

1 WHEREAS, on March 22, 2020, the governor issued Emergency Proclamation
2 Number 33 JBE 2020 which implemented additional measures, including a general stay-at-
3 home order to the public along with the temporary closure of certain businesses, and further
4 limited the operations of certain non-essential businesses to the public to mitigate the impact
5 of COVID-19 and to disrupt the spread of the virus; and

6 WHEREAS, on April 2, 2020, the governor reinforced these actions through the
7 issuance of Emergency Proclamation Number 41 JBE 2020; and

8 WHEREAS, COVID-19 impacts to business operations across the state have resulted
9 in massive numbers of workers losing their employment, which caused historic levels of
10 unemployment benefit claiming by affected workers and overwhelmed the Louisiana
11 Workforce Commission's unemployment claims technology and personnel; and

12 WHEREAS, Louisiana's unemployment insurance trust fund exceeded one billion
13 two hundred million dollars prior to the declarations of a statewide public health emergency
14 that impacted employment in the public and private sectors of the state; and

15 WHEREAS, the unprecedented amount of unemployment benefit claims has drawn
16 the state's unemployment trust fund down to a level below eight hundred million dollars
17 within a matter of a few weeks; and

18 WHEREAS, some employees have chosen to file a claim for unemployment benefits
19 when their jobs remain ongoing and no COVID-19-related circumstance compelled their
20 unilateral decision to leave their employment; and

21 WHEREAS, certain businesses are able to reopen, necessitating the return of
22 employees to their jobs, and yet some of these employees refuse to return to their
23 employment and choose instead to continue claiming unemployment benefits even where
24 no COVID-19-related circumstance exists; and

25 WHEREAS, Louisiana employers are obligated to notify the Louisiana Workforce
26 Commission of any separation that is potentially disqualifying so that, pursuant to R.S.
27 23:1625.1, a proper determination of a claim can be made, and many have provided such
28 information to the department; and

1 WHEREAS, pursuant to R.S. 23:1626, the Louisiana Workforce Commission is
2 obligated to reconsider any determination it made to pay benefits that may not have been
3 due; and

4 WHEREAS, failure to ensure that benefits are properly due and payable to claimants
5 places the solvency of Louisiana’s unemployment insurance trust fund in jeopardy.

6 THEREFORE, BE IT RESOLVED that the Legislature of Louisiana does hereby
7 direct the Louisiana Workforce Commission to exercise its enforcement obligation under the
8 law and conduct administrative reviews of all claims where a challenge to its validity existed
9 or exists and to discontinue payment of benefits when no legitimate COVID-19-related
10 reason is found to be responsible for the individual’s unemployment.

11 BE IT FURTHER RESOLVED that a copy of this Resolution be transmitted to the
12 secretary of the Louisiana Workforce Commission.

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

HCR Original

2020 Regular Session

Beaulieu

To direct the Louisiana Workforce Commission to review all challenged claims for unemployment insurance benefits and discontinue payment of such benefits when found to be invalid.