



UNEMPLOYMENT INSURANCE

A CLAIMANT HANDBOOK

OCTOBER 2014

The background of the page features a large, light green circular seal of the New York State Department of Labor. The seal contains the text "NEW YORK" at the top and "DEPARTMENT OF LABOR" at the bottom. In the center is a figure of a woman holding a scale of justice, with a star above her head.

Important Notice

You are required to read this handbook. It explains how Unemployment Insurance works and tells you your rights and responsibilities. Many of the questions you may have are answered in this handbook. If your question is not answered here, please check our website at www.labor.ny.gov, especially the Frequently Asked Questions.

Contact Us:

To claim weekly Unemployment Insurance benefits (certify for benefits):

- Most people find it easiest to claim weekly benefits on our website at **www.labor.ny.gov**.
- You may also use our Tel-Service (automated phone system) 24 hours a day, 7 days a week.

The phone number is: **1-888-581-5812**
Calls from outside New York State: **1-888-864-9920**
TTY/TDD users (hearing impaired): **1-877-205-3119**

To apply for benefits (file a claim), check the status of benefit payments or get more information:

- Go to our website at **www.labor.ny.gov**. Most people find this the most convenient way to apply.
- You can also call our Telephone Claims Center at 1-888-209-8124 from within New York State or 1-877-358-5306 from outside New York State. Follow the prompts to file a claim.

If you have specific questions about your claim and you can't find answers online or in this handbook:

Call our Telephone Claims Center: **1-888-209-8124**
Calls from outside New York State: **1-877-358-5306**
TTY/TDD/Video Relay Service users: **1-888-783-1370**

Representatives are available Monday through Friday, 8 a.m. to 5 p.m. Interpreters are available for most languages.

To create or use a NY.GOV ID:

Call **1-800-833-3000**

Direct Payment Card Assistance – Chase Customer Service:

Call **1-877-221-1634**

To obtain your 1099-G form:

- Go to our website **www.labor.ny.gov**
 - If you do not have internet service, call our Telephone Claims Center.*
- After you select your language, follow the prompts to obtain your 1099 form.

Unemployment Insurance Fraud Hotline

Call **1-888-598-2077**

*To reach the Telephone Claims Center from within New York State, please call 1-888-209-8124; from outside New York State 1-877-358-5306. TTY/TDD/Video Relay Service users please call 1-888-783-1370.

About personal integrity and Unemployment Insurance

Integrity means exactly that: doing the right thing. As a participant in the Unemployment Insurance system, you are expected to act ethically, honestly and in good faith.

Most people who apply for Unemployment Insurance benefits do the right thing. They have become unemployed through no fault of their own, need temporary help while they look for a new job, are actively seeking work and are ready, willing and able to get back to work.

Integrity means exactly that: doing the right thing. As a participant in the Unemployment Insurance system, you are expected to act ethically, honestly and in good faith. Employers, state staff and the public are also expected to act with integrity. When we all act with integrity, it helps ensure that money is available to pay benefits to people who depend on Unemployment Insurance while they are without work.

The Department of Labor's Unemployment Insurance Division is working with claimants, employers, the public and other federal and state agencies to ensure the integrity of the Unemployment Insurance system. We are working to detect and eliminate improper payments (called "overpayments") and prevent fraud by using new technology, computer matching against various databases and changing policies and procedures to stop those who choose to do the wrong thing.

If you made a mistake — for example, you received benefits that you should not have — we can help. Please call our Telephone Claims Center.* **If in doubt, please call.** Talking to us now will help preserve your rights to past, present and future benefits.

About Unemployment Insurance fraud

If you knowingly give false information or withhold information while applying for benefits or claiming weekly benefits, you are committing fraud. If you commit fraud, you will be charged a 15 percent cash penalty or \$100 (whichever is greater) on the overpayment of benefits. In addition, you will have to pay back the money and forfeit future days of Unemployment Insurance benefits. Also, the Department of Labor can obtain a judgment against you in order to collect fraudulently obtained overpayments.

If we determine that you are not eligible for benefits and you disagree, you have a right to a hearing before an administrative law judge at no cost to you. If it is found at a hearing that you fraudulently collected payments, you will be required to repay the money. You will also be charged a penalty and forfeit future days of benefits. If you don't repay the money, we can file a judgment against you as described above.

Fraudulently applying for or claiming Unemployment Insurance benefits can also lead to civil penalties and fines, criminal prosecution and even prison. For example, if you are convicted of a misdemeanor, the penalties are a fine of up to \$500, up to a year in jail or both. A felony conviction carries an even longer prison sentence.

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The ten most common issues that will negatively affect your benefits

Here are the ten most common things claimants do that negatively affect their benefits:

1. **Claim benefits after returning to work.** You must stop claiming benefits the first day you start work at a new job, not when you receive your first paycheck.
2. **Work while collecting,** even if you worked for less than an hour and even if you were not paid. **Note:** Volunteer work is allowed. Please see page 17: *“What if I do volunteer work?”* for more information.
3. **Work “off the books” or “under the table”** while claiming benefits.
4. **Make a false statement to or withhold information from the Department of Labor.**
5. **Try to apply for Unemployment Insurance or claim weekly benefits (also called certifying for benefits) while out of the United States, Puerto Rico, the Virgin Islands or Canada.**
6. **Give your PIN or NY.GOV identification and password to someone else so they can claim benefits for you.** Do not give anyone your PIN or NY.GOV identification or password!
7. **Don’t attend required appointments at the local Career Center.**
8. **Falsely report that you looked for work, when you did not.** Please see pages 18 – 22: *“What are the work search requirements?”* for specific information about how you must look for work.
9. **Falsely report that you are available for work when you cannot work,** whether due to illness, vacation, child care arrangements or any other reason.
10. **Don’t tell us the real reason you left your job.**

If you suspect that someone may be committing Unemployment Insurance fraud, report it at 1-888-598-2077. You can remain anonymous.

Under federal law, it is a felony to alter, buy, sell or counterfeit a Social Security card. This offense can result in fine or imprisonment.

PERSONAL PRIVACY PROTECTION LAW NOTICE

New York State law (Section 94(1) (d) of the New York Public Officers Law) requires us to tell you that we must collect personal information from you in order for you to participate in the Unemployment Insurance program. If you do not give us the information we ask for, we may have to deny you Unemployment Insurance benefits.

Under certain conditions and if authorized by law, the information we collect may be sent to your employer(s) and various state and federal agencies to verify your employment and eligibility for benefits. This may include the use of computer systems that match the information we obtain with that in other databases; for example, lists of people recently hired that are maintained by the New York State Department of Taxation and Finance.

You have the right to review information about you which is maintained by the New York State Department of Labor, unless you are exempted by law. We routinely verify alien registration numbers with the United States Bureau of Citizenship and Immigration Services in order to determine if a person is eligible for Unemployment Insurance benefits. This is required by the Federal Immigration Reform and Control Act of 1986.

Our authority to request personal information when you file a claim is found in Article 18 of the New York State Labor Law for Regular State and Extended Unemployment Benefits, Chapter 85 of Title 5 of the United States Code for Federal Civilian and Military Unemployment Compensation and Chapter 68 of Title 42 of the United States Code for Disaster Unemployment Assistance.

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Quick Start Guide to Unemployment Insurance

*Now that you've filed a claim for Unemployment Insurance benefits, this Quick Start Guide is a brief overview of important things you should know. **Important: Reading this Quick Start Guide is not a substitute for reading the rest of this handbook. You are responsible for reading this handbook and understanding the information in it.***

1

Claiming weekly benefits (also referred to as certifying for benefits)

You must claim benefits each week that you are unemployed and looking for work, **including while you are waiting for your benefits to begin**. The process of claiming weekly Unemployment Insurance benefits is also called certifying for benefits. Most people do this on Sunday for the previous week. A week, for the purposes of Unemployment Insurance, runs from Monday through Sunday.

You will be asked a series of questions when you claim weekly benefits. To avoid committing fraud, you must answer all of these questions truthfully. Usually, you cannot claim benefits when you are out of the country. Please call the Telephone Claims Center* before you leave to explain the circumstances. **Important: Do not give anyone your PIN or NY.GOV identification or password and do not let anyone claim benefits for you.** This is considered fraud and you may be subject to severe penalties, including prison.

You can claim weekly benefits:

- Online at **www.labor.ny.gov**. Most people find this the most convenient way to claim weekly benefits.
- By phone using our Tel-Service system. Call 1-888-581-5812 (out of state residents 1-888-864-9920; TTY/TDD/Video Relay Service users 1-877-205-3119).

*To reach the Telephone Claims Center from within New York State, please call 1-888-209-8124; from outside New York State 1-877-358-5306. TTY/TDD/Video Relay Service users please call 1-888-783-1370.

Quick Start Guide *to Unemployment Insurance*

2

Receiving benefits

- **Your first week is a waiting week.** You will not be paid benefits for this week, but you must still claim benefits for it. The waiting week is required by law.
- **It usually takes three weeks for your benefits to begin** because we have to review and process your application. However, it may take longer if issues arise. If we find that you are eligible for benefits, you will be paid for any weeks you claimed when you receive your first payment. **Important: Continue to claim benefits each week you are out of work while we are processing your application.**
- **You can receive benefits by direct deposit into your bank account or by direct payment card.** If you want to use direct deposit, you must sign up for it on our website. This is to ensure that your bank information is kept secure. If your bank account changes, please make sure you update your direct deposit information with us. If you want to change to direct deposit or a direct payment card, you must make the change online. If you want to receive benefits by direct payment card, you can tell us so when you file your claim either online or by phone. **Important: If you had direct deposit on a previous claim, it remains in effect until you change it with us.** **Note:** We no longer issue Unemployment Insurance benefits via check.

3

Other important things to know

- You may lose benefits if you do not keep your address and phone number up-to-date. Unemployment Insurance mail is not forwarded by the Post Office.
- Return all questionnaires right away so any benefits that may be due are not delayed or denied.
- If you have questions after reading this handbook, check the Frequently Asked Questions on our web site, send us an email (sign in with your NY.GOV ID and click on "Messages") or call our Telephone Claims Center.*

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Important recent changes in Unemployment Insurance

On March 29, 2013, Governor Andrew M. Cuomo signed legislation reforming the Unemployment Insurance system. Here are important changes that may affect you, along with where in this handbook you can find more information.

Changes effective October 1, 2013:

- **15 percent or \$100 monetary penalty:** If you commit fraud to obtain Unemployment Insurance benefits, you will now be charged a 15 percent cash penalty or \$100, whichever is greater, on the benefits you should not have received. You will also have to pay back the money and forfeit future days of benefits. See page 23: *"What is willful misrepresentation?"*
- **Civil actions and judgments to recover overpayments:** If you obtain benefits fraudulently, it is now easier for the Department of Labor to obtain a judgment against you to collect the overpayment(s). See page 23: *"What is willful misrepresentation?"*

Changes effective January 1, 2014:

- **Work search requirements have been expanded:** See pages 18 - 22: *"What are the work search requirements?"* for important details about how you must look for work and the records you must keep in order to be eligible for benefits. **Important: Applies to all claims filed both before and after January 1, 2014.**
- **Dismissal/Severance Pay:** If you are receiving dismissal or severance pay that is more than the maximum benefit rate, you cannot collect benefits. See page 28: *"If I receive dismissal or severance pay, will it affect my benefits?"* **Important: Applies to all claims filed after January 1, 2014.**
- **Eligibility earnings and computing your benefit rate:** You must earn slightly more in order to qualify for benefits. There are also changes in how benefits are calculated. See pages 6-11: *"How much will I receive in benefits each week?"* **Important: Applies to all claims filed after January 1, 2014.**
- **Benefit rate calculation:** If you worked in fewer than all four calendar quarters of your base period and you earned more than \$4,000 in your highest calendar quarter, your benefit rate will be calculated using the average of your two highest calendar quarters. See page 8: *"How we calculate your weekly benefit rate."* **Important: Applies to all claims filed after January 1, 2014.**
- **Requalification for benefits after being disqualified or to file a new claim:** You must now earn ten times (previously five times) your weekly benefit rate in order to re-qualify for benefits after being disqualified for voluntarily quitting, being discharged for misconduct or for refusing a job. See page 1-2: *"What are some of the reasons I could be denied benefits?"* **Important: Applies to all claims filed after January 1, 2014.**
- **Pension provisions:** If you are collecting a pension from an employer in your base period, you may not be eligible to collect unemployment benefits while you continue to collect the pension. See page 29: *"Does receiving a pension affect my benefits?"* **Important: Applies to all claims filed after January 1, 2014.**

Changes effective October 6, 2014:

- **The weekly maximum and minimum benefit rates will increase:** The minimum weekly benefit rate will increase from \$64 to \$100. The maximum benefit rate will increase from \$405 to \$420. The maximum rate will then continue to increase each year until it reaches 50 percent of the average weekly wage in New York State.

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If you are not sure if you are qualified to receive Unemployment Insurance benefits, you should still apply as soon as possible. We will determine if you are eligible.

1. What is Unemployment Insurance?

Unemployment Insurance is temporary income for eligible workers who become unemployed through no fault of their own. Unemployed workers who are receiving Unemployment Insurance benefits are sometimes referred to as “claimants.” You will see that term used throughout this handbook and on our web site.

You can receive Unemployment Insurance benefits for a maximum of 26 weeks during a one-year period, called a “benefit year.” In New York State, employers pay for benefits, not workers.

2. How do I know if I am eligible to receive Unemployment Insurance benefits?

What are the requirements to receive benefits?

You have the right to apply for Unemployment Insurance benefits (file a claim for benefits) if you have worked in New York or another state. In order to receive benefits, you must:

- Have lost employment through no fault of your own;
- Have enough prior earnings from employment to establish a claim;
- Be ready, willing and able to work; and
- Be actively seeking work and keep a record (online or written) of your efforts for each week you claim benefits.

If you are not sure if you are qualified to receive Unemployment Insurance benefits, you should still apply as soon as possible. We will determine if you are eligible.

What are some of the reasons I could be denied benefits?

You must meet the requirements set by law to receive Unemployment Insurance benefits. You cannot get benefits if you have less than the required work history and wages to establish a claim as discussed on pages 6 – 11: “How much will I receive in benefits each week?” Other reasons your claim could be denied include:

1. Voluntary quit and discharge: You will be disqualified from receiving Unemployment Insurance benefits if we determine that:

- You quit a job without good cause; or
- You were discharged (fired) for misconduct.

