

Unemployment Insurance

**If you would like assistance, Neighborhood Legal Services is here to help you.
Call 1-888-869-6576!**

Should I apply?

If you have lost work because of COVID-19 you should apply for Unemployment Insurance Benefits (UIB) as soon as possible. You should apply for all available programs even if you do not think you will qualify because you haven't worked much, are self-employed or an independent contractor, or normally work through apps like Uber. You can apply here <https://labor.ny.gov/unemploymentassistance.shtm>. If your employer offers to let you work from home, you must accept the work and will not be eligible for UIB since the general rule is that you accept work when it is offered.

Once you have applied, you should check your online account **every day**, because DOL may ask you for more information and they will use that account.

What changed because of COVID-19?

The state has always operated the UIB program and will continue to do so. The Federal government created some additional programs that will be administered by the NYS DOL during the pandemic. Those programs do several things. First, the government is providing money so people who normally don't qualify for UIB, like independent contractors and small business owners, can qualify for benefits. Second, the government is extending the number of weeks people can get unemployment. Third, the government is providing additional weekly benefits above the "normal" amount of UIB.

Who can get benefits under the new programs?

The program that provides UIB benefits for people who don't usually qualify is called Pandemic Unemployment Assistance, or PUA. This includes "gig" workers (like Uber), independent contractors, farmers, people who are self-employed, people who cannot work because they have or are living with someone who has COVID-19 or are quarantined because they have been exposed to COVID 19, people who were scheduled to start a new job but could not because of the pandemic, people who cannot work because schools and day cares have closed, people who do not have enough work history but lost work due to COVID 19, and people who quit their job because of COVID 19. You can also apply if you have exhausted your regular UIB. You must be denied traditional UIB to qualify for this program but you can apply for both at the same time. More information is available at <https://www.labor.ny.gov/ui/pandemic-unemployment-assistance.shtm>. Your job loss must be due to COVID-19 to qualify for this benefit.

The Pandemic Emergency Unemployment Compensation (PEUC) provides an additional 13 weeks of UIB to people who exhaust the normal 26 weeks of benefits. The additional weeks will start for people who use or used up the 26 weeks of benefits after July 1, 2019. If you were denied UIB after January 27, 2020 you should reapply because you may be eligible under this new program.

The CARES Act also provides additional benefits for people receiving UIB.

If you are not sure whether you qualify for the new programs, the NY DOL has a helpful chart located here <https://labor.ny.gov/ui/cares-act.shtm>.

How do I get the additional \$600 payment I keep hearing about?

The CARES act provides for the extra money. To get the additional benefit, you just need to be eligible for either traditional UIB or the PUA program. Once you are eligible, the additional \$600 per week will be automatically added to your regular benefits. The extra benefits are available from April 5, 2020 through July 31, 2020.

**Please note that you cannot quit your job in order to get UIB, even if the additional \$600 per week is more than you earn now.

I get other benefits. Will the extra \$600 per week cause problems in those programs?

It depends. Medicaid specifically does not count the additional income so the extra \$600 will not make you ineligible for Medicaid, the Essential Plan, or Child Health Plus on its own. The benefits do count against Temporary Assistance, SSI and SNAP. However, it may count against your household for other benefits like Social Security or VA benefits. You will need to check the rules for the benefit program to find out whether the additional income counts.

How do I know which program I need to use?

You can apply for all of the programs at the DOL website. The DOL will determine your eligibility for benefits.

What about work requirements?

We do not know how the DOL will handle work requirements during the pandemic.

My employer is still telling me to come to work, but it is not an essential business.

If your employer is not an essential business but is still requiring you to physically come to the work place, you can file a complaint here <https://www.labor.ny.gov/workerprotection/laborstandards/coronavirus-complaints.shtm>. If you quit your job for this reason, you may qualify for one of the new UIB programs.

What can I do if I am denied benefits?

If you are denied benefits, there is an appeal process. If you need legal help with this process, the New York State Bar Association has set up a system for legal help. You can fill out an intake form at www.nysba.org/unemployment-insurance-relief/.