COVID 19:

Good cause reasons for deadlines appeals and other requests should be liberally granted if COVID-19 prevented either party from meeting such deadlines.

4. ACTION:

Effective immediately, DUA should adhere to these additional changes as a result of the Emergency Regulations that are in effect.

5. **QUESTIONS:**

Please contact the UI Policy & Performance Department at
UIPolicyandPerformance@detma.org or 617-626-6422