A disqualification for these reasons lasts until you work again and earn at least ten times your benefit rate. Earnings from self-employment will not count. Once you have earned enough from employment to end the disqualification, you must also be out of work again through no fault of your own.

If you lost a job with any employer in the last 18 months due to misconduct, the wages you earned in that job cannot be used to establish a claim or to calculate your benefit rate.

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2. Job refusal: You can also be disqualified from receiving Unemployment Insurance benefits if, after applying, you refuse to take a job that meets the qualifications described under *“What kind of work do I have to look for?”* on page 20 and *“What if I refuse a job because of wages?”* on page 22.

You may not refuse employment that you are qualified for without good cause.

A disqualification for job refusal lasts until you work again and earn at least ten times your benefit rate. Earnings from self-employment will not count. Once you have earned enough from employment to end the disqualification, you must also be out of work again through no fault of your own.

3. Strike and other industrial controversy, except lockouts: If you lose your job because of a strike in your workplace, you may not be eligible for Unemployment Insurance benefits for 49 days. This waiting period does not apply if you are locked out of your workplace due to a labor dispute. You may be eligible sooner if:

- The labor dispute ends and you are still unemployed; or
- Your employer hires permanent replacement workers.

4. Availability, capability and work search: You will be denied benefits if you are:

- Not ready, willing and able to work;
- Not prepared to take a job immediately;
- Not physically or mentally capable of employment; or
- Not actively seeking work and keeping a record of your work search activities (online or written) for each week that you claim benefits.

If you are not eligible for benefits because you are not available for or capable of work, you can become eligible when you show the Department of Labor that you are again available for employment, capable of working and actively seeking work, and keeping a record of your work search activities.

5. Criminal acts (felony misconduct): You will be disqualified from receiving benefits for 12 months after you are discharged from employment and it is determined that:

- You were discharged for committing a felony in connection with your employment and you admitted guilt in writing; or
- You were convicted of the crime.

If you believe that any of these apply to you, please send us an email (sign in with your NY.GOV ID and click on “Messages”) or call our Telephone Claims Center.* If you are disqualified from receiving benefits due to felony misconduct, the wages paid to you for this employment cannot be used to establish a claim for Unemployment Insurance.

6. Incarceration: If you are in jail or prison, you are not available to accept immediate work. Therefore, you are not eligible for Unemployment Insurance benefits.

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Also, it is against the law for you to allow or direct anyone else to claim weekly benefits for you while you are incarcerated.

There may be other, less common circumstances that can prevent you from being eligible for Unemployment Insurance benefits. These are discussed in Section 11: “*Special Situations*” beginning on page 28.

3. Receiving your benefits: your PIN, NY.GOV ID, direct deposit and the direct payment card

Setting up your Personal Identification Number (PIN) and your NY.GOV ID

When you filed your claim, you were prompted to create a Personal Identification Number, or PIN. It is important to remember your PIN. You will use it when you:

- Call the Telephone Claims Center* to ask a question about your weekly benefits or
- Claim weekly benefits (certify for benefits) by telephone using Tel-Service.

If you forget your PIN or if you think someone else might know your PIN, you can reset it by calling the Telephone Claims Center.* Select the menu option “for PIN or address changes.”

If you choose to claim weekly benefits (certify for benefits) on our website, you will need to set up and use a NY.GOV ID. This is different from the PIN you set up when you file a claim. With a NY.GOV ID, you can claim weekly benefits on our website and get other information about your benefits online. You can also use your NY.GOV ID to access services offered by other New York State agencies. Directions for creating a NY.GOV ID are on our website at www.labor.ny.gov. If you have difficulty creating a NY.GOV ID, call the Department of Labor Contact Center at 1-800-833-3000.

Important: When you set up your NY.GOV ID, please be sure the email address you choose is not used by another person with a NY.GOV account. A NY.GOV ID is linked to a unique email address. For example, if you and your spouse share an email address and he or she already has a NY.GOV ID linked to your shared email address, you will need to use a different email address for your NY.GOV ID.

Important: Allowing someone to get benefits or access your claim using your PIN, your NY.GOV ID or your NY.GOV password is a serious offense. It can lead to severe penalties, including criminal prosecution and imprisonment. You can also lose up to 20 weeks of benefits. **Do not tell anyone your PIN, your NY.GOV ID or your NY.GOV password.** Do not write them down where they may be seen by others. Your PIN, your NY.GOV ID and your NY.GOV password are your electronic signatures. They are security measures that ensure that no one besides you can claim and receive your Unemployment Insurance benefits or look at your private claim information. You are responsible for safeguarding and using your PIN, NY.GOV ID and NY.GOV ID passwords.

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If you forget your NY.GOV ID username or password or if you think someone else might know them, you can reset them at any time. Follow the directions to reset your NY.GOV ID username and password on our website or call the Department of Labor's Contact Center at 1-800-833-3000 between the hours of 8 a.m. and 5 p.m. for help.

Setting up your payment method

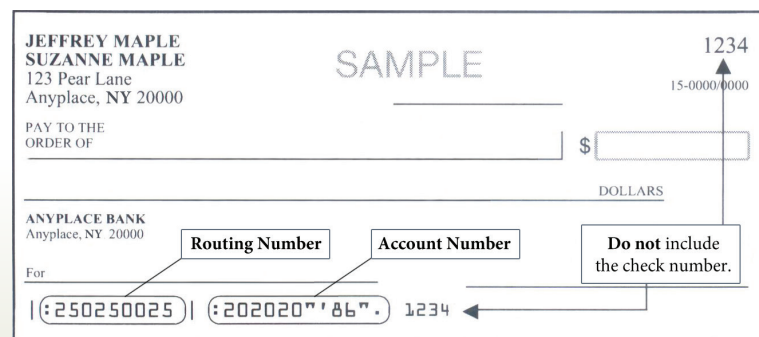
If you applied for Unemployment Insurance online, you were asked whether you wished to receive your benefits by direct deposit or direct payment card. If you applied over the phone, you will receive your benefits via direct payment card. We no longer issue benefits by check. Here is what you need to know about each option.

Direct deposit

Direct deposit means that your benefits will be deposited directly into your checking account about three to five days after we release a benefit payment. You can register for direct deposit when you file a claim on our website at www.labor.ny.gov or you can change to direct deposit when you claim weekly benefits (certify for benefits) online. **Important: You cannot register for direct deposit by calling the Telephone Claims Center.**

If you claim weekly benefits online, you will always see information about direct deposit on your confirmation page, even if you chose to receive your payments by direct payment card when you filed your claim. This is so you will always have the option to start or cancel direct deposit. It also allows you to update your direct deposit information if you change banking institutions or if your banking information otherwise changes. **Important: If you claim weekly benefits over the phone using our Tel-Service system, you will not hear or have the option to start or change to direct deposit.**

To register for or change to direct deposit, you will need to have a check handy. Enter the **bank routing number** and **checking account number** as shown on your check. **Important: Do not use a checking account deposit slip for your bank's routing number or your account number.** Those slips may include numbers that do not apply to direct deposit. If your banking institution has recently merged, your bank routing number and checking account number may have changed. Contact your bank to get the new routing and account numbers before you register for direct deposit. Once you have registered and your banking information has been verified, you do not need to re-register unless your banking information changes.



Note: The routing and account numbers may be in different places on your check

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A direct payment card will be sent to you automatically unless you sign up for direct deposit.

After we receive your new or updated account numbers, it takes about five business days to set up direct deposit and send Unemployment Insurance benefits electronically to your checking account. This applies whether you are registering for a new account or changing existing account information. If you have a direct payment card, we transfer your weekly benefits to your card during this time. Once you establish direct deposit, you should verify that your benefits are in your account before you write checks against those funds.

Direct deposit remains in effect until you tell the Department of Labor to cancel it. This is true even for future claims.

You cannot use direct deposit if you are participating in the following programs:

- Trade Adjustment Assistance (TAA);
- Trade Readjustment Allowances (TRA);
- Disaster Unemployment Assistance (DUA);
- Self Employment Assistance Program (SEAP); or
- Shared Work Program.

However, if you registered for direct deposit while you were receiving regular Unemployment Insurance benefits, it will continue while you collect under one of these programs.

You can register for direct deposit or change your information online:

- Monday through Friday, 7:30 AM until midnight and
- Saturday and Sunday, all day.

Cancelling direct deposit

You can cancel direct deposit from your Confirmation Page after claiming weekly benefits. We will update our records and end the electronic transfer of your weekly benefits to your checking account. Your weekly benefits will then be deposited to your direct payment card account. **Important: Before you cancel direct deposit, you are responsible for making sure that you have a direct payment card.** If you do not have a direct payment card, you must contact Chase Customer Service at 1-877-221-1634 to request a replacement card.

Direct payment card

A direct payment card is a debit MasterCard. It allows you to withdraw your benefits from an ATM (Automated Teller Machine) and make purchases wherever MasterCard is accepted. Only the Department of Labor can deposit money into the direct payment card account. A direct payment card will be sent to you automatically unless you sign up for direct deposit.

*To reach the Telephone Claims Center from within New York State, please call 1-888-209-8124; from outside New York State 1-877-358-5306. TTY/TDD/Video Relay Service users please call 1-888-783-1370.

The direct payment card will be mailed to you about seven to ten days after you are approved to receive benefits. For security reasons, your direct payment card will arrive in a plain white envelope. Please watch for it in the mail and **do not throw it away**, even if you signed up for direct deposit in the meantime. When you receive your card, call Chase Customer Service at 1-877-221-1634 promptly to activate it. As part of the activation process, you will be asked to create a PIN for your direct payment card. This PIN is a four-digit number that you enter on the keypad at ATMs and retail locations. Your direct payment card PIN is for a different purpose than the PIN you created when you filed your Unemployment Insurance claim, which is also a four-digit number.

Your direct payment card account balance information is not available to the Department of Labor. You can check your account balance free of charge at all Chase and Allpoint ATMs, by calling Chase Customer Service at 1-877-221-1634 or by going to Chase's website at www.ucard.chase.com. You can also view your monthly statement on Chase's website or sign up to receive monthly statements in the mail by contacting Chase Customer Service.

Your direct payment card is valid for three years and will be used for current and potential future claims. Even if you are not currently receiving benefits, keep the card in a safe place. If you receive Unemployment Insurance benefits at a later date, the same direct payment card PIN you originally created will re-activate your card. If you lose your direct payment card, call Chase Customer Service to request a new card. If you have not used your card for three years or if you file a new claim after three years, call Chase Customer Service at 1-877-221-1634 to request a new card. Department of Labor staff cannot replace or request a new card for you.

4. How much will I receive in benefits each week?

You must have enough wages in your "base period" to qualify for benefits

You must have been paid a minimum amount of wages during a fixed period of time called a "base period" to qualify for Unemployment Insurance benefits. **Important: We use wages paid to you during each calendar quarter of your base period, regardless of when you earned them, to determine if you are eligible for Unemployment Insurance benefits.**

There are two types of base periods that New York State uses to determine your eligibility for benefits:

- **Basic Base Period:** The first four of the last five completed calendar quarters before the calendar quarter in which your claim begins.
- **Alternate Base Period:** The last four completed calendar quarters immediately before the calendar quarter in which your claim begins.

*To reach the Telephone Claims Center from within New York State, please call 1-888-209-8124; from outside New York State 1-877-358-5306. TTY/TDD/Video Relay Service users please call 1-888-783-1370.

To qualify for benefits, you must meet **all three** of the following requirements:

- You must have worked and been paid wages for covered employment in **at least two calendar quarters** in your Basic or Alternate Base Period.
- You must have been paid at least \$1,700 in wages in one of the calendar quarters in your base period. Effective January 1, 2015, you must have been paid at least \$1,900 in wages in one of the calendar quarters in your base period.
- The total wages paid to you in your Basic or Alternate Base Period must be **at least one and one-half times your high quarter wages**. Your high quarter wages are the wages paid in the calendar quarter in which you were paid the most money.
Exceptions: If your high quarter wages equal \$9,240 or more, your wages in the other base period quarters must total at least one-half of \$9,240, or \$4,620.

Basic: The first four of the last five completed calendar quarters prior to the calendar quarter in which your claim begins.

Alternate: The last four completed calendar quarters immediately prior to the calendar quarter in which your claim begins.

Wages earned in your base period are used to calculate your benefit rate. Your benefit rate is how much in benefits you will receive each week.

Base Period Chart					
1 st Quarter	2 nd Quarter	3 rd Quarter	4 th Quarter	5 th Quarter	Quarter you filed the claim
Basic Base Period					
	Alternate Base Period				
EXAMPLE:					
Oct 1 - Dec 31	Jan 1 - Mar 31	Apr 1 - Jun 30	Jul 1 - Sept 30	Oct 1 - Dec 31	Jan 1 – Mar 31
Basic Base Period					
	Alternate Base Period				

If you meet the requirements of the Basic Base Period, it will automatically be used to establish your benefit rate. Your benefit rate is how much money you will receive in Unemployment Insurance benefits each week. If you do not meet the requirements of the Basic Base Period, we will automatically determine if you qualify using the Alternate Base Period and if so, use it to establish your benefit rate. **Important: If you meet the requirements of the Basic Base Period, we do not automatically check to see if your benefit rate might be higher if your Alternate Base Period is used instead.** Please see page 10: “Requesting a benefit rate recalculation based on Alternate Base Period” for more information.

*To reach the Telephone Claims Center from within New York State, please call 1-888-209-8124; from outside New York State 1-877-358-5306. TTY/TDD/Video Relay Service users please call 1-888-783-1370.

The Monetary Benefit Determination notice is not a decision on your eligibility for Unemployment Insurance benefits. It simply shows whether or not you have enough earnings to qualify.

How we calculate your weekly benefit rate

Here is how we calculate your weekly benefit rate once we have established your base period.

