

Judge orders Ohio to go after \$900M in unused federal unemployment funds

By Anna Staver
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COLUMBUS, Ohio - Gov. Mike DeWine turned down \$900 million in federal unemployment during the pandemic. Now, a judge is ordering him to go get it.

Franklin County Common Pleas Court Judge Michael Holbrook said DeWine and the Ohio Department of Jobs and Family Services violated a statute from the Great Depression requiring him to take unemployment funds when offered.

The money would have given Ohioans about \$300 per week and lasted from July through September of 2021.

About 320,000 people filed a class action lawsuit for those payments. But Wednesday's legal victory doesn't mean Ohio is printing checks.

DeWine and the state still could appeal.

Marc Dann, the lead attorney in the class action suit, said in a statement that he hopes politics doesn't get in the way.

"Putting \$900,000,000 into the hands of 300,000 Ohioans who will spend it on paying their rising credit card bills, their outrageous medical bills and to support local business is a win for every person in the state of Ohio," Dann said.

A spokesman for DeWine had no immediate comment on next steps for the state.

Long road to victory

Dann filed the class action case in July 2021 and asked for a temporary restraining order that would have put checks in the mail immediately.

DeWine and business groups like the Ohio Chamber of Commerce argued the money would make it harder to hire workers as the state rebounded from pandemic closures.

“That extra \$300 a week in federal pandemic unemployment compensation is, in some cases, certainly discouraging people from going back,” DeWine said at the time.

Holbrook rejected the request for the restraining order, and by the time it reached Ohio’s Supreme Court in 2022 the “emergency” was over.

Attorney General Dave Yost’s office [called it case closed](#) after the Ohio Supreme Court dismissed an appeal.

“No lower court awarded relief to the challengers, and now no court can,” Yost spokeswoman Bethany McCorkle said. “This is a victory for the State.”

Dann disagreed and, on Wednesday, Holbrook did too.

“The only thing in front of the Supreme Court was whether a (temporary restraining order) should be issued,” Dann said. “They remanded it back to Holbrook.”

The Trump factor

Congress and the U.S. Department of Labor allocated these dollars when Joe Biden was president.

“The labor department notes the money is there and still appropriated,” Dann said. “It’s sitting there, but Congress could reappropriate that money.”

Dann hopes DeWine won’t delay and ultimately lose this money, which he says could help “hardworking Ohioans.”

“Why in the world would the governor reject an injection of almost \$1 billion into Ohio’s economy,” Dann asked. “What could be the possible reason?”