

NOTICE OF ADOPTION OF EMERGENCY REGULATION
ON EMPLOYMENT SECURITY OF THE DEPARTMENT OF LABOR AND WORKFORCE
DEVELOPMENT

BRIEF DESCRIPTION: The Department of Labor and Workforce Development, Division of Employment and Training Services, Unemployment Insurance proposes to make permanent regulation changes made by emergency regulation on the requirement of employers to notify employees of the availability of unemployment insurance and adjustment to employer experience rating as related to COVID-19.

On April 3, 2020, the Department of Labor and Workforce Development adopted, as an emergency regulation, changes in 8 AAC 85 of the Alaska Administrative Code dealing with Employment Security including the following:

- (1) 8 AAC 85 is proposed to be changed as follows:
 - 85.060 is amended to add subsection (c) requiring employers to notify employees, at time of separation, of the availability of UI.
 - 85.440 is amended to add subsection (b)(7) which allows COVID-19 as a reason for payroll adjustment at director discretion, and add subsection (c)(6) which allows adjustment for artificial peaks and declines as a direct result of COVID-19.

The emergency regulation took effect April 6, 2020, and will expire August 3, 2020. The Department of Labor and Workforce Development intends to make the emergency regulation permanent.

You may comment on the regulation changes, including the potential costs to private persons complying with the changes, by submitting written comments to Chalise Fisk at P.O. Box 115509, Juneau, AK 99811-5509, or chalise.fisk@alaska.gov. Comments also may be submitted through the Alaska Public Online Notice System by accessing this notice on the system and using the comment link. The comments must be received not later than 4:30 P.M. on May 11, 2020.

You may submit written questions relevant to the proposed action to Chalise Fisk at P.O. Box 115509, Juneau, AK 99811-5509, or chalise.fisk@alaska.gov. The questions must be received at least 10 days before the end of the public comment period. The Department of Labor and Workforce Development will aggregate its response to substantially similar questions and make the questions and response available on the Alaska Online Public Notice System. The Department of Labor and Workforce Development may, but is not required to, answer written questions received after the 10-day cut-off date and before the end of the comment period.

If you are a person with a disability who needs a special accommodation in order to participate in this process, please contact Chalise Fisk at (907) 465-8291 or chalise.fisk@alaska.gov not later than May 1, 2020 to ensure that any necessary accommodations can be provided.

A copy of the emergency regulation is available on the Alaska Online Public Notice System

<https://aws.state.ak.us/OnlinePublicNotices/default.aspx> and by contacting Chalise Fisk at (907) 465-8291 or chalise.fisk@alaska.gov.

The language of the permanent regulations may be different from that of the original emergency regulation and may include other provisions dealing with the same subject. You should comment during the time allowed if your interests could be affected. Written comments received are public records and are subject to public inspection.

Statutory authority: AS 23.20.045; AS 23.20.285; AS 23.20.325; AS 23.20.335

Statutes being implemented, interpreted, or made specific: AS 23.20.285; AS 23.20.335

Fiscal information: The regulations are not expected to require an increased appropriation.

Date: April 3, 2020



Dr. Tamika L. Ledbetter, Commissioner