- **If you have wages in four quarters of your base period**, the weekly benefit rate will be calculated as follows:
 - If the high quarter earnings are above \$3,575, the benefit rate is 1/26 of the high quarter wages in your base period or \$143, whichever is higher.
 - If your high quarter wages are \$3,575 or less, your weekly benefit rate is 1/25 of your high quarter wages or \$100, whichever is higher.
- **If you have earnings in only two or three base period quarters**, the weekly benefit rate will be calculated as follows:
 - If the high quarter earnings are above \$4,000, the benefit rate is 1/26 of the average of the two highest quarter wages or \$143, whichever is higher.
 - If the high quarter earnings are from \$3,576 to \$4,000, the benefit rate is 1/26 of the high quarter wages or \$143, whichever is higher.
 - If the high quarter earnings are \$3,575 or less, the benefit rate is 1/25 of the high quarter wages.

How will I find out what my benefit rate is?

You will be sent a notice called a "Monetary Benefit Determination" after you file your claim. This notice will show the wages you were paid as reported by employers in your base period. It will also list the employers you worked for during your base period. The Monetary Benefit Determination will tell you if you have enough wages to qualify for benefits and if so, what your weekly benefit rate will be. It will also tell you if you do not have enough wages to qualify for benefits. **Important: You should review the Monetary Benefit Determination notice promptly to make sure it is correct.**

The Monetary Benefit Determination notice is not a decision on your eligibility for Unemployment Insurance benefits. It simply shows whether or not you have enough earnings to qualify. There may be other factors that keep you from qualifying.

If you agree with the information shown on the notice, do not take any action. Keep it for your records.

Important note for claimants with limited understanding of English or Spanish:

At the present time, the Department of Labor is only able to print Monetary Benefit Determinations in English or Spanish. To help you understand this important notice, we have included a "Translation of Your Monetary Benefit Determination" in the back of this handbook. This document translates the information included in the Monetary Benefit Determination into the language you requested for your handbook.

Also, if you told us when you applied for benefits that you speak a language besides English or Spanish, you will receive a notice with your Monetary Benefit Determination that tells you to call the Telephone Claims Center for help understanding the notice. A translator will be provided for free.

*To reach the Telephone Claims Center from within New York State, please call 1-888-209-8124; from outside New York State 1-877-358-5306. TTY/TDD/Video Relay Service users please call 1-888-783-1370.

If you were paid in cash, you should include those wages on the Request for Reconsideration form, even if you do not have pay stubs or other proof you were paid.

If wages and/or employers are missing from your Monetary Benefit Determination notice

If you see that wages or employers are missing from your Monetary Benefit Determination notice, complete and return the "Request for Reconsideration" form sent with the notice (the Request for Reconsideration form is also found at the back of this handbook). **Important: We must receive your Request for Reconsideration form within 30 calendar days from the date mailed as shown on the Monetary Benefit Determination.**

Please tell us how much in wages you received during all four Basic Base Period quarters plus the Alternate Base Period quarter. Include proof of employment and wages, such as copies of pay stubs, for all the wages you listed on the form and for the entire time period in question. Wages include the monetary value of tips, bonuses, meals and lodging, as well as commissions and vacation pay. If you have no proof of your wages, include them on the form anyway and tell us why you have no proof. If you were paid in cash, you should include those wages on the Request for Reconsideration form, even if you do not have pay stubs or other proof you were paid. We can investigate why employers did not report your wages to us.

You can also send us an email (sign in with your NY.GOV ID and click on "Messages") or call our Telephone Claims Center* to tell them that employers and/or wages are missing from your Monetary Benefit Determination notice. We will start an investigation right away.

We will review the new wage information you send us on the Request for Reconsideration form or the information you give us via email or the Telephone Claims Center. When this review is complete, we will send you a revised Monetary Benefit Determination notice.

If you worked for an agency of the federal government, a branch of military service or outside of New York State, or if you were paid as an independent contractor, your wages may not be listed on the Monetary Benefit Determination notice. If you earned any of these types of wages, complete and return the Request for Reconsideration form from the back of this handbook. **Important: The form must be received by us within 30 calendar days of the date mailed as shown on your most recent Monetary Benefit Determination notice.** This will tell us to use these wages when calculating your benefit rate.

If you were paid as an independent contractor, please see page 33: "My employer paid me as an independent contractor, and/or paid me off the books. What do I do?"

Important: If your Monetary Benefit Determination shows employers you have not worked for or shows wages you were not paid, you must tell us as soon as possible by email (sign in with your NY.GOV ID and click on "Messages") or by calling the Telephone Claims Center.*

*To reach the Telephone Claims Center from within New York State, please call 1-888-209-8124; from outside New York State 1-877-358-5306. TTY/TDD/Video Relay Service users please call 1-888-783-1370.

If your high quarter wages are in your Alternate Quarter, your benefit rate may be higher using your Alternate Base Period. You can ask us to recalculate your benefit rate using your Alternate Base Period wages.

Requesting a benefit rate recalculation based on Alternate Base Period

If your high quarter wages are in your Alternate Quarter, your benefit rate may be higher using your Alternate Base Period. You can ask us to recalculate your benefit rate using your Alternate Base Period wages.

To do this, complete the "Request for Alternate Base Period" form found at the end of this handbook. **Important: We must receive your completed form within ten calendar days of the date shown on your most recent Monetary Benefit Determination.** Your Monetary Benefit Determination notice will show specific dates and wage amounts. If your wages for the Alternate Quarter are not shown on the Monetary Benefit Determination, enter the amount you earned in the Alternate Quarter on the Request for Alternate Base Period form. Include proof of your employment and wages, such as copies of pay stubs, for all the earnings you listed on the form and for the whole period in question. Wages include the monetary value of tips, bonuses, meals and lodging as well as commissions and vacation pay. Include amounts you were paid in cash.

If the wages shown on your Monetary Benefit Determination for the Alternate Quarter are not your high quarter wages or if your benefit rate was the maximum, do not request a recalculation. **Important: If you choose to use the Alternate Quarter wages for your current claim, you cannot use these wages again in the future.** This may affect your ability to qualify for a future claim.

Workers' compensation or volunteer firefighters' benefits and the base period

If you do not qualify using the Basic or Alternate Base Period, but you received workers' compensation or volunteer firefighters' benefits during the Basic Base Period, you may still qualify. The Basic Base Period may be extended backward up to two calendar quarters, depending on the number of base period quarters in which you received these benefits.

Using wages from the current calendar quarter to establish a claim

If you do not qualify using any of the above base periods, but you were employed in the calendar quarter in which you filed your claim and you are still unemployed after that quarter ends, you may qualify using this most recent employment. You should apply for benefits again after the end of the current calendar quarter.

*To reach the Telephone Claims Center from within New York State, please call 1-888-209-8124; from outside New York State 1-877-358-5306. TTY/TDD/Video Relay Service users please call 1-888-783-1370.

Requesting a benefit rate recalculation based on average weekly wage

If you did not work all the weeks in the base period quarter that has your high quarter wages, using your average weekly wage may increase your benefit rate. To request this recalculation:

- All of your Request for Reconsideration forms must have been received and reviewed;
- Your base period and benefit rate must be finalized (this information can be found on your most recent Monetary Benefit Determination notice); and
- You must have at least 20 weeks of work in your base period.

Your benefit rate will be calculated as one-half of your average weekly wage (one-half of total base period wages divided by total weeks worked) only if the benefit rate increase is at least five dollars more than your current benefit rate.

To request this recalculation, fill out and submit the “Request for Rate Based on Weeks of Employment” form in the back of this handbook. **Important: We must receive the form within ten calendar days of the date shown on your Monetary Benefit Determination.** You must provide proof of your employment and wages, such as pay stubs, for each week of employment. Wages include the monetary value of tips, bonuses, meals and lodging as well as commissions, vacation pay, and amounts you were paid in cash.

If you did not work all the weeks in the base period quarter that has your high quarter wages, using your average weekly wage may increase your benefit rate.

Job loss due to misconduct or a criminal act

If you lose your job because of misconduct or a criminal act, any wages paid to you for that job cannot be used to establish a claim or to calculate your benefit rate. Misconduct is any act or omission which you knew was not permitted on the job and which caused harm to the employer.

Maximum and minimum weekly benefit rate

Effective the first Monday of October 2014, the minimum weekly benefit rate increased to \$100 and the maximum weekly benefit rate increased to \$420. The maximum rate is expected to increase each year until 2026, when it is expected to be set at 50 percent of the state’s average weekly wage. Please visit our website at www.labor.ny.gov for the current maximum weekly benefit rate.

*To reach the Telephone Claims Center from within New York State, please call 1-888-209-8124; from outside New York State 1-877-358-5306. TTY/TDD/Video Relay Service users please call 1-888-783-1370.

You must continue to claim weekly benefits (certify for benefits) each week, beginning the week immediately after you file your claim.

5. When will I start receiving benefits?

Review period

After you file your claim, we review the information you have given us in order to determine if you qualify for benefits and if so, what your weekly benefit rate will be. We will also check with your former employer(s) to verify your employment information. This process can take several weeks: fewer if no issues are found, more if issues arise. During this review period you will not receive benefits. **Important: You must continue to claim weekly benefits (certify for benefits) each week, beginning the week immediately after you file your claim.** Please see pages 13 - 18: *"How do I claim weekly benefits?"* In addition, you must fulfill all work search and related record-keeping requirements. Please see pages 18 - 22: *"What are the work search requirements?"*

Return questionnaires promptly

If we need more information while processing your claim we may send you a form or questionnaire for you to fill out. Please complete and return all questionnaires promptly so any benefits that may be due are not delayed or denied. If you do not complete these questionnaires or return them to us promptly, we will have to make a decision about your claim based on the information we have. This could hurt your eligibility for benefits. Completed questionnaires must be returned within seven days of the date printed on each form.

Questionnaires may be faxed or mailed. If you fax, please fax to the number printed on the questionnaire. If no fax number is provided, fax to 1-518-457-9378.

If you mail your questionnaire, please send to:

New York State Department of Labor
PO Box 15130
Albany, NY 12212-5130

Waiting week for benefits

The first full week you are unemployed and claim weekly benefits is called a waiting week. You will not receive Unemployment Insurance benefits for this week, but you must be ready, willing and able to work. You must also claim weekly benefits for this week. In addition, you must fulfill all work search and related record-keeping requirements. Please see pages 18 - 22: *"What are the work search requirements?"*

If you work at all during the first week of your claim or do not serve a full waiting week for other reasons, the waiting period will extend into the next week(s). After this waiting week, you will receive Unemployment Insurance benefits for each week that you remain unemployed, up to 26 weeks. You must claim benefits each week; be ready, willing and able to work and fulfill the work search requirements as discussed in pages 18 - 22: *"What are the work search requirements?"*

*To reach the Telephone Claims Center from within New York State, please call 1-888-209-8124; from outside New York State 1-877-358-5306. TTY/TDD/Video Relay Service users please call 1-888-783-1370.

If you are eligible, you will simply begin receiving benefits via direct deposit or direct payment card. You will not receive a letter stating that you are eligible before your benefits begin.

How do I know when I will start receiving benefits?

After we review your claim information (and revised Monetary Benefit Determination, if applicable), we will decide if you are eligible to receive benefits. If you are eligible, you will simply begin receiving benefits via direct deposit or direct payment card. You will not receive a letter stating that you are eligible before your benefits begin.

If we find that you are not eligible for benefits, you will be mailed a "Notice of Determination" that tells you the reason(s) why. This notice will also tell you for what period of time benefits are being denied, how to re-qualify in the future and how to ask for a hearing if you disagree with the decision.

6. How do I claim weekly benefits?

How do I get my benefits (claim weekly benefits/certify for benefits)?

For each week you are unemployed and looking for work, you must claim weekly benefits by requesting payment using our website or Tel-Service automated phone system. This is also called certifying for benefits, because you are certifying that you were unemployed for all or part of the past week and that you met all other conditions of receiving Unemployment Insurance benefits.

Whether you choose our website or Tel-Service, the system will ask you a series of questions. Your eligibility for weekly benefits is based on your answers to the questions. Read or listen carefully to the questions and the instructions before responding. If you are not sure how to answer, call the Telephone Claims Center.*

Important: It is against the law to make false statements during the weekly certification process in order to receive benefits. You may be subject to interest and penalties, including the loss of benefits or even criminal prosecution.

You must claim weekly benefits yourself

Important: Do not give out your PIN or your NY.GOV username and password. If you allow someone else to claim weekly benefits (certify for benefits) for you or access your claim online or over the Tel-Service phone system, you can be subject to severe penalties. These may include criminal prosecution and imprisonment. You may also lose up to 20 weeks of benefits. If you need help claiming weekly benefits, please see page 15: "What if I need help claiming weekly benefits?"

What if I travel outside my area?

In order to be eligible for Unemployment Insurance benefits, you must be ready, willing and able to work. If you plan to leave the area where you normally live and search for work to travel to another area in the United States (including Puerto Rico and the United States Virgin Islands) or Canada, you must call the Telephone Claims Center* **before** leaving. Your ability to receive benefits when you are away depends on why you are traveling. Telephone Claims Center staff will tell you whether you may qualify for Unemployment Insurance benefits when you are away and what you can do to protect your ability to receive benefits while you are away.

*To reach the Telephone Claims Center from within New York State, please call 1-888-209-8124; from outside New York State 1-877-358-5306. TTY/TDD/Video Relay Service users please call 1-888-783-1370.

Claiming benefits while outside the United States or Canada is considered fraud.

Important: If you are traveling to any foreign country except Canada, you do not qualify for benefits unless you have been approved for travel to search for work.

Claiming weekly benefits while you are traveling to, from or within other countries, except Canada, is not allowed. Claiming benefits while outside the United States or Canada can be considered fraud. If you commit fraud, your benefits may be denied, you will have to pay back the benefits you should not have received (overpayments), and you may be penalized for willful misrepresentation. **Important: Avoid costly benefit repayments and other penalties by calling our Telephone Claims Center* before you travel.**

Claiming weekly benefits online

You can claim weekly benefits (certify for benefits) on our website at www.labor.ny.gov.

Note: If you have a service that makes your internet address anonymous, please turn it off when claiming weekly benefits. Otherwise, there may be problems with your certification.

You will need a NY.GOV ID to sign up for an online account. If you already have a NY.GOV ID username and password, you can use it for our system. If you do not have a NY.GOV ID, follow the instructions on our website to create one. By creating an NY.GOV account, you can claim weekly benefits, check the status of your benefit payments and more. You can also use your NY.GOV ID to access online services from other New York State government agencies. **Important: Do not give anyone your NY.GOV ID username or password or write them down where others may see them.** For help creating or using a NY.GOV ID, please call the Department of Labor Contact Center at 1-800-833-3000.

