

CERTIFICATION OF ADMINISTRATIVE RULES
FILED WITH THE SECRETARY OF STATE
BRIAN P. KEMP

(Pursuant to O.C.G.A. Sections 50-13-2, 50-13-3, 50-13-4, and 50-13-6.)

I do hereby certify that the attached Emergency rule is a correct copy as promulgated and adopted on the day of March 16, 2020.

GEORGIA DEPARTMENT OF LABOR

FILED: March 16, 2020

The Georgia Department of Labor has adopted:

Emergency Rule 300-2-4-0.4, containing Rule 300-2-4-.02 Registration of Claimants for Possible Referrals to Job Openings
Emergency Rule 300-2-4-0.5, containing Rule 300-2-4-.09(1) Partial Unemployment.
Amended.

This rule shall become effective March 16, 2020. This Rule will remain in effect for 120 days or until the Department proposes and adopts a subsequent Rule, whichever occurs earlier.

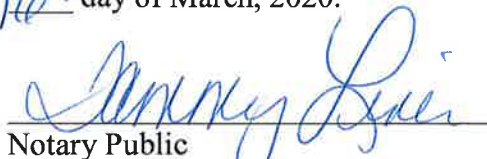
STATUTORY AUTHORITY: O.C.G.A. §§ 34-2-6(a)(4), 34-8-47, 34-8-70, 34-8-93(b), 34-8-190, 34-8-191, 50-13-3, 50-13-4, 50-13-6.

The adoption of the aforementioned Emergency Rule by the Department is necessary to facilitate the filing of certain partial claims for timely payment of Unemployment Insurance benefits for claim weeks beginning March 15, 2020.



Mark Butler, Commissioner
Georgia Department of Labor

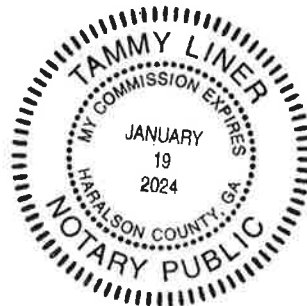
Sworn to and subscribed to me this
16th day of March, 2020.



Notary Public

My Commission expires:

Jan 19, 2024



**RULES
OF
GEORGIA DEPARTMENT OF LABOR
EMPLOYMENT SECURITY LAW**

**300-2-4
UNEMPLOYMENT INSURANCE BENEFIT PAYMENTS**

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- 300-2-4-.02 Registration of Claimants for Possible Referrals to Job Openings**
300-2-4-.09 Partial Unemployment. Amended

Emergency Rule 300-2-4-0.4, containing Rule 300-2-4-02.

(1) Claimants are required to report as directed by the department to register with the department's Field Service Office for screening and referral to employers who are currently offering employment (except as provided below). Unemployment benefits will cease to be payable unless registration has been completed as directed. The department will notify claimants from time to time to report to the department to give reports on work search activities and for the department to make job referrals as appropriate.

(2) Exceptions to registration requirements are granted to qualified applicants who are:

- (a) On short term layoff but who have a definite date of recall to their previous employment within six (6) weeks of the last day worked;
- (b) Partial claimants as described in Section 300-2-4-.01 of these rules;
- (c) Claimants who are attending training approved by the Commissioner;
- (d) Members of unions who routinely and regularly receive all of their job referrals from so-called hiring halls or similar placement facilities and whose eligibility for membership in the union would automatically cease upon acceptance of other work; and
- (e) Claimants involved in a strike or similar labor dispute, provided, however, claimants who have been locked out of their job must register with the department for possible job referrals if so directed by the department.

(3) In response to the COVID-19 public health emergency, the National Emergency declaration by President Donald Trump on March 13, 2020, and the Public Health State of Emergency declared by Governor Brian Kemp on March 14, 2020, and in anticipation of the enactment of the Emergency Unemployment Insurance Stabilization and Access Act of 2020 by the United States Congress mandating the waiving of unemployment insurance work search requirements; pursuant to the authority of the Commissioner of Labor under O.C.G.A. Section 34-8-93(b), all work search requirements mandated by O.C.G.A. Section 34-8-195(3)(A) are waived for all claims filed on or after March 14, 2020. This emergency rule shall remain in effect until the Public Health State of Emergency declared by Governor Brian Kemp is declared over or 120 days from the adoption of this emergency rule.

Authority: O.C.G.A. Secs. 34-8-2-6(a)(4), 34-8-70, 34-8-93(b), 34-8-190, 34-8-191.

Emergency Rule 300-2-4-0.5, containing Rule 300-2-4-.09(1).

(1)(a) "Weekly report of Low Earnings", Form DOL-408, may be filed by an employer with respect to any complete pay-period week during which an otherwise full-time employee works less than full-time, due to lack of work only, and earns an amount not exceeding his unemployment insurance weekly amount, if known, plus \$50.00 or earns an amount not exceeding the maximum weekly benefit amount provided in the Employment Security Law, plus \$50.00, if the individual's unemployment insurance weekly benefit is not known. Partial unemployment claims shall not be submitted or allowed for vacation days regardless of whether such vacation days were requested by the employee or established by the employer.

(b) For partial claim weeks beginning on or after December 11, 2016, the limitation on partial unemployment claims set forth in the last sentence of subparagraph (1)(a) shall not apply during an employer company shutdown or employer established vacation period when such shutdown or vacation period is due to circumstances outside the employer's control which directly affect the employer's business operations.

(c) An employer filing partial unemployment claims must have a positive reserve account as that term is used in OCGA 34-8-155; provided, however, the positive reserve account requirement shall not apply to partial claims filed for partial claim weeks beginning on or after December 11, 2016.

(d) For partial claim weeks beginning on or after March 15, 2020:

1. All partial claims shall be filed online;
2. An employer shall file partial claims with respect to any week during which an employee works less than full-time due to a partial or total company shutdown caused by the COVID-19 public health emergency; and
3. Any employer found to be in violation of this subparagraph shall pay to the Commissioner for the unemployment fund the full amount of benefits paid to the employee.

Authority O.C.G.A. Secs. 34-2-6(a)(4), 34-8-47, 34-8-70, 34-8-190, 50-13-3, 50-13-4, 50-13-6.