

**INDEPENDENT REGULATORY REVIEW COMMISSION
APPROVAL ORDER**

Commissioners Voting:

Public Meeting Held December 3, 2020

George D. Bedwick, Chairman
John F. Mizner, Esq., Vice Chairman
John J. Soroko, Esq.
Murray Ufberg, Esq.
Dennis A. Watson, Esq.

Regulation No. 12-113 (#3276)
Department of Labor and Industry
Emergency Backdating

On October 27, 2020, the Independent Regulatory Review Commission (Commission) received this regulation from the Department of Labor and Industry. This rulemaking amends 34 Pa. Code, Part II, Chapter 65.43a. Notice of proposed rulemaking was omitted for this regulation. Governor Tom Wolf certified the regulation as necessary to meet an emergency on October 23, 2020. This regulation became effective upon publication in the *Pennsylvania Bulletin* on November 7, 2020.

This regulation permits backdating of unemployment compensation applications and claim filings, delayed by the COVID-19 pandemic, for up to 52 weeks. This rulemaking limits the availability of such extended filing to the period from March 6, 2020 through the end of the current "period of high unemployment" as defined in the Unemployment Compensation Law 43 P.S. § 815(a.1)(2).

We have determined this regulation is consistent with the statutory authority of the Department (43 P.S. § 761(a)) and the intention of the General Assembly. Having considered all of the other criteria of the Regulatory Review Act, we find promulgation of this regulation is in the public interest.

BY ORDER OF THE COMMISSION:

This regulation is approved.




George D. Bedwick, Chairman