Claiming weekly benefits by phone

You can also claim weekly benefits by calling our Tel-Service toll-free, automated phone system at 1-888-581-5812 (out of state residents 1-888-864-9920; TTY/TDD Video Relay Service users 1-877-205-3119). After answering the questions, you will be asked to confirm that all of your answers are true and correct. When you say “yes” or press 1 to answer this question, it is the same as signing a document. This is because only you know the PIN you created when filing your claim. **Important: Do not give anyone your PIN.** Only you can claim weekly benefits.

If your call is disconnected or if you hang up the telephone before you hear “Your claim has been entered for processing,” you have not completed the process of claiming weekly benefits. You will have to call again to claim your benefits.

When to claim weekly benefits

For the purposes of Unemployment Insurance, a week runs from Monday to Sunday. You should claim weekly benefits for the previous week on the last day of that week (Sunday) through the following Saturday. Any certification made on a Sunday is for the week ending that day. For example: suppose you are unemployed from Monday, January 1 through Sunday, January 7. You can claim weekly benefits for that week beginning Sunday, January 7 through Saturday, January 13.

*To reach the Telephone Claims Center from within New York State, please call 1-888-209-8124; from outside New York State 1-877-358-5306. TTY/TDD/Video Relay Service users please call 1-888-783-1370.

You cannot claim for a given week more than a week later. **Important: The system will not accept certifications for any back weeks or other periods of time.** If you miss claiming benefits for a week during which you were unemployed, you must send us an email (sign in with your NY.GOV ID and click on "Messages"), send us a fax at 1-518-457-9378, or write us a letter explaining why you are late. Include your name and the last four digits of your Social Security Number in your correspondence. If you choose mail, send your letter to:

New York State Department of Labor
PO Box 15130
Albany, NY 12212-5130

Using the example above: if you fail to claim weekly benefits by Saturday, January 13, you would have to email or write us a letter explaining why you are late in order to get benefits for the week ending Sunday, January 7.

You cannot claim for a given week more than a week later. The system will not accept certifications for any back weeks or other periods of time.

What if I need help claiming weekly benefits?

If you have a disability or have difficulty speaking or understanding English, you may have someone help you with our online services or Tel-Service. If you do not have or do not know how to use a computer, it is not considered a disability since you can still use the telephone to claim weekly benefits.

Important: If you cannot find a helper who can be physically present with you, please contact the Telephone Claims Center for help. You are responsible for the actions of your helper. If you are not present when your helper uses our services, it is considered fraud and you may be subject to penalties. These penalties can include "forfeit days." Forfeit days are days in the future when you are eligible to receive benefits, but cannot because you have forfeited your right to receive benefits for those days as a penalty. You also may have to pay back any benefits you should not have received, and you may be subject to monetary penalties.

What if I work part time?

You must report **all** part-time or temporary work. If you do not report all part-time or temporary work when you claim weekly benefits, you may be subject to severe penalties including the loss of benefits, civil and criminal penalties and fines. If you work fewer than four days in a week and earn less than the maximum benefit rate, you may receive partial benefits as follows:

- 1 day of work = 3/4 of your full weekly benefit rate;
- 2 days of work = 1/2 of your full weekly benefit rate;
- 3 days of work = 1/4 of your full weekly benefit rate or
- 4 days of work = No benefits due.

Important: If you did any work on a day, even if it was an hour or less and even if you did not receive pay, it counts as a day of work and you must report it that way.

Also, you are not eligible to receive benefits for any week in which you earn more than the maximum benefit rate (in gross wages, before any deductions), regardless of the number of days worked. You will be asked if you worked during the past week and if you earned more than the maximum benefit when you claim weekly benefits.

If you get partial benefits, you will be able to collect for a longer period of time. You can collect until you receive your maximum benefit amount (26 times your weekly benefit rate) or until your benefit year ends, whichever comes first.

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What is considered work?

Any activity that brings in or may bring in income at any time must be reported as work, even if it is only an hour or less. This would include work considered to be training. It also includes full-time, part-time, seasonal, per diem, probationary, occasional, temporary or permanent work. Even if you were not paid, you must report as work:

- Self-employment or freelance work;
- On-the-job training;
- Job orientation;
- Working for someone else;
- Performing minor duties or favors for a friend or relative's business;
- Temporary employment;
- Part-time employment;
- Active duty for training with a branch of the military;
- Activities involved in managing a multi-family (two or more rental apartments) rental unit;
- Working as a building superintendent;
- An internship and/or externship;
- A college work-study job;
- Activities as an elected official;
- Annual field training for the National Guard or Reserves;
- Work done on a straight commission basis (considered work even if you do not get the commission until later, no sales were made, or you receive no payment);
- A "working interview," where a prospective employer asks you to work -- with or without pay -- in order to demonstrate that you can do the job; and
- Activities connected with starting a business (unless you are in the Department of Labor's Self Employment Assistance Program).

You do not have to report as work:

- Jury duty;
- Inactive duty for training with a branch of the military;
- Weekly or monthly drill sessions for the National Guard or Reserves; or
- Any activities involved in managing a single family rental unit (for example: a two family home where you live upstairs and rent out the downstairs apartment, or you rent out your house).

If you work on a shift continuing through midnight, you should claim that day of work on the day prior to midnight (when you started that shift). The exception: if you work on a shift starting at 7 p.m. or later on Sunday and continue past midnight, you should claim that the day you worked is Monday.

You must report any and all work. All employers are required to report the fact that a person has been hired or rehired to the National Directory of New Hires. That information is shared with the federal government and the Department of Labor in order to ensure that child support obligations are paid and also to make sure that people are not working while collecting Unemployment Insurance benefits. Every time you try to claim weekly benefits, your name is cross-checked against the National Directory of New Hires. If your name appears on that Directory, you will be given instructions on how to resolve the issue. You will not be able to claim weekly benefits until you discuss the issue with our Integrity Unit and your information is verified with the employer who reported you as being hired or rehired.

*To reach the Telephone Claims Center from within New York State, please call 1-888-209-8124; from outside New York State 1-877-358-5306. TTY/TDD/Video Relay Service users please call 1-888-783-1370.

You may be eligible for Unemployment Insurance benefits while volunteering.

If you are not sure whether or not what you are doing is considered work, or if you make an incorrect certification for benefits, please call the Telephone Claims Center* immediately and speak to a representative. You can also send us an email (sign in with your NY.GOV ID and click on "Messages"). If you don't call us, you may have to repay benefits and be subject to civil penalties and the loss of future benefits.

Important: Do not claim benefits for any week in which you work more than three days or earn more than the maximum benefit rate.

What if I want to start my own business?

Call the Telephone Claims Center* **before** you take any steps to start a business. You are considered to be employed if you are operating or starting a business by yourself, with a partner or in a corporate arrangement. This includes time spent during the day, evenings or on weekends, even if no sales are made or no money is earned. Unless you are enrolled in the Self Employment Assistance Program, business start-up activities may cause you to lose Unemployment Insurance benefits. For more information about the Self Employment Assistance Program please see our web site at www.labor.ny.gov and page 31: "Starting a business: the Self Employment Assistance Program."

What if I do volunteer work?

You may be eligible for Unemployment Insurance benefits while volunteering. However, you must report the following volunteer activities as work when claiming weekly benefits:

- Volunteer work that interferes with your ability to search for a job or that affects the number of days or hours you are available to work at a job;
- Volunteer work that is a favor for a friend or relative's business;
- Volunteer work you perform at a school in exchange for tuition abatement or a scholarship;
- Volunteer work you perform for a not-for-profit corporation of which you are a founder, officer or board member;
- Volunteer work for which you receive a stipend that is greater than the minimum wage;
- Volunteer work which you perform as a precondition to being hired or rehired into a paid position;
- Volunteer work which you perform as part of an internship or other on-the-job training program; and
- Volunteer work for professional licensing exams or to obtain other credentials.

You do not have to report volunteer activities other than those listed above as work when claiming weekly benefits. This includes volunteer work for a charitable, religious or cultural organization. However, you must be:

- Ready, willing and able to work;
- Making systematic and sustained efforts to find work;
- Keeping an online or written Work Search Record for each week you claim benefits; and
- Prepared to give a copy of your Work Search Record to the Department of Labor (please see pages 18 - 22: "What are the work search requirements?").

If you are not sure if your volunteer work allows you to meet all of these criteria, you should call the Telephone Claims Center* to give all details of your volunteer work **before** claiming benefits for that week.

*To reach the Telephone Claims Center from within New York State, please call 1-888-209-8124; from outside New York State 1-877-358-5306. TTY/TDD/Video Relay Service users please call 1-888-783-1370.

You must actively look for work while you are claiming benefits.

Keep your address and phone number up to date

Unemployment Insurance mail is not forwarded by the Post Office. Your benefits may be delayed if you do not respond to requests for information or an appointment notice that was mailed to your address on record.

You can update your mailing address or telephone number when you claim your weekly benefits online. If you are no longer claiming benefits or need to change your address sooner, call the Telephone Claims Center.* After you enter your Social Security Number and PIN, you will hear the option: "To change your name, address or phone number press 1."

Also, remember to update your contact information for your Unemployment Insurance benefits payment method. For direct deposit users, contact your bank. For direct payment card users, contact Chase Customer Service at 1-877-221-1634.

7. What are the work search requirements?

Do I have to look for work?

Yes, you must actively look for work while you are claiming benefits. According to New York State Labor Law, you must make "systematic and sustained efforts to find work" as explained below. You must also provide proof of your work search efforts to the Department of Labor upon request. **Important: You may be denied benefits if you do not make systematic and sustained efforts to find work, as defined in the next topic: "What is considered systematic and sustained efforts to find work?"**

What is considered systematic and sustained efforts to find work?

Systematic and sustained efforts to find work include all of the following requirements:

- You must do at least three work search activities each week unless you have a Work Search Plan approved by the Department of Labor or you have been designated as exempt from this work search requirement by the Department of Labor. Please see page 20: "What is a Work Search Plan?" and "Who is exempt from work search?" on that same page.
- These three activities must be done on different days of the week and must include at least one activity from work search activities 1-5 (below) and two more activities from the nine activities listed.
- Your work search must begin the week following the week in which your claim was filed.

Work search activities may include, but are not limited to:

- (1) Using employment resources available at the local Career Center, such as:
 - Meeting with Career Center advisors;
 - Getting information from Career Center staff about jobs that may be available in a particular industry or region (obtaining job market information);
 - Working with Career Center staff to assess your skills and match them to possible occupations and jobs (skills assessments for occupation matching);
 - Participating in instructional workshops and
 - Getting job referrals and job matches from the Career Center and following up with employers.

*To reach the Telephone Claims Center from within New York State, please call 1-888-209-8124; from outside New York State 1-877-358-5306. TTY/TDD/Video Relay Service users please call 1-888-783-1370.

You must keep an online or written Work Search Record for each week you claim benefits, and be prepared to give a copy of that record to the Department of Labor if we ask for it.

- (2) Visiting a job site and completing a job application in person with employers who may be reasonably expected to have openings.
- (3) Submitting a job application and/or resume in response to a public notice or want ad or to employers who may reasonably be expected to have openings.
- (4) Attending job search seminars, scheduled career networking meetings, job fairs or workshops that offer instruction in improving skills for obtaining employment.
- (5) Interviewing with possible employers.
- (6) Applying for employment with former employer(s).
- (7) Registering with and checking in with private employment agencies, placement services, unions and placement offices of schools, colleges or universities and/or professional organizations.
- (8) Using the telephone, business directories, internet or online job-matching systems to search for jobs, get leads, request referrals or make appointments for job interviews.
- (9) Applying and/or registering for and taking Civil Service examination(s) for government job openings.

What is considered acceptable proof of my work search activities?

You must keep an online or written Work Search Record for each week you claim benefits and be prepared to give a copy of that record to the Department of Labor if we ask for it. The record must include dates, names, addresses (mail, e-mail, or web address) and telephone numbers of employers contacted, names and/or job titles of specific people contacted, contact methods used, position or job title applied for or a description of other work search efforts (attending job fairs or workshops, etc.). We will check the information on the form with the contacts listed. If you knowingly give us false statements about your work search activities it is considered fraud, and we can deny you Unemployment Insurance benefits.

If you choose to keep your record online, we recommend you use our JobZone website. It provides one place where you can safely update and store all of your work search records in a secure electronic file: safe from fire, theft or accidental loss. To access your JobZone account, simply click on the JobZone work search record link provided when you claim weekly benefits online. If you have questions about establishing your account, please contact your local Career Center.

If you do not use the online Work Search Record in JobZone, we recommend you keep a record of your work search activities each week using the Work Search Record form included in this handbook. You can also keep a similar written record instead of the Work Search Record form if it includes the required information. Whatever written format you choose, include supporting documentation. For example, if you apply for a job online, print a copy of the application or the employer's acknowledgement of the application. If you send a resume or application by e-mail, save a printed copy of all correspondence. You should also keep a copy of your sent mail log or the employer's acknowledgement of the resume or application. Other examples of documentation include printouts from online search efforts, a job fair employer list, a prospective employer's business card, etc.

You can get more Work Search Record forms at your local Career Center, online at www.labor.ny.gov or in the back of this handbook.

*To reach the Telephone Claims Center from within New York State, please call 1-888-209-8124; from outside New York State 1-877-358-5306. TTY/TDD/Video Relay Service users please call 1-888-783-1370.

How long must I keep my work search records?

If you did not keep your Work Search Record in JobZone, keep copies of your written Work Search Records for one year. If we ask to see your records, you must give us copies. Do not send your Work Search Record to the Department of Labor unless we ask you to. **We do conduct random audits of work search records.** If our audit finds you are not meeting the work search requirement, benefits will be denied and repayment may be required.

What is a Work Search Plan?

A Work Search Plan is a formal agreement that is developed and signed by you and your Workforce Advisor at your local Career Center. Not everyone will be required to develop a formal work search agreement. This agreement spells out in writing exactly what type(s) of work you are looking for, what work search activities you will do and how often you will do them, and the wages you must seek and accept if offered a job. The plan will also address any limitations or restrictions that may affect your job search. You may be required to develop a Work Search Plan if we find that your current work search activities are not adequate, if federal programs require you to have one or if you request one.

