

HOUSE No. 4748

The Commonwealth of Massachusetts

PRESENTED BY:

David M. Rogers and Patricia D. Jehlen

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act establishing unemployment expansion during public health emergencies.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>David M. Rogers</i>	<i>24th Middlesex</i>	<i>3/19/2020</i>
<i>Patricia D. Jehlen</i>	<i>Second Middlesex</i>	<i>3/19/2020</i>
<i>James K. Hawkins</i>	<i>2nd Bristol</i>	<i>3/19/2020</i>
<i>Tommy Vitolo</i>	<i>15th Norfolk</i>	<i>3/19/2020</i>
<i>Marcos A. Devers</i>	<i>16th Essex</i>	<i>3/20/2020</i>
<i>Rady Mom</i>	<i>18th Middlesex</i>	<i>3/20/2020</i>
<i>Nika C. Elugardo</i>	<i>15th Suffolk</i>	<i>3/20/2020</i>
<i>Jack Patrick Lewis</i>	<i>7th Middlesex</i>	<i>3/20/2020</i>
<i>Tami L. Gouveia</i>	<i>14th Middlesex</i>	<i>3/20/2020</i>
<i>José F. Tosado</i>	<i>9th Hampden</i>	<i>3/20/2020</i>
<i>Lindsay N. Sabadosa</i>	<i>1st Hampshire</i>	<i>3/20/2020</i>
<i>Steven S. Howitt</i>	<i>4th Bristol</i>	<i>3/20/2020</i>
<i>Adrian C. Madaro</i>	<i>1st Suffolk</i>	<i>3/20/2020</i>
<i>Christine P. Barber</i>	<i>34th Middlesex</i>	<i>3/20/2020</i>
<i>Susannah M. Whipps</i>	<i>2nd Franklin</i>	<i>3/20/2020</i>
<i>Diana DiZoglio</i>	<i>First Essex</i>	<i>3/20/2020</i>
<i>Paul F. Tucker</i>	<i>7th Essex</i>	<i>3/20/2020</i>
<i>Marjorie C. Decker</i>	<i>25th Middlesex</i>	<i>3/20/2020</i>

<i>Ruth B. Balsler</i>	<i>12th Middlesex</i>	<i>3/20/2020</i>
<i>Brian M. Ashe</i>	<i>2nd Hampden</i>	<i>3/20/2020</i>
<i>Bud L. Williams</i>	<i>11th Hampden</i>	<i>3/20/2020</i>
<i>David Allen Robertson</i>	<i>19th Middlesex</i>	<i>3/20/2020</i>
<i>Elizabeth A. Poirier</i>	<i>14th Bristol</i>	<i>3/20/2020</i>
<i>Carolyn C. Dykema</i>	<i>8th Middlesex</i>	<i>3/20/2020</i>
<i>Patrick M. O'Connor</i>	<i>Plymouth and Norfolk</i>	<i>3/20/2020</i>
<i>Kay Khan</i>	<i>11th Middlesex</i>	<i>3/20/2020</i>
<i>Colleen M. Garry</i>	<i>36th Middlesex</i>	<i>3/20/2020</i>
<i>Maria Duaine Robinson</i>	<i>6th Middlesex</i>	<i>3/20/2020</i>
<i>Smitty Pignatelli</i>	<i>4th Berkshire</i>	<i>3/20/2020</i>
<i>Brian W. Murray</i>	<i>10th Worcester</i>	<i>3/21/2020</i>
<i>Peter J. Durant</i>	<i>6th Worcester</i>	<i>3/21/2020</i>
<i>Peter Capano</i>	<i>11th Essex</i>	<i>3/22/2020</i>
<i>Tricia Farley-Bouvier</i>	<i>3rd Berkshire</i>	<i>3/23/2020</i>
<i>Nick Collins</i>	<i>First Suffolk</i>	<i>3/23/2020</i>
<i>Paul W. Mark</i>	<i>2nd Berkshire</i>	<i>3/23/2020</i>
<i>Stephan Hay</i>	<i>3rd Worcester</i>	<i>3/23/2020</i>
<i>John H. Rogers</i>	<i>12th Norfolk</i>	<i>3/23/2020</i>
<i>Aaron Vega</i>	<i>5th Hampden</i>	<i>3/23/2020</i>
<i>Linda Dean Campbell</i>	<i>15th Essex</i>	<i>3/23/2020</i>
<i>Natalie M. Higgins</i>	<i>4th Worcester</i>	<i>3/23/2020</i>
<i>Jay D. Livingstone</i>	<i>8th Suffolk</i>	<i>3/24/2020</i>
<i>Natalie M. Blais</i>	<i>1st Franklin</i>	<i>3/24/2020</i>
<i>Denise Provost</i>	<i>27th Middlesex</i>	<i>3/24/2020</i>
<i>Paul R. Feeney</i>	<i>Bristol and Norfolk</i>	<i>3/24/2020</i>
<i>Mindy Domb</i>	<i>3rd Hampshire</i>	<i>3/24/2020</i>
<i>Alan Silvia</i>	<i>7th Bristol</i>	<i>3/25/2020</i>
<i>Tram T. Nguyen</i>	<i>18th Essex</i>	<i>3/25/2020</i>
<i>Sean Garballey</i>	<i>23rd Middlesex</i>	<i>3/25/2020</i>
<i>David Henry Argosky LeBoeuf</i>	<i>17th Worcester</i>	<i>3/26/2020</i>
<i>Lori A. Ehrlich</i>	<i>8th Essex</i>	<i>3/26/2020</i>
<i>Michelle M. DuBois</i>	<i>10th Plymouth</i>	<i>3/26/2020</i>
<i>Michelle L. Ciccolo</i>	<i>15th Middlesex</i>	<i>3/27/2020</i>
<i>Antonio F. D. Cabral</i>	<i>13th Bristol</i>	<i>3/27/2020</i>

