

UNEMPLOYMENT INSURANCE FAQS DURING COVID-19

Q: How do I file for unemployment insurance?

A: You can file online, or by phone at 888-209-8124. For specific instructions on how to file online, go to www.labor.ny.gov/ui/pdfs/Unemployment-Filing-Instructions.pdf.

New York State has waived the seven-day waiting period for unemployment insurance for people who are out of work due to COVID-19 closures or quarantines.

New York is implementing a filing system that spreads out filings over multiple days of the week, based on the first letter of a filer's last name. The system is as follows:

| | |
|---------|------------------------------|
| A - F : | Monday |
| G - N : | Tuesday |
| O - Z : | Wednesday |
| A - Z: | Thursday, Friday or Saturday |

Q: Will filing my claim later in the week affect my claim?

A: NYS Department of Labor has said that they will backdate any claim you file to the date that you became unemployed. If you are eligible, you will be paid for all benefits due.

Q: I tried to file my claim for unemployment insurance but I was unable to file because of issues with the DOL website and/or call center. What should I do?

A: The Department of Labor is experiencing unprecedented call volume and web traffic right now. You will need to be patient and keep trying to file your claim. Your claim will be backdated to the day that you became unemployed.

Q: What if I need to contact the Department of Labor?

A: The Department is adding staff and expanding hours to handle the influx, but the State warned the deluge will cause intermittent interruptions in their service.

Expanded telephone line hours are as follows:

Monday through Thursday - 8 a.m. to 7:30 p.m.
Friday - 8:00 a.m. to 6:00 p.m.
Saturday - 7:30 a.m. to 8:00 p.m.

Q: Am I eligible for unemployment insurance benefits?

A: Unemployment Insurance is temporary income for eligible workers who lose their jobs through no fault of their own.

To collect benefits, you must be ready, willing and able to work. If you're available to work remotely from home during the COVID-19 public health emergency, you are likely considered ready, willing and able to work. (Note: this does not mean that you need to have the necessary equipment in your home to work remotely.) You also need to be looking for work throughout each week in which you are claiming benefits.

To qualify, you must have worked and earned enough wages in covered employment. In New York State, employers pay contributions that fund unemployment insurance. It is not deducted from your paycheck.

Not sure if you're eligible? The rule of thumb is to just apply, and do it as quickly as possible after losing a job.

Even if you are not traditionally eligible for UI benefits, you may still be eligible for Pandemic Unemployment Assistance (PUA). PUA provides benefits to workers not traditionally eligible for unemployment benefits (self-employed, independent contractors, workers with limited work history, and others) who are unable to work as a direct result of the coronavirus public health emergency. To see if you may be eligible for PUA, you can go to: <https://labor.ny.gov/ui/pdfs/pandemic-unemployment-assistance.pdf>

Q: How long will it take for me to receive my unemployment insurance benefits?

A: Typically, it takes several weeks for unemployment insurance to kick in, but that's in normal times. With the backlog of cases due to the coronavirus outbreak, it could take much longer. Claimants will need to be patient.

Q: How much will I receive in unemployment insurance benefits?

A: The maximum NYS unemployment you could collect would be between \$104 and \$504 per week for a maximum of 26 weeks, based on how many quarters you worked during the period evaluated by the Department of Labor and how much you were paid.

On March 27, 2020, Congress passed the federal Coronavirus Aid, Relief, and Economic Security (CARES) Act, which provides enhanced unemployment benefits. You may qualify to receive an additional \$600 per week from April 5, 2020 until July 31, 2020. You may also qualify to receive an additional 13 weeks of benefits if you are still unemployment after 26 weeks.

Q: What if I exhausted my 26 weeks of UI benefits after 7/1/2019 but I am unable to work due to COVID-19?

A: You may be eligible to receive an additional 13 weeks of unemployment benefits until December 31, 2020, and an additional \$600 per week from April 5, 2020 through July 31, 2020. You can apply online at www.labor.ny.gov/signin.

Q: What is Pandemic Emergency Unemployment Compensation (PEUC)?

A: Under this program, claimants with a benefit year ending on or after July 1, 2019 (in effect, claimants who opened a claim on or after July 2, 2018) who exhaust their regular benefits may be entitled to an additional 13 weeks of benefits until December 31, 2020.

Q: What is Pandemic Unemployment Compensation (PUC)?

A: Under this program, from April 5, 2020 to July 31, 2020, claimants who are otherwise eligible for regular NYS UI benefits and/or PEUC will receive their regular weekly benefit rate plus an additional \$600 per week.

Q: What is Pandemic Unemployment Assistance (PUA)?

A: From January 27, 2020 to December 31, 2020, individuals who are not otherwise eligible for unemployment insurance benefits and are unemployed, partially unemployed, or unable or unavailable to work because of the COVID-19 public health emergency, may be eligible for PUA. That includes individuals who exhaust their regular benefits and/or PEUC or who would traditionally not be eligible for benefits (e.g., self-employed, independent contractors, insufficient work history). The weekly amount of PUA is the weekly benefit rate that an individual would have received if they were otherwise eligible for benefits (including the additional \$600 per week of PUC from April 5, 2020 to July 31, 2020). The maximum duration of regular benefits, PEUC, and PUA that an individual may receive from January 27, 2020 to December 30, 2020 is 39 weeks. Individuals who have the ability to telework with pay or are receiving paid sick leave or other paid leave benefits are not eligible for PUA. For more information:
<https://labor.ny.gov/ui/pdfs/pandemic-unemployment-assistance.pdf>

Q: What is the maximum amount of time that I can receive unemployment benefits?

A: The maximum duration of regular NYS UI benefits, PEUC, and PUA that an individual may receive from January 27, 2020 to December 31, 2020 is 39 weeks.

Q: What should I do if I think I might be laid off?

A: If a layoff appears to be on the horizon, try to have clear discussions with your employer about when it is happening and whether you will be affected.

You may be offered a severance package, which is not legally required of companies. Also, severance could impact when you can file and/or when you can begin to collect

unemployment. If you receive a severance package please review the following:
<https://www.labor.ny.gov/formsdocs/factsheets/pdfs/p825.pdf>

Q: What should I do if I am denied unemployment insurance benefits?

A: If you are denied you should contact our legal assistance hotline as soon as possible at 917-661-4500. A callback appointment will be scheduled where an advocate will assist you.

If you receive a Notice of Determination from the Department of Labor about your claim for unemployment insurance benefits that you disagree with, you can request a hearing. You must request a hearing within 30 days of the date of the Notice of Determination.

Eligibility and Disqualification

It is possible that some existing rules will be relaxed because of the COVID-19 public health emergency, and it is too early to know how some existing rules will be applied to unprecedented facts arising from the COVID-19 public health emergency. Meanwhile, except where guidance from the New York State Department of Labor says otherwise, claimants should assume that all of the normal rules under New York unemployment insurance law apply. For example, a claimant who voluntarily leaves their job without good cause or loses their employment through misconduct, even during the COVID-19 public health emergency, may still be disqualified from receiving benefits.

Q: Are unemployment insurance benefits considered taxable income?

A: Yes, they are. When applying, you will be given the option of having taxes taken out or not. It is suggested you choose the option to have the taxes taken out to avoid issues when you file your taxes next year.

For additional information:

<https://labor.ny.gov/ui/pdfs/ui-covid-faq.pdf>

<https://www.labor.ny.gov/formsdocs/factsheets/pdfs/P800.pdf>