Who is exempt from work search?

The Department of Labor will tell you if you are exempt from the work search requirements. You may be exempt if you are:

- Temporarily laid off or seasonally employed and have a definite return-to-work date of four weeks or less.
- A union member who must obtain work through the union hiring hall. You must be in compliance with your union's membership and work search requirements.
- Participating in a training program approved by the Department of Labor, such as those approved under New York State Labor Law §599.
- Serving on a jury.
- Participating in a Department of Labor-approved Shared Work Program.
- Participating in a Department of Labor-approved Self Employment Assistance Program.
- Covered by any exemption required by state or federal law.

What kind of work do I have to look for?

You must look for "suitable" work for the first ten weeks that you claim benefits. Suitable work is work for which you are reasonably fitted by training and/or experience. This means that you must look for work that is similar to what you have done in all your recent jobs, not just jobs in your primary skill area.

After you claim ten full weeks of benefits, the definition of suitable work changes. You must look for any work that you are capable of doing. This is true even if you do not have experience or training in such work, unless you obtain employment through a union hiring hall or have a definite date to return to work. The job must pay at least the prevailing wage for similar work in the locality. It must also pay you at least 80 percent of your high quarter wages.

*To reach the Telephone Claims Center from within New York State, please call 1-888-209-8124; from outside New York State 1-877-358-5306. TTY/TDD/Video Relay Service users please call 1-888-783-1370.

Our Career Centers offer services that will help you find a job more quickly.

How far away do I have to look for work?

You must be willing to travel a reasonable distance to get to work. Generally, reasonable distance is travel of one hour by private transportation or one-and-one-half hours by public transportation.

New York State Career Centers

Our Career Centers offer services that will help you find a job more quickly. To find your closest Career Center, go to www.labor.ny.gov or call our Contact Center at 1-888-4 NYSDOL (1-888-469-7365). Services offered include:

- Resume writing and interviewing skills;
- Career advice and guidance;
- Skills assessments to help determine jobs you might be suited for;
- Job-hunting workshops;
- Information about jobs available in a particular area or industry (labor market information);
- Job referrals; and
- Information about training opportunities and referrals to training when appropriate.

Mandatory work search meetings

You may be required to report to your local Career Center in person. If so, you will be sent a letter with the appointment date, time and location. If you cannot attend the appointment, call the Career Center as soon as possible to reschedule. **Important: If you do not go to the appointment or respond to the letter, your benefits will be stopped immediately.** If you miss your appointment, report to the Career Center as soon as possible. This will help minimize the loss or delay of your benefits.

This appointment is intended to help you find a job more quickly. For example, we may help you develop a written work search plan that addresses your specific needs. If you are likely to exhaust your benefits, you may be required to participate in other programs. We will tell you where and when these meetings or programs will be held.

*To reach the Telephone Claims Center from within New York State, please call 1-888-209-8124; from outside New York State 1-877-358-5306. TTY/TDD/Video Relay Service users please call 1-888-783-1370.

You must be physically able to work to be eligible for Unemployment Insurance benefits.

What if I refuse a job because of wages?

During the first ten weeks that you claim benefits, you must look for and accept suitable work that pays at least the prevailing wage for similar work. It does not matter if the wage is less than you earned at your last job or less than you would like to earn. After you claim ten full weeks of benefits, you must accept work that:

- You are capable of doing;
- Pays at least the prevailing wage; and
- Pays at least 80 percent of your base period high quarter wages.

Important: If you refuse a job that meets these conditions, you could lose your eligibility to receive benefits.

Your local Career Center can tell you what the prevailing wage is for a particular occupation. You can also find this information online at www.labor.ny.gov.

What if I am unable to seek or accept work?

You must be physically able to work to be eligible for Unemployment Insurance benefits.

If you become ill or disabled while receiving Unemployment Insurance benefits or are temporarily unable to search for or accept work for other reasons, you must contact the Telephone Claims Center* immediately. You may be able to continue to collect benefits once you are able to work again. Do not claim benefits for any week that you were not able to work. If you were unable to work for less than a full week, you may be able to collect partial benefits. Please see page 15: *"What if I work part-time?"*

What if I am unable to seek or accept work because I was called for jury duty?

If you are called to jury duty, you will not be denied benefits. This is true if you are called to a grand or petit jury of any state or of the United States. You will be considered ready, willing and able to work while serving on jury duty.

Does pregnancy affect my benefits?

Federal and state laws prohibit the denial of benefits to any claimant because of pregnancy and the Department of Labor may not discriminate based on pregnancy. Pregnant claimants are eligible for benefits according to the same rules that apply to all other claimants: they must be available for work and must be looking for work.

You do not have to tell us about your pregnancy unless it affects your ability to work. If your health prevents you from working, you must call the Telephone Claims Center.*

The Telephone Claims Center may not ask you if you are pregnant. If you are asked, you may refuse to answer. However, if your employer informs the Telephone Claims Center that you quit, took a leave of absence or were fired because of pregnancy, we may verify that information with you. If you left your last job voluntarily, even though you were physically able to continue working, you may not be eligible for benefits.

*To reach the Telephone Claims Center from within New York State, please call 1-888-209-8124; from outside New York State 1-877-358-5306. TTY/TDD/Video Relay Service users please call 1-888-783-1370.

8. Overpayments and fraud

What is an overpayment?

An overpayment occurs when you receive Unemployment Insurance benefits that you were not entitled to. This could occur for a number of reasons; for example: you made a mistake when claiming weekly benefits; you were not ready, willing and able to work; you did not complete the required work search activities for a week or weeks or you knowingly gave us false or misleading information when filing a claim or claiming weekly benefits.

What should I do if I receive an overpayment determination?

If you have been overpaid, you will receive a written Notice of Determination in the mail. This Notice will show the amount of the overpayment and explain the overpayment and why it has to be repaid. If you disagree with the overpayment, you have the right to request a hearing. Please see pages 24 – 27: “Hearing and Appeal Process” for more information.

What is willful misrepresentation?

Willful misrepresentation occurs when you **knowingly** and **purposely** make a false statement in order to get Unemployment Insurance benefits. This includes knowingly and purposely withholding information. **Important: Willful misrepresentation is fraud.** If you willfully make a false statement or representation to get benefits, you may:

- Be required to pay back the overpayment;
- Be assessed “forfeit days,” or days in the future for which you cannot receive Unemployment Insurance benefits; and
- Be charged \$100 or a 15 percent monetary penalty on the full amount of the overpaid benefits, whichever is higher.

Important: If you do not pay back an overpayment of benefits that you received fraudulently, the Department of Labor may obtain a judgment against you to collect the overpayment(s).

Failure to repay any benefits that you received because you withheld information or gave false information to the Department of Labor may result in the Department of Labor taking legal action to file a judgment against you. Once entered, a judgment is good and can be used against you for 20 years, and your money, including a portion of your paycheck and/or bank account, may be taken. Also, a judgment will hurt your credit score and can affect your ability to rent a home, find a job or take out a loan.

New York State also has what is called a “right of offset.” If you do not pay back benefits that were overpaid to you, we can seize any payments New York State may owe you. These include future Unemployment Insurance benefits, contract payments, tax refunds and other payments. We can also seize federal tax refunds and payments to collect any debt you owe us.

Overpayments made by other state or federal programs

If you received benefits that you should not have received from another state or federal program, the Department of Labor must deduct repayment from your Unemployment Insurance benefits.

If you willfully make a false statement or representation to get benefits, you may be charged \$100 or a 15 percent monetary penalty on the full amount of the overpaid benefits, whichever is higher.

*To reach the Telephone Claims Center from within New York State, please call 1-888-209-8124; from outside New York State 1-877-358-5306. TTY/TDD/Video Relay Service users please call 1-888-783-1370.

When you get a job, you should claim credit for the last days you were out of work. Then, simply stop claiming benefits.

9. What should I do when I return to work?

What should I do when I return to work full-time?

When you get a job, you should claim credit for the last days you were out of work. Then, simply stop claiming benefits.

How do I get benefits again after a break?

If your benefit year has not ended **and** you have not received 104 days of benefits (this equals 26 weeks of benefits) **and** it has been at least one week since the last week you claimed benefits, you may reopen your claim.

To reopen your claim, simply start claiming weekly benefits again. Please see pages 13 – 18: “How do I claim weekly benefits?” Also, we may mail you a form about the period of time for which you did not claim benefits. This is called a “Break in Claim” form. Please complete it and mail it back to the address shown on the form as soon as possible.

10. Hearing and Appeal Process

Can I appeal a decision on my claim?

If you disagree with any determination that denies you benefits or affects the amount of benefits you can receive, you have the right to request a hearing. The hearing will be held before an impartial Administrative Law Judge. Make your request in writing, sign it and mail it to:

NYS Department of Labor
PO Box 15131
Albany, NY 12212-5131

Please include the Administrative Law Judge’s case number in your request. This number can be found on the decision you are appealing. **Important: The letter must be postmarked no later than 30 days from the date of the determination notice that you disagree with.** If your request is later than 30 days, you should explain the reason your request is late and it will be discussed at your hearing. A hearing request that is made more than 30 days after you receive your determination can affect the outcome of your hearing.

You may also request a hearing online at www.labor.ny.gov. Log in to your online account using your NY.GOV ID and click on “Messages.” If you do not have an online account with us, please see page 14: “Claiming weekly benefits online” for instructions on how to set up one.

Benefits may be withheld while you wait for the hearing. If the Administrative Law Judge decides in your favor, any benefits due you will be paid retroactively as long as you have continued to claim weekly benefits (certify for benefits) each week that you are still unemployed or working less than four days and earning less than the maximum benefit amount. If the Administrative Law Judge decides against you, you may have to pay back benefits that you received but were not eligible for.

*To reach the Telephone Claims Center from within New York State, please call 1-888-209-8124; from outside New York State 1-877-358-5306. TTY/TDD/Video Relay Service users please call 1-888-783-1370.

If you ask for a hearing or are waiting for a hearing or a decision, protect your right to benefits. Continue to follow any instructions you have received from the Telephone Claims Center. **Important: You must still claim weekly benefits (certify for benefits) for each week that you are unemployed, or working less than four days and/or earning less than the maximum benefit amount, even if you are not receiving benefits.** This will allow you to receive retroactive benefits if the hearing decision is in your favor.

The Administrative Law Judge Section will notify you of the time and place of your hearing by sending you a Notice of Hearing. Please note that hearings may be conducted in person or by telephone. If your hearing is scheduled to be done over the telephone, you must ensure that the phone number listed on your hearing notice is correct. If you find an error, you should contact the hearing office listed on your notice immediately to make the necessary corrections or your hearing may not go forward. If you need to reschedule your hearing, contact the Administrative Law Judge Section shown on the hearing notice.

May I have representation at hearings?

You have the right to bring an attorney or other representative of your choice with you to the hearing, though it is not required. Under the law, any attorney or a representative registered with the Unemployment Insurance Appeal Board may charge a fee for representing you.

Important: This fee can only be charged if you win your case, including any appeal.

You cannot be charged a fee for services until the amount of the fee has been approved by the Unemployment Insurance Appeal Board. Both you and your attorney or registered representative will receive a letter from the Appeal Board notifying you of any fee approval. If you have won your hearing and receive a bill for services that has not been approved by the Appeal Board, you should contact the Appeal Board at 1-518-402-0205.

If you cannot afford to pay an attorney or a registered representative, you may be able to get free representation from a pro bono attorney or your local Legal Aid Society or legal services program.

For a list of legal resources, including attorneys, registered representatives, legal services programs and pro bono attorneys' organizations, go to the Unemployment Insurance Appeal Board website at www.uiab.ny.gov. Click on the "Resources" tab and then click on "List of Attorneys & Authorized Agents." You may also request this list by calling 1-518-402-0205.

How can I prepare for a hearing?

You have the right to see your case file before the hearing at the hearing site. Contact the Hearing Section office shown on the hearing notice to schedule an appointment to view your file.

At the hearing, you may testify and present witnesses and documents. If you cannot get necessary evidence, you may ask the Administrative Law Judge to issue a subpoena to direct the person who has the evidence to bring it in. You will be allowed to question opposing parties and witnesses at the hearing.

Before the hearing, you will get a detailed informational pamphlet that more fully describes the hearing procedure and your rights. If you have any questions that are not covered in the notice, contact the Hearing Section office (contact information appears on the Notice of Hearing) or the Telephone Claims Center.*

Please note that hearings may be conducted in person or by telephone.

*To reach the Telephone Claims Center from within New York State, please call 1-888-209-8124; from outside New York State 1-877-358-5306. TTY/TDD/Video Relay Service users please call 1-888-783-1370.

You can also get help preparing for your hearing from the Unemployment Insurance Advocate's Office. This office can be reached by phone at 1-855-528-5618 or email at uicclaimantadvocateoffice@labor.ny.gov.

You can also get information on how to prepare for your hearing from the Unemployment Insurance Advocate's Office. This office can be reached by phone at 1-855-528-5618 or email at uicclaimantadvocateoffice@labor.ny.gov. Please do not include personal or confidential information, such as your Social Security Number, in emails.

What happens if I miss the hearing?

It is very important that you appear at all scheduled hearings whether you or the employer asked for the hearing. If you fail to appear for a good reason ("good cause"), you may ask to reopen the case. Fax or mail your written request, the case number and the reason you did not appear within a reasonable time of the date of the decision to the Administrative Law Judge Section address on the front of the decision notice. Attach any documentation that explains why you did not attend the hearing. Please list any dates in the next 45 days on which you are not available for a hearing. We will do our best to accommodate your schedule. Do not request a reopening of your case if you are not ready to proceed with a new hearing.

At the next scheduled hearing, the Judge will first take testimony on whether you had good cause for not appearing or proceeding at the prior hearing. The Judge will decide the other issues in the decision only if you had good cause for missing the prior hearing.

If you fail to appear at the hearing to reopen, and make another request for a hearing, the case will not be automatically rescheduled. Instead, your request to reopen will be referred to the Appeal Board. The Board will review the application based on documents in the file and grant another hearing only if it determines that your failure to appear at both prior hearings was for good cause or if, in its discretion, the Board orders another hearing to consider the question of good cause.

How will I receive the judge's decision?

