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S.C. SUPREME COURT

Exhibit A

Sept. 9, 2021 email from J. Garner to P. Famolari

Famolari, Paul

From: Garner, Jim - ETA <Garner.Jimmie@dol.gov>
Sent: Thursday, September 9, 2021 8:40 AM
To: Famolari, Paul; Beebe, Michelle E - ETA
Subject: RE: CARES Act Termination

Hi Paul. We do not plan to issue a UIPL. This email was intended as a courtesy to states that terminated participation early and may be evaluating their options.

Jim
Jim Garner, Administrator
ETA's Office of Unemployment Insurance
202-693-2957 (office)
202-487-1223 (mobile)

From: Famolari, Paul <PFamolari@dew.sc.gov>
Sent: Wednesday, September 8, 2021 8:19 AM
To: Garner, Jim - ETA <Garner.Jimmie@dol.gov>; Beebe, Michelle E - ETA <Beebe.Michelle.E@dol.gov>
Subject: Re: CARES Act Termination

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Jim,

Will DOL be issuing a UIPL to memorialize the information below?

Thanks!



Paul Famolari
*Senior Legal
Counsel*
**South Carolina
Department of
Employment and
Workforce**
Office: (803) 737-2655
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4000
pfamolari@dew.sc.gov

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From: Garner, Jim - ETA <Garner.Jimmie@dol.gov>
Sent: Friday, September 3, 2021 5:46 PM
To: Garner, Jim - ETA <Garner.Jimmie@dol.gov>
Cc: Beebe, Michelle E - ETA <Beebe.Michelle.E@dol.gov>
Subject: CARES Act Termination

Hi everyone:

Some states have reached out to the Department because they are re-considering termination of one or more of the CARES Act UI programs, either voluntarily or in response to a court order. If your state is re-considering its termination of one or more CARES Act programs, please reach out to the Department as soon as possible to discuss the options that may be available to ensure that any changes are made prior to October 6, which is 30 days after the CARES Act programs expire and the last day on which claimants may submit new PUA applications (with limited exceptions as per Section 4.c. and Attachment II to UIPL No. 16-20, Change 6).

The Department will consider a request to rescind that is submitted in writing and signed by the Governor or their appointed designee. Should the Department agree to having a termination notice be rescinded, the state will need to continue to accept applications and issue payments as if there had been no effective termination. Further, following an accepted rescission, all weeks of unemployment after the earlier termination will be covered under the state's previously signed implementing agreement and all administrative and benefit costs will be federally funded.

We understand there may be additional considerations when a state is responding to a court order and we're happy to discuss those on a case-by-case basis.

If a state does re-institute one or more CARES Act programs, the state will be expected to individually notify the individuals who were previously eligible for these programs at the time of the earlier termination. Additionally, the state must have a process in place to obtain the retroactive continued claims (including weekly self-certifications for individuals receiving PUA). Finally, the state will be expected to comply with the provisions identified in UIPL No. 14-21, Change 1, based on the program expiration date and not the state's rescinded termination date.

Please reach out if additional discussion would be helpful.

Sincerely,

Jim
Jim Garner, Administrator
ETA's Office of Unemployment Insurance
202-693-2957 (office)
202-487-1223 (mobile)