



**DEPARTMENT OF UNEMPLOYMENT ASSISTANCE  
UI POLICY & PERFORMANCE  
INTEROFFICE MEMORANDUM**

**Date:** January 22, 2021

**Rescission(s):** None

**Reference No.:** UIPP 2021.02

**TO:** All DUA Managers and Staff  
**FROM:** Emmy Patronick, Director of Policy and Performance  
**SUBJECT:** Retroactive Application of COVID-19 Flexibilities

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**1. PURPOSE:**

This policy memorandum is intended to clarify the effective period of temporary policy changes announced in UIPP 2020.12, UIPP 2020.14, and UIPP 2020.15. They are to be applied retroactively to the beginning of the pandemic emergency (March 8, 2020) and will remain in place until further notice.

**2. ATTACHMENTS:**

- UIPP 2020.12- Availability and Suitable Work Issues- Caregiver Responsibilities During the COVID-19 Public Health Emergency (October 8, 2020)
- UIPP 2020.14- Suitable Work, Total or Partial Unemployment, and COVID-19 (November 25, 2020)
- UIPP 2020.15- Waiving of Work Search Requirements (November 25, 2020)
- Highlights of DUA's temporary COVID-19 policy flexibilities announced in UIPP 2020.12, UIPP 2020.14, and UIPP 2020.15.

### 3. **BACKGROUND:**

In 2020, UI Policy and Performance issued UIPP 2020.12, UIPP 2020.14, and UIPP 20.2015, instructing staff to apply significant flexibility in determining able and available, actively seeking, total or partial unemployment, and COVID-19 related involuntary quit issues in light of the ongoing public health emergency caused by COVID-19.

The extraordinary circumstances that caused the Department of Labor to instruct state workforce agencies to flexibly apply state law to these issues have existed since March 2020 and should be applied to all such issues from March 8, 2020 and onward until staff are notified that circumstances no longer warrant such flexibility.

The temporary policy changes announced in UIPP 2020.12, UIPP 2020.14, and UIPP 2020.15 are to be applied *retroactively back to March 8, 2020*, and until further notice.

All claimants with weeks of unemployment on or after March 8, 2020 should not have work search issues because they were either covered by standby status (see UIPP 2020.13) or the retroactive work search policy (see UIPP 2020.15). Agents should not be manually creating or adjudicating these issues if the issue start date is after March 8, 2020. These issues should be voided.

Able and available, total, or partial unemployment, and COVID-19 related involuntary quit issues that include weeks of unemployment beginning on or after March 8, 2020 should be resolved using the expanded definitions of “suitable work” and “good cause” outlined in the UIPP 2020.12 and UIPP 2020.14.

### 4. **ACTION:**

Staff are to apply the policies outlined in UIPP 2020.12, 2020.14, and 2020.15 retroactively for all weeks on or after March 8, 2020, until further notice.

### 5. **QUESTIONS:**

Please email [UIPolicyandPerformance@detma.org](mailto:UIPolicyandPerformance@detma.org)