The judge's decision will be mailed as soon after the hearing as possible. It will show the facts found based on evidence, the reasons for the findings and the decision itself. If you cannot understand the decision, call the Telephone Claims Center* or the Unemployment Insurance Advocate's Office at 1-855-528-5618 to have it explained to you.

How do I further appeal if I disagree with the judge's decision?

You, the employer and the Commissioner of Labor have the right to appeal an Administrative Law Judge's decision to the Unemployment Insurance Appeal Board. The notice telling you the Administrative Law Judge's decision will also explain how to file an appeal with the Unemployment Insurance Appeal Board. In order to appeal, you must have been present or represented at the hearing before the Administrative Law Judge. Only the Commissioner of Labor may appeal without being represented at the hearing.

You may send your appeal to the Unemployment Insurance Appeal Board at PO Box 15126, Albany, NY 12212-5126, or by fax to 1-518-402-6208. Your letter or fax must include the Administrative Law Judge Case Number (listed on the decision above the claimant's name).

Important: Appeals must be filed with the Appeal Board within 20 days after the Administrative Law Judge's decision is mailed to you. You will receive a Notice of Receipt of Appeal. It will explain your rights and the time limits for you to inspect the file, request the transcript of your hearing, submit a written statement and reply to statements submitted by other parties. These time limits will be strictly enforced. Therefore, you should read the Notice of Receipt of Appeal promptly and very carefully.

*To reach the Telephone Claims Center from within New York State, please call 1-888-209-8124; from outside New York State 1-877-358-5306. TTY/TDD/Video Relay Service users please call 1-888-783-1370.

If more than 20 days have passed from the date your decision was mailed, you must explain why your appeal is late. You will receive a letter confirming receipt of your appeal; however, your late appeal must be reviewed by the Appeal Board. If the reason for your late appeal is accepted, you will receive a Notice of Receipt of Appeal with the instructions listed above. If the reason for your late appeal is not accepted, you will receive a letter telling you that.

If you plan to appeal or are waiting for an appeal decision, protect your right to benefits. Continue to follow any instructions received from the Telephone Claims Center. **Important: You must still claim weekly benefits (certify for benefits) for each week that you are unemployed or working less than four days and earning less than the maximum benefit amount, even if you are not receiving benefits.** This will allow you to receive retroactive benefits if the appeal decision is in your favor.

How do I further appeal if I disagree with the Appeal Board's decision?

If you disagree with the Unemployment Insurance Appeal Board's decision, you may further appeal to the Appellate Division of the New York State Supreme Court, Third Department. The employer or the Commissioner of Labor may do the same.

Appeals to the Supreme Court must be filed with the Appeal Board in writing within 30 days after the Appeal Board's decision is mailed to you. Mail your appeal to:

Unemployment Insurance Appeal Board
PO Box 15126
Albany, NY 12212-5126

The Appeal Board will then send you a notice with instructions on how to proceed with your appeal to the State Supreme Court.

If you plan to appeal to the State Supreme Court or are waiting for a decision from the Court, protect your right to benefits. Continue to follow any instructions received from the Telephone Claims Center. **Important: You must still claim weekly benefits (certify for benefits) for each week that you are unemployed or working less than four days and earning less than the maximum benefit, even if you are not receiving benefits.** This will allow you to receive retroactive benefits if the appeal decision is in your favor.

Hearing Section Offices:

Brooklyn (Schermerhorn Street)	1-718-613-3500
Brooklyn (Bond Street)	1-718-613-3987
Buffalo	1-716-851-2711
Garden City	1-516-228-3908
Hauppauge	1-631-952-6504
Rochester	1-585-258-4540
Syracuse	1-315-479-3380
Troy	1-518-402-0210
White Plains	1-914-997-9550

*To reach the Telephone Claims Center from within New York State, please call 1-888-209-8124; from outside New York State 1-877-358-5306. TTY/TDD/Video Relay Service users please call 1-888-783-1370.

You can check the status of your payments on our website at www.labor.ny.gov. Log in to your NY.GOV account and follow the instructions to check your payment history.

11. Special situations

What if I think my benefits are late?

You can check the status of your payments on our website at www.labor.ny.gov. Log in to your NY.GOV account and follow the instructions to check your payment history. You can also call our Tel-Service automated telephone service at 1-888-581-5812 (out of state residents 1-888-864-9920; TTY/TDD/Video Relay Service users 1-877-205-3119). Follow the prompts to check the status of your payments.

If you have a question about your claim or payments, call the Telephone Claims Center.* If there is a problem with your claim, the Telephone Claims Center may contact you. This gives you the chance to respond to information we have received about your claim. If you do not respond promptly and as instructed, your benefits could be delayed.

If I receive dismissal or severance pay, will it affect my benefits?

You may be eligible for Unemployment Insurance if the weekly payments of dismissal or severance are less than the maximum benefit rate. You must notify the Telephone Claims Center* if you receive or will receive dismissal or severance pay. If you do not, you may receive an overpayment, which you will need to pay back. You also may be subject to other penalties.

You will **not** be eligible for benefits if:

- You receive weekly dismissal or severance payments that are greater than the maximum weekly benefit rate **or**
- Your employer gave you a lump sum payment **and** the weekly pro-rated amount of the payment is greater than the maximum weekly benefit rate.

You **may** be eligible to collect benefits if:

- The weekly amount of dismissal or severance pay is less than the maximum weekly benefit rate **or**
- The dismissal or severance pay is stopped **and** you have enough earnings in the base period to establish a claim.
- You receive your first dismissal or severance payment more than 30 days after the last day you worked.

Can I use military service to establish a claim?

You may be able to use military service to establish a claim if you meet certain conditions. Call the Telephone Claims Center* for more information.

If you have not done so already, mail a copy of your most recent separation Form DD214, Member 4 to:

NYS Department of Labor
PO Box 15130
Albany, NY 12212-5130

Wages earned while in the reserves can be used to establish a claim, if a reservist has 90 consecutive days of active duty service.

*To reach the Telephone Claims Center from within New York State, please call 1-888-209-8124; from outside New York State 1-877-358-5306. TTY/TDD/Video Relay Service users please call 1-888-783-1370.

How does military reserve training affect my existing claim?

Members of the state Army National Guard or reserves of the Army, Navy, Air Force, Marine Corps or Coast Guard are not eligible to receive Unemployment Insurance benefits while in annual field training. You are considered both unavailable for work and not totally unemployed. However, your weekly or monthly drill sessions do not affect eligibility for your full weekly benefit amount. Be sure you have sent in Form DD214, Member 4 to the address on page 28 under “*Can I use military service to establish a claim?*”

What if I work for an educational institution?

If you work for an educational institution, you may not be eligible for Unemployment Insurance benefits. If the educational institution you work for has told you that you will have employment for the next academic year or term, you could be denied benefits or have your benefits reduced for the time period between academic years or terms or for a holiday recess. If this is the case, the wages you earned while working for that educational institution cannot be used for a claim between school terms or during recess periods if you have reasonable assurance of similar employment in the next term or after the recess period. If you have enough employment and earnings with employers other than educational institutions, you may be able to establish a claim based on the other employment.

If you were not offered an opportunity to work for the educational institution when the new term or year began, you may be able to get retroactive payments of benefits. This is only if you did not work in an instructional, research or principal administrative position. You must have continued to claim weekly benefits (certify for benefits) each week during the period of your unemployment, even if you were not getting benefit payments.

Does receiving a pension affect my benefits?

If you have retired and are **not** looking for work, you are not eligible for Unemployment Insurance benefits. If you retired from a job and **are** actively looking for other work, you may be eligible for Unemployment Insurance benefits. You must meet the same conditions as all other claimants.

Your benefits will be reduced by 100 percent of the amount of the pension if your base period employer contributed to it, regardless of whether or not you contributed to the pension. If you were the sole contributor to the pension, your benefits will not be reduced.

The Department of Labor will determine if your benefits must be reduced. You may request a hearing if you disagree. Please see pages 24 – 27: “*Hearing and Appeal Process.*”

If you become eligible for a pension while receiving Unemployment Insurance benefits, you must notify the Telephone Claims Center.* **Important: If you don't notify us, you may receive an overpayment which you will need to pay back. If we find that you acted fraudulently, you may also forfeit future days of benefits and be subject to monetary penalties.**

If you become eligible for a pension while receiving Unemployment Insurance benefits, you must notify the Telephone Claims Center.

*To reach the Telephone Claims Center from within New York State, please call 1-888-209-8124; from outside New York State 1-877-358-5306. TTY/TDD/Video Relay Service users please call 1-888-783-1370.

You may be able to collect benefits while participating in an education or training program if you enroll in the 599 Program first. Your education or training must be approved by the Department of Labor before you start the training.

Does receiving Social Security affect my benefits?

Collecting Social Security will not affect your Unemployment Insurance benefits. However, you must be available for and looking for work with no restrictions while collecting benefits, just like all other claimants.

Does receiving workers' compensation affect my benefits?

If you are receiving workers' compensation but you are available and physically able to perform work, you may be eligible for Unemployment Insurance benefits. However, receiving workers' compensation benefits may cause your weekly Unemployment Insurance benefit rate to be reduced. The total weekly amount of your workers' compensation and Unemployment Insurance benefits cannot be more than the average weekly wage you earned during your base period.

If you are able to return to work, be prepared to send us a copy of your most recent SROI (Subsequent Report of Injury) filing. A paper copy should have been mailed to you. Or, you can print it out from your workers' compensation electronic case folder. Please also be prepared to send us a note signed by your doctor that says you are able to return to work.

You must notify the Telephone Claims Center* about any workers' compensation benefits you receive during the same weeks you collect Unemployment Insurance benefits. **Important: If you do not notify us, you may receive an overpayment which you will need to pay back.** The Department of Labor will determine if your benefits must be reduced. You may request a hearing if you disagree. Please see pages 24 – 27: "Hearing and Appeal Process."

Can I go to school or training while receiving benefits?

You may be able to participate in an education or training program while collecting benefits if you enroll in the 599 Program first. **Important: Your education or training must be approved by the Department of Labor before you start the training.** If you are approved for training under this program, you are not required to look for work. The 599 Program does not pay for tuition or other school-related expenses.

Training programs must meet certain requirements to be approved for the 599 Program. Please call the 599 Training Program Central Review Unit at 1-518-402-0189 to request an application or get general information. **Important: You must apply for the 599 Program within the first 13 weeks of your claim to receive maximum benefits.** Your local Career Center can help you find training programs in your area. To find your closest Career Center, go to www.labor.ny.gov or call the Department of Labor Contact Center at 1-888-4-NYSDOL (1-888-469-7365).

If you indicated that you are attending or will attend a training program when you filed your claim, we will contact you to review your course or program. If you delay telling us about training acceptance or attendance, you may lose some benefits. If you fail to tell us that you are in training while receiving benefits, you may be subject to penalties. You could lose future benefits.

*To reach the Telephone Claims Center from within New York State, please call 1-888-209-8124; from outside New York State 1-877-358-5306. TTY/TDD/Video Relay Service users please call 1-888-783-1370.

If your training is approved under the 599 Program, you may be eligible for up to an extra 26 weeks of benefits (over the normal maximum of 26 weeks) while you are still in training. However, funding for these extra benefits is not always available, so you may not receive them. If you do receive additional benefits, we cannot guarantee that they will continue until your training is finished.

If you do not have a high school diploma, you may be eligible to get a high school equivalency degree while receiving Unemployment Insurance. If you have limited English skills, you also may be approved for training. Contact your local Career Center for more information.

What if I am in the New York State Registered Apprenticeship Program?

If you are in a New York State Registered Apprenticeship Program and are attending Apprenticeship training while claiming Unemployment Insurance benefits, you must tell the Telephone Claims Center* that your training is a requirement of your agreement (AT401) for the Registered Apprenticeship Program.

If you are interested in participating in a Registered Apprenticeship Program, contact your local Apprenticeship office for more information. For a listing of Apprenticeship offices, go to www.labor.ny.gov/apprenticeship/contactus.shtm.

Starting a business: the Self Employment Assistance Program

The Self Employment Assistance Program allows you to start your own business while collecting Unemployment Insurance benefits. **Important: To be eligible for this program, you must be identified by us as likely to exhaust benefits and you must have 13 or more weeks of benefits left on your claim.**

You must meet program requirements and receive **written acceptance** into the Self Employment Assistance Program before you can start or operate your own business while collecting benefits.

For more information, contact your local Career Center. To find your closest Career Center, go to www.labor.ny.gov, or call the Department of Labor Contact Center at 1-888-4-NYSDOL (1-888-469-7365).

I lost my job due to foreign trade. What is Trade Adjustment Assistance?

If you lost your job directly or indirectly because of foreign trade, you may be eligible for Trade Adjustment Assistance. This assistance may include:

- Additional weekly benefits under Trade Readjustment Allowances;
- Paid training;
- Job search assistance; and
- Relocation allowances.

If you do not have a high school diploma, you may be eligible to get a high school equivalency degree while receiving Unemployment Insurance. If you have limited English skills, you also may be approved for training.

*To reach the Telephone Claims Center from within New York State, please call 1-888-209-8124; from outside New York State 1-877-358-5306. TTY/TDD/Video Relay Service users please call 1-888-783-1370.

To be eligible for these benefits, the United States Department of Labor must certify that foreign trade was an important reason that you lost your job. Your employer, the New York State Department of Labor, your union or you must file a petition to get this certification. You can get a petition form from your local Career Center or online at www.doleta.gov/tradeact/petitions.cfm. The petition must be filed with the United States Department of Labor within one year of the date you lost your job.

Important: You must meet certain deadlines to qualify for some of these benefits.

Contact your local Career Center for information about the services you may be able to get under this program. To find your closest Career Center, go to www.labor.ny.gov or call the Department of Labor Contact Center at 1-888-4-NYSDOL (1-888-469-7365).

It's unlikely I'll be able to find another job in my old industry or occupation. What are "dislocated worker" services?

A "dislocated worker" is someone who lost their job due to one of the following situations:

- You were terminated or laid off from your job, are eligible for Unemployment Insurance benefits and are identified by us as unlikely to return to your previous industry or occupation;
- You lost your job as a result of a plant closing or substantial layoff;
- You have been unemployed for a long time and are unlikely to get another job in the same or similar occupation; or
- You were self-employed and are unemployed due to general economic conditions or a natural disaster.