HOUSE No. 4748

By Representative Rogers of Cambridge and Senator Jehlen, a joint petition (subject to Joint Rule 12) of David M. Rogers, Patricia D. Jehlen and others for legislation to further regulate unemployment assistance during public health or public safety emergencies. Labor and Workforce Development.

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-First General Court
(2019-2020)**

An Act establishing unemployment expansion during public health emergencies.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to establish forthwith exceptions to unemployment assistance during public health emergencies, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public health and convenience.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. Section 24 of Chapter 151A of the General Laws is hereby amended by
2 inserting after subsection (c) the following subsection:-

3 (d) Any individual who files for unemployment assistance during a public health or
4 public safety emergency, in addition to the twenty-six week eligibility period determined by
5 federal law, shall be eligible for an additional thirteen weeks of unemployment assistance.

6 (e) No individual shall be considered ineligible for benefits because of failure to comply
7 with the provisions of said clause (b) if such failure is due to an official public health or public
8 safety emergency as determined by an executive order executed by the Governor.

9 SECTION 2. Chapter 151A of the General Laws is hereby amended by inserting after
10 section 25 the following section:-

11 Section 25A. Public Health and Safety Disqualification Exception.

12 Notwithstanding section 24 or section 25 of chapter 151A of the General Laws,
13 the director of unemployment assistance shall continue to pay benefits to any individuals,
14 whether totally unemployed or partially unemployed, whose benefits were set to expire eight
15 weeks before or during any such period where a public health or public safety emergency is in
16 effect and those individuals shall not be disqualified from receiving benefits through thirteen
17 additional weeks, in addition to the twenty-six week period determined by federal law.

18 SECTION 3. Chapter 151A of the General Laws is hereby amended by inserting the
19 following paragraph after Section 29(a):-

20 (i) Notwithstanding section 29(a) of chapter 151A of the General Laws, the director of
21 unemployment assistance shall pay to an individual in total unemployment and who is otherwise
22 eligible for benefits, whose average weekly wage in his base period exceeds sixty-six dollars, for
23 each week of unemployment an amount equal to seventy-five percent of his average weekly
24 wage in the base period, rounded to the next lower full dollar amount, but not more than 75% of
25 the average weekly wage of employees covered by this chapter, if an ongoing declaration of a
26 state of emergency exists, including any public health or public safety crisis; provided further,
27 that any unemployment assistance furnished during a state of emergency shall not count towards
28 an individual's overall unemployment benefit in the aggregate and shall not be included in
29 determining eligibility for benefits under this chapter for the purposes of any benefit year when
30 no state of emergency has been ordered.

31 SECTION 4. Chapter 151A of the General Laws is hereby amended by inserting the
32 following paragraph after Section 29(b):-

33 (i) Notwithstanding section 29(b) of chapter 151A of the General Laws, the
34 director of unemployment assistance shall pay, to an individual in partial unemployment and
35 otherwise eligible for benefits, the difference between his aggregate remuneration with respect to
36 each week of partial unemployment and the weekly benefit rate to which he would have been
37 entitled if totally unemployed; provided, however, that earnings up to two-fifths of his weekly
38 benefit rate shall be disregarded; and provided further that this payment occurred immediately
39 prior, during or immediately after a public health or public safety emergency and in accordance
40 with Section 25A of this chapter. In no case shall the amount of earnings so disregarded plus the
41 weekly benefit rate equal to or in excess of the individual's average weekly wage. Such partial
42 benefit amount shall be rounded to the next lower full dollar amount if it includes a fractional
43 part of a dollar. Nothing in this subsection shall cause a full denial of benefits solely because an
44 individual left a part time job, which supplemented primary full-time employment, during the
45 individual's base period prior to being deemed in partial unemployment.