COVID-19: MASSACHUSETTS ENACTS EMERGENCY BILL TO WAIVE ONE-WEEK WAITING PERIOD FOR UNEMPLOYMENT BENEFITS FOR WORKERS AFFECTED BY COVID-19

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On March 18, 2020, Governor Baker signed a bill that will provide immediate financial relief to those who are or become separated from work as a result of the COVID-19 outbreak or actions taken by employers in response to the state of emergency Governor Baker announced on March 10, 2020. In doing so, Massachusetts joins a growing number of states that are waiving waiting periods or taking other steps to provide relief to workers impacted by the outbreak.

The bill directs the Director of the Massachusetts Department of Unemployment Assistance ("DUA") to waive the one-week waiting period for unemployment benefits and immediately begin paying benefits to those who are otherwise eligible and have become unemployed because of the COVID-19 outbreak or resulting state of emergency. This includes workers who are or become unemployed due to (i) lay-offs or business shutdowns, (ii) quarantine orders or directives, (iii) illness that prevents them from leaving their homes, (iv) the need to care for sick or quarantined family members, and (v) the need to attend to children who are at home due to school closures. The legislation is effective as of March 10, 2020 and is set to expire 90 days after termination of the state of emergency.

Consistent with other legislation being developed in response to COVID-19, the bill was enacted at a rapid pace, only two days after Governor Baker filed it for consideration by the Senate and House of Representatives.

As Governor Baker explained in his filing letter to the Senate and House of Representatives, "the Director of DUA will immediately be filing emergency regulations to ensure similar flexibility in the application of rules that do not require a statutory adjustment." Consistent with the intent to provide flexibility, Governor Baker also announced that (i) all requirements regarding attending seminars at the MassHire career centers have been suspended, (ii) missing deadlines due to COVID-19 will be excused under DUA's good cause provision, and (iii) all appeal hearings will be held by telephone only.

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