You may also be considered a dislocated worker if you have been away from the labor force for many years. For example: you were a full-time homemaker and you must now return to the labor force because you have lost your source of income.

As a dislocated worker, you may be eligible for retraining and other services. Contact your local Career Center for information about services available under this program. To find your closest Career Center, go to www.labor.ny.gov or call the Department of Labor Contact Center at 1-888-4-NYSDOL (1-888-469-7365).

What if I worked outside of New York State?

If you worked in New York and in one or more other states, you must tell the Telephone Claims Center.* If you have not worked in New York State in the last 18 months, you must file your claim with one of the states where you worked. Call the Telephone Claims Center* to find out how to file a claim with another state.

What if I plan to move out of New York State?

The Telephone Claims Center* can tell you how to transfer your claim. After you enter your Social Security number and PIN, select the option to change your name or address.

You must also update your contact information for your Unemployment Insurance benefits payment method. Direct Deposit users should contact their bank. Direct Payment Card users should contact Chase Customer Service at 1-877-221-1634.

*To reach the Telephone Claims Center from within New York State, please call 1-888-209-8124; from outside New York State 1-877-358-5306. TTY/TDD/Video Relay Service users please call 1-888-783-1370.

It is against the law for any employer to force you to give up your rights to file for Unemployment Insurance benefits.

Unemployment Insurance benefits are taxable

Unemployment Insurance benefits are subject to federal, New York State and local taxes. You can have federal and/or state tax withheld from your Unemployment Insurance benefits. If you do not, you may end up owing taxes at the end of the year. If you decide to have federal tax withheld, ten percent of your weekly benefit amount will be withheld. If you decide to have state tax withheld, 2.5 percent of your weekly benefit amount will be withheld. Federal and/or state tax will be withheld only after any mandatory deductions, such as child support payments, are made. Tax withholding is voluntary. You can stop or start the withholding at any time through your NY.GOV account at www.labor.ny.gov or by calling the Telephone Claims Center.* The Department of Labor cannot return any money withheld for taxes to you.

Year-end tax statement (Form 1099-G)

In early January, your tax statement (Form 1099-G) will be available. It will show the total Unemployment Insurance benefits paid to you during the calendar year and any taxes withheld. You can either print it out from your NY.GOV account, or you can call the Telephone Claims Center* (after you select your language, follow the prompts to obtain your 1099 form) to have a copy mailed to you. You will need the PIN you established when you filed your claim. Form 1099-G information is also sent to the federal Internal Revenue Service and to the New York State Department of Taxation and Finance.

If you have questions about federal taxes, call the Internal Revenue Service (IRS) at 1-800-829-1040 or visit www.irs.gov. If you have questions about state taxes, call the New York State Department of Taxation and Finance at 518-457-5181 or visit www.tax.ny.gov.

My employer paid me as an independent contractor and/or paid me off the books. What do I do?

It is against the law for any employer to force you to give up your rights to file for Unemployment Insurance benefits. No employer should tell you that you cannot claim benefits. Everyone has a right to file a claim. The Department of Labor alone will decide if you are eligible for benefits. It does not matter whether your employer considered you an independent contractor or an off-the-books worker. It does not matter whether you were paid in cash, check, part cash/part check or otherwise. You should always file for benefits when you become unemployed.

If you have been misclassified as an independent contractor or paid off the books, your wages may not appear on your Monetary Benefit Determination form. Please see page 9: *"If wages and/or employers are missing from your Monetary Benefit Determination notice."* You should complete and return the "Request for Reconsideration" form found at the back of this handbook.

If you know of other workers who have been misclassified, call the Employer Fraud Hotline at 1-866-435-1499 (24 hours) or the Unemployment Insurance Fraud Unit at 1-518-485-2144 from 8 a.m. to 4 p.m. We will keep your information private and you can remain anonymous.

*To reach the Telephone Claims Center from within New York State, please call 1-888-209-8124; from outside New York State 1-877-358-5306. TTY/TDD/Video Relay Service users please call 1-888-783-1370.

12. Definitions of important terms

Base Period: Four completed calendar quarters in which you must have been paid a minimum amount of wages to qualify for Unemployment Insurance benefits.

Basic Base Period: The first four of the last five completed calendar quarters before the calendar quarter in which your claim begins.

Alternate Base Period: The last four completed calendar quarters immediately before the calendar quarter in which your claim begins.

Benefit Rate: The benefit rate is the amount of money you receive if you are eligible for a full week of Unemployment Insurance benefits. It is calculated based on your base period employment and earnings.

Benefit Year: The benefit year is the one-year period that begins the Monday after the week you filed your original claim. You can be paid benefits for up to 26 weeks or the equivalent during your benefit year.

Benefit Year Ending Date: The benefit year ending date is the date your Unemployment Insurance claim ends. After the benefit year ending date, you can no longer collect Unemployment Insurance benefits on that claim. Your benefit year ending date is shown on documents that we mail to you. You can also find it through your online account at www.labor.ny.gov. If you were employed for part of your benefit year, but are unemployed after the benefit year ending date, you can file a new claim on our website or by calling the Telephone Claims Center.*

Certifying for Benefits: The process of claiming weekly benefits is also called certifying for benefits.

Claimant: Any person seeking Unemployment Insurance benefits.

Covered Employment: The law requires most employers to provide Unemployment Insurance coverage. The employer pays contributions to New York State, which are used to pay your benefits. There are a few types of work that are not covered by Unemployment Insurance. If your work was not covered, the Telephone Claims Center* will tell you so in a letter.

Dislocated Worker: A “dislocated worker” is someone who lost their job due to one of the following situations:

- You were terminated or laid off from your job, are eligible for Unemployment Insurance benefits and are identified by us as unlikely to return to your previous industry or occupation;
- You lost your job as a result of a plant closing or substantial layoff;
- You have been unemployed for a long time and are unlikely to get another job in the same or similar occupation; or
- You were self-employed and are unemployed due to general economic conditions or a natural disaster.

*To reach the Telephone Claims Center from within New York State, please call 1-888-209-8124; from outside New York State 1-877-358-5306. TTY/TDD/Video Relay Service users please call 1-888-783-1370.

You may also be considered a dislocated worker if you have been away from the labor force for a substantial number of years.

Effective Day: Each day in a week that you may qualify for benefits is called an effective day. There is a maximum of four effective days in each week. If you work while collecting Unemployment Insurance benefits, your benefits will be reduced by one effective day (the same as one-quarter of your benefit rate) for each day or partial day of work you perform in a week. **Important: You must report all work when you claim weekly benefits.**

599 Program: A program that allows you to attend school or training while receiving Unemployment Insurance benefits. The Department of Labor must approve the training before you begin it.

Forfeit Days: Forfeit days are days in the future when you are eligible to receive benefits, but cannot because you have forfeited your right to receive benefits for those days as a penalty.

Misconduct: Misconduct is any act or omission which you knew was not permitted on the job and which caused harm to the employer.

Monetary Benefit Determination: A notice that shows whether or not you have enough work to qualify for benefits. It shows your base period, benefit rate (if any) and employers and wages used to calculate the benefit rate. **Important: The Monetary Benefit Determination is not a decision on your eligibility for Unemployment Insurance benefits.** Other factors may determine your eligibility.

Overpayment: An overpayment occurs when you receive Unemployment Insurance benefits that you were not entitled to. In most cases, overpayments must be repaid to the Department of Labor.

Self Employment Assistance Program (also referred to as SEAP): The Self Employment Assistance Program allows certain people to start their own businesses while collecting Unemployment Insurance benefits. To be eligible for this program, you must be identified **by us** as likely to exhaust benefits and you must have 13 or more weeks of benefits left on your claim. You must request and receive **written acceptance** into this program from the Department of Labor before you can start or operate your own business while collecting benefits. For more information, contact your local Career Center. To find your closest Career Center, go to www.labor.ny.gov or call the Department of Labor Contact Center at 1-888-4-NYSDOL (1-888-469-7365).

TAA Program: The Trade Adjustment Assistance (Trade Act) program is a federal program that provides special benefits and services to workers who have lost their jobs as a result of foreign trade. Contact your local Career Center for more information. To find your closest Career Center, go to www.labor.ny.gov or call the Department of Labor Contact Center at 1-888-4-NYSDOL (1-888-469-7365).

Week of Employment: A Monday-through-Sunday time period in which you were paid wages for work in covered employment.

*To reach the Telephone Claims Center from within New York State, please call 1-888-209-8124; from outside New York State 1-877-358-5306. TTY/TDD/Video Relay Service users please call 1-888-783-1370.

Waiting Period or Week: The first full week you claim benefits is a waiting period or week. You will not receive Unemployment Insurance benefits for this week. After this waiting week, you will receive Unemployment Insurance for each week that you claim weekly benefits.

You must be ready, willing and able to work during this waiting week, just like any other week for which you want to receive Unemployment Insurance benefits. In addition, you must fulfill all work search and related record-keeping requirements. For more information, please see pages 18 - 22: *"What are the work search requirements?"*

If you work at all during the first week of your claim or do not serve a full waiting week for other reasons, the waiting period will extend into the next week(s).

Week Ending Date: The week ending date is the Sunday of the week for which you are claiming benefits.

Work Search Plan: A Work Search Plan is a formal agreement that is developed and signed by you and your Workforce Advisor at your local Career Center. This agreement spells out in writing exactly what type of work you are looking for, what work search activities you will do and how often you will do them, and the wages you must seek and accept if offered a job. The plan will also address any limitations or restrictions that may affect your job search. To find your closest Career Center, go to www.labor.ny.gov or call the Department of Labor Contact Center at 1-888-4-NYSDOL (1-888-469-7365).

*To reach the Telephone Claims Center from within New York State, please call 1-888-209-8124; from outside New York State 1-877-358-5306. TTY/TDD/Video Relay Service users please call 1-888-783-1370.

13. Appendix: Claimant Advocate Office

If you have read this handbook, called the Telephone Claims Center, and you still have questions about Unemployment Insurance or a specific issue, our Claimant Advocate Office can help. This free, impartial service is available to all claimants, especially those with limited English proficiency or other barriers.

A claimant advocate will help you one-on-one, explain the process and answer your questions about topics such as:

- Unemployment Insurance correspondence and documentation;
- How to proceed with a hearing;
- How to appeal a decision; and
- Your rights and responsibilities.

To contact us:

- Call toll-free: 1-(855) 528-5618 or
- Email us at UIClaimantAdvocateOffice@labor.ny.gov

Note: Please do not email your full Social Security Number.

When you call, please have ready:

- Your Social Security Number;
- A list of questions; and
- Any related documents.

We are open from 9 a.m. to 4 p.m., Monday through Friday. Services are available in approximately 200 languages.

Please Note: Our office staff are not lawyers, and they cannot represent you at a hearing. If you cannot afford to pay an attorney or a registered representative, you may be able to get free representation from a pro bono attorney or your local Legal Aid Society or legal services program. For a list of legal resources, including attorneys, registered representatives, legal services programs and pro bono attorneys' organizations, go to the Unemployment Insurance Appeal Board website at www.uiab.ny.gov. Click on the "Resources" tab and then click on "List of Attorneys & Authorized Agents." You may also request this list by calling 1-518-402-0205.

*To reach the Telephone Claims Center from within New York State, please call 1-888-209-8124; from outside New York State 1-877-358-5306. TTY/TDD/Video Relay Service users please call 1-888-783-1370.

14. Forms

The following pages contain forms referenced throughout this document:

- A **Work Search Record** is used to record and document your work search efforts.
- A **Request for Reconsideration** form may be used to notify the Telephone Claims Center* that you disagree with information on your Monetary Benefit Determination notice.
- A **Request for Alternate Base Period** may be used to increase your benefit rate if your high quarter wages are in the Alternate Quarter.
- A **Request for Rate Based on Weeks of Employment** form and instructions.
- **Voter Registration** form. **Do not return this form to the Department of Labor.** A completed Voter Registration form must be returned to your local Board of Elections at the address listed on the instruction page.

*To reach the Telephone Claims Center from within New York State, please call 1-888-209-8124; from outside New York State 1-877-358-5306. TTY/TDD/Video Relay Service users please call 1-888-783-1370.



New York State Department of Labor

Work Search Record

For Week Ending: ____/____/____ (Use Sunday date)

Last Name: _____ First Name _____

NYS ID#: NY _____ or SS No: XXX-XX-_____
(Found at the top of appointment letters) (Last four digits only)

This form may be used to record your work search activities. Instructions are on the back. You can also use the Work Search Record on our JobZone website instead of this form. Simply click on the JobZone Work Search link when you claim weekly Unemployment Insurance benefits online.

Businesses/Employers Contacted: List jobs you have applied for, interviews you have attended, and businesses/employers you have contacted during the week shown above. All columns should be filled in to the best of your ability. Use additional sheets of paper if needed. The first row is an example.

Date of contact	Position applied for	Business/Employer name	Name and title of person contacted (if known)	Method of contact (In person, phone, fax, email, web site, etc.)	Contact information for method of contact listed (address, telephone number, email, website/URL, fax number,)	Result of contact (if known) (Interview, waiting for response, not hired)
1/2/2014	Clerk	ABC Industries	John Smith, HR Director	email	j.smith@abcinc.com	Set up interview

Work Search Activities: List things you did to find a job that were not business/employer contacts. See instructions on the back for suggested activities. The first row is an example.

Date of activity	Activity performed
1/3/2014	Attended a resume preparation workshop at the Career Center



New York State Department of Labor

Work Search Record Instructions

You must actively look for work while claiming Unemployment Insurance benefits. You must keep a Work Search Record for each week you claim benefits and be prepared to give a copy of that Record to the New York State Department of Labor when requested. We will check the information on the form with the contacts listed. If you knowingly give us false statements about your work search activities, it is considered fraud and you may be denied Unemployment Insurance benefits.

You must do at least **three** work search activities each week, unless you have a Work Search Plan approved by the Department of Labor.* **The three activities must be done on different days of the week. They must include at least one activity from Work Search Activities 1-5 (below). Two more activities must be completed and may be selected from the nine activities listed.** This is the minimum criteria. You are encouraged to do more.

