

A PROPOSED RESOLUTION

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

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 in order 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, as 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 and mortgage payments, utilities, medical costs, groceries, child care, and the other costs of living.

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

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

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

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

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

50 (j) The federal Coronavirus Aid, Relief, and Economic Security Act (“CARES Act”)  
51 provided that PUA recipients and UI claimants in states with a “high unemployment period” in  
52 their state EB law may be eligible for up to 7 additional weeks of benefits under the EB program.  
53 These benefits are fully federally funded through December 31, 2020, under the Families First  
54 Coronavirus Response Act (specifically Division D, Emergency Unemployment Insurance  
55 Stabilization and Access Act of 2020, or EUISAA).

56 (k) The District’s EB law does not currently have an applicable “high unemployment  
57 period.” During the 2009 Great Recession, the District enacted a “high unemployment period”  
58 provision to enact 7 additional weeks of EB and become eligible for federal funds. This  
59 legislation contained a sunset provision and is no longer applicable; however, the rate of  
60 unemployment currently in the District is similar to that of the Great Recession, especially for  
61 workers of color.

62 (l) There is now an immediate need to amend the District’s unemployment insurance law  
63 to establish a “high unemployment period” in District law in order to ensure that workers who  
64 need it can access 7 weeks of additional, federally-funded benefits for PUA recipients and  
65 traditional UI claimants.

66 Sec.3. The Council of the District of Columbia determines that the circumstances  
67 enumerated in Section 2 constitute emergency circumstances making it necessary that the  
68 “Unemployment Benefits Extension Emergency Declaration Resolution of 2020” be adopted on  
69 an emergency basis.

70 Sec. 4. This resolution shall take effect immediately.