Work Search Activities: Work search activities may include, but are not limited to:

- | | | | |
|-----|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| (1) | Visiting a local Career Center and: <ul style="list-style-type: none">• Meeting with Career Center advisors;• Getting information from Career Center staff about jobs that may be available in a particular industry or region (obtaining job market information);• Working with Career Center staff to assess your skills and match them to possible occupations and jobs (skills assessments for occupation matching);• Participating in instructional workshops; and• Getting job referrals and job matches from the Career Center and following up with employers. | (6) | Applying for employment with former employer(s). |
| (2) | Visiting a job site and completing a job application in person with employers who may be reasonably expected to have openings. | (7) | Registering with and checking in with private employment agencies, placement services, unions, and placement offices of schools, colleges or universities, and/or professional organizations. |
| (3) | Submitting a job application and/or resume in response to a public notice or want ad or to employers who may reasonably be expected to have openings. | (8) | Using the telephone, business directories, internet, or online job-matching systems to search for jobs, get leads, request referrals, or make appointments for job interviews. |
| (4) | Attending job search seminars, scheduled career networking meetings, job fairs, or employment-related workshops that offer instruction to improve job-hunting skills. | (9) | Applying and/or registering for and taking Civil Service Examination(s) for government job openings. |
| (5) | Interviewing with possible employers. | | |

Keep copies of your Work Search Records for one year. Do not send your Work Search Record to the Department of Labor unless we ask you to. You can get more forms at your local Career Center, online at www.labor.ny.gov or in your Claimant Handbook. You may also keep your work search record online at www.jobzone.ny.gov.

*If you have a Work Search Plan approved by the Department of Labor, you must do what was agreed upon in the plan, and record those activities on the Work Search Record. We will check your Work Search Record to be sure you are doing what is called for in your Work Search Plan.



NEW YORK STATE
DEPARTMENT OF LABOR
PO Box 15130
ALBANY, NY 12212-5130

UNEMPLOYMENT INSURANCE Request for Reconsideration

IMPORTANT!

This form must be received within 30 calendar days from the Date Mailed of your last Monetary Benefit Determination. **Please print clearly. If you do not, we cannot process this form.**

Please Print
Clearly

LAST NAME: _____ FIRST NAME: _____ MIDDLE INITIAL: _____

ADDRESS: _____

CITY: _____ STATE: _____ ZIP CODE: _____

CLAIM EFFECTIVE / START DATE: ____ / ____ / ____ SOCIAL SECURITY #: XXX - XX - _____

Form Requirements



To correct wages and/or add wages not reflected on your Monetary Benefit Determination, follow the instructions below.

- Complete the employer and quarterly wage information below using black or blue ink.
- Include any documentation that could be considered proof of employment and wages such as pay stubs, W-2s, 1099s, vouchers, checks, tips, bonuses, meals, lodging, commissions, vacation pay and records of employment and/or payment.
- Do not send originals; photocopy all supporting documentation onto 8½ x 11 single-sided paper.
- Write your name, the last four digits of your Social Security number and your phone number on each attachment.
- If you received worker's compensation, include a copy of your most recent C8 Form.
- This completed form and all attachments must be received within the timeframe noted above in the IMPORTANT! message. **Please print clearly.**

Employer Information

Please print clearly. Attach an additional page if you have information for more than (3) three employers.

EMPLOYER: _____

ADDRESS: _____

CITY: _____ STATE: _____ ZIP: _____

If work was performed outside New York State, indicate state: _____

Basic or Alternate Base Period Total Quarterly Gross Wages

Write in the total quarterly gross wages for each employer / quarter indicated. Refer to your most recent Monetary Benefit Determination for assistance.

QUARTER	__/__/__ - __/__/__	\$																		
QUARTER	__/__/__ - __/__/__	\$																		
QUARTER	__/__/__ - __/__/__	\$																		
QUARTER	__/__/__ - __/__/__	\$																		
QUARTER	__/__/__ - __/__/__	\$																		
	MM DD YYYY MM DD YYYY																			

EMPLOYER: _____

ADDRESS: _____

CITY: _____ STATE: _____ ZIP: _____

If work was performed outside New York State, indicate state: _____

QUARTER	__/__/__ - __/__/__	\$																		
QUARTER	__/__/__ - __/__/__	\$																		
QUARTER	__/__/__ - __/__/__	\$																		
QUARTER	__/__/__ - __/__/__	\$																		
QUARTER	__/__/__ - __/__/__	\$																		
	MM DD YYYY MM DD YYYY																			

EMPLOYER: _____

ADDRESS: _____

CITY: _____ STATE: _____ ZIP: _____

If work was performed outside New York State, indicate state: _____

QUARTER	__/__/__ - __/__/__	\$																		
QUARTER	__/__/__ - __/__/__	\$																		
QUARTER	__/__/__ - __/__/__	\$																		
QUARTER	__/__/__ - __/__/__	\$																		
QUARTER	__/__/__ - __/__/__	\$																		
	MM DD YYYY MM DD YYYY																			

Acknowledgment

I certify that the above information is true to the best of my knowledge and I am aware that there are penalties for making false statements. I understand I will be notified of the results of my request.

Signature Required

Date

Area Code

Telephone Number

Return Instructions

This notice and all attachments must be received within the timeframe noted above in the IMPORTANT! message.



FAX: 518-457-9378
This notice is your cover page.
Indicate total # of pages _____

OR



MAIL: New York State Department of Labor
P.O. Box 15130
Albany, NY 12212-5130



Claim your weekly benefits on the web or
by calling Tel-Service.



For additional information visit
our website: www.labor.ny.gov



For assistance, review your
claimant handbook.



NEW YORK STATE
DEPARTMENT OF LABOR
P. O. Box 15130
ALBANY, NY 12212-5130

IMPORTANT!

This form must be received within ten calendar days from the Date Mailed of your last Monetary Benefit Determination. **Please print clearly. If you do not, we cannot process this form.**

UNEMPLOYMENT INSURANCE Request for Alternate Base Period

Please Print Clearly

LAST NAME: _____ FIRST NAME: _____ MIDDLE INITIAL: _____
ADDRESS: _____
CITY: _____ STATE: _____ ZIP CODE: _____
CLAIM EFFECTIVE/START DATE: ____ / ____ / ____ SOCIAL SECURITY #: XXX - XX - _____

Form Requirements

If you wish to use the Alternate Base Period to increase your weekly benefit rate:



- Complete the steps below using black or blue ink.
- Include any documentation that could be considered proof of employment and wages such as pay stubs, W-2s, 1099s, vouchers, checks, tips, bonuses, meals, lodging, commissions, vacation pay and records of employment and/or payment.
- Photocopy all supporting documentation onto 8½ x 11 single-sided paper. Do not send originals.
- Write your name, the last four digits of your Social Security number and your phone number on each attachment.
- This completed form and all attachments must be received within the time frame noted above in the IMPORTANT! message. **Please print clearly.**



If the wages in your last completed calendar quarter exceed the "High Quarter Wages" on your Monetary Benefit Determination, use of the Alternate Base Period may increase your benefit rate. If you choose the Alternate Base Period to establish a claim, you will not be able to use these wages for a future claim.

Step 1 Last Calendar Quarter Information

The last completed calendar quarter prior to your claim effective/start date is ____ / ____ / ____ through ____ / ____ / ____
Month Day Year Month Day Year

Refer to your Monetary Benefit Determination for calendar quarter dates and compare the Alternate Base Period Quarter wages with your records, then check the appropriate box below and proceed to the "Step" indicated.

- ☐ The Alternate Base Period Quarter Wages are incorrect or missing. (Proceed to Step 2)
☐ The Alternate Base Period Quarter Wages are correct. (Proceed to Step 3)

Step 2 Wage Information

Complete the information below, include proof of wages and attach an additional page if you have information for more than (3) three employers.

EMPLOYER NAME: _____	QUARTERLY GROSS WAGES \$ _____
EMPLOYER ADDRESS: _____	
CITY: _____ STATE: ____ ZIP: _____	If work was performed outside New York State, indicate state _____
EMPLOYER NAME: _____	QUARTERLY GROSS WAGES \$ _____
EMPLOYER ADDRESS: _____	
CITY: _____ STATE: ____ ZIP: _____	If work was performed outside New York State, indicate state _____
EMPLOYER NAME: _____	QUARTERLY GROSS WAGES \$ _____
EMPLOYER ADDRESS: _____	
CITY: _____ STATE: ____ ZIP: _____	If work was performed outside New York State, indicate state _____

Step 3 Acknowledgment

I certify that the above information is true to the best of my knowledge and I am aware that there are penalties for making false statements. I understand if I use the Alternate Base Period, these wages cannot be used for a future claim.

Signature Required Date Area Code Telephone Number

Step 4 Return Instructions

This notice and all attachments must be received within the time frame noted above in the IMPORTANT! message.



FAX: 518-457-9378
This notice is your cover page.
Indicate total # of pages ____.

OR



MAIL: New York State Department of Labor
P.O. Box 15130
Albany, NY 12212-5130



Claim your weekly benefits on the web or by calling Tel-Service.



For additional information visit our website: www.labor.ny.gov



For assistance, review your claimant handbook.



New York State Department of Labor
PO Box 15130
Albany, NY 12212-5130

Request for Rate Based on Weeks of Employment

To request a benefit rate based on weeks of employment, you must complete this form and return it to the above Department of Labor address with a copy of your proof of employment and earnings for each week of employment for the base period indicated below. It must be received within ten calendar days of your latest Monetary Benefit Determination. Do not send the originals of your supporting payroll documents as they cannot be returned. Your Request for Rate Based on Weeks of Employment cannot be processed until all Requests for Reconsideration have been reviewed and the establishment of your base period has been finalized. You will be notified of the action taken regarding your request within three weeks of receipt.

Complete only the front of this form if you have worked for one employer or you have worked for two or more employers consecutively. If you worked during the same week(s) for two or more employers, complete the worksheet on the back of this form first and transfer the appropriate information to the front of the form. If you have more than seven employers during the base period, list the information on a separate sheet of paper and attach it to this form.

Please print clearly

Last Name: _____ First name: _____ Middle Initial: _____

Address: _____

City: _____ State: _____ Zip: _____

Social Security Number: XXX - XX - ____

Base Period: From: _____ **Through:** _____

(Enter these dates from the previously issued T402, Monetary Benefit Determination)

A. Employer Name and Address	B. Length of Pay Period: i.e. weekly, bi-weekly, etc	C. Total Weeks Paid During Base Period	D. Total Wages Paid During Base Period
1.			\$
2.			\$
3.			\$
4.			\$
5.			\$
6.			\$
7.			\$
E. Total Weeks & Wages During the Base Period			\$
F. Total Weeks Worked From Concurrency Worksheet (on back)			

G. Recomputation Formula:

1. Divide the total wages by total weeks (the lesser of **E** or **F**) to calculate the average weekly wage. \$ _____
2. Divide the average weekly wage by 2 to arrive at your proposed rate based on weeks and wages. The rate cannot exceed \$420. \$ _____
3. Enter your current benefit rate from your last T402 Monetary Benefit Determination form \$ _____
4. Subtract line 3 from line 2. This amount must be \$5 or more to receive the recomputed rate based on weeks and wages. \$ _____

Certification: I certify that all information and records submitted are true and accurate. I understand that this information is subject to verification and penalties can be imposed for false statements.

Signature: _____ Date: _____ Telephone No.: _____

Concurrency Worksheet

SS# XXX-XX-____ NAME _____
Base Period: From ____/____/____ Thru ____/____/____

[illegible]

PHOTOCOPY THIS FORM IF YOU WORKED FOR MORE THAN 7 EMPLOYERS DURING YOUR BASE PERIOD

INSTRUCTIONS:

1. *List all week ending dates (Sunday) for your entire base period. See **T402 – Monetary Benefit Determination** for dates of your base period.
2. Enter a check mark (✓) in the chart above for each week in which you worked for each base period employer.
3. Total the number of weeks for each employer and enter on the front of this form with the wages for each employer.
4. Using chart above, count each week for which you have entered a checkmark. Count each week only once even if you have more than one **checkmark for that week**. This will be your total weeks of employment in your base period. Enter this amount here and on "Total Weeks Worked from Concurrence Worksheet," line "F" on the front of this form.

Photocopy and enclose proof of employment for all weeks worked for each employer. ***Do not send original documents.***

Instructions for Request for Rate Based on Weeks of Employment

Your entitlement to benefits and a weekly benefit rate have been established based upon a formula using your high calendar quarter(s) earnings in your base period. Depending on your employment history, you may qualify for a higher weekly benefit rate based upon one-half of your average weekly wage. To request a review of your weekly benefit rate, all of the following must apply:

- Your request must be received within ten calendar days of the date of your latest Monetary Benefit Determination form.
- The establishment of your base period has been finalized.
- You must have at least 20 weeks of employment in your base period. A week of work is defined as a Monday through Sunday period during which you were paid remuneration for employment for an employer covered under the New York State Unemployment Insurance Law.
- You must provide proof of **all** of your base period weeks of employment and wages. Acceptable proof includes paycheck stubs, payroll envelopes or cancelled checks. Your proof must show name of employer, pay period/date of payment, wages and your name and/or Social Security Number. In no event may the benefit rate calculated based on your acceptable proof be more than the maximum benefit rate currently in effect.
- The benefit rate based on one-half of your average weekly wage must be at least **\$5.00** more than the weekly benefit amount based on the quarterly earnings formula as reported on your latest Monetary Benefit Determination form.

The Request for Rate Based on Weeks of Employment is separate from a Request for Reconsideration. The Request for Reconsideration is discussed in Section 4 of the claimant handbook: "How much will I receive in benefits each week?" A Request for Rate Based on Weeks of Employment cannot be made until you finalize the base period to utilize and a determination has been issued on any Request for Reconsideration.

On the reverse side is an example of a completed Request for Rate Based on Weeks of Employment form. The example assumes a benefit claim filed in the 4th quarter of 2013 and wages employers reported to the New York State Wage Reporting system within the basic base period July 1, 2012 through June 30, 2013.

Employer	Wages				Base Period
	2/2013	1/2013	4/2012	3/2012	
Good Construction Company Inc.	\$5,000	\$6,594	\$7,812	\$1,375	\$20,781
Better Construction Company Inc.	\$640				\$640
Best Construction Company Inc.				\$6,440	\$6,440
Total	\$5,640	\$6,594	\$7,812	\$7,815	\$27,861

The rate based on one twenty-sixth ($1/26$) of the high quarter wages is \$300. For those with \$3,575 or less wages in the high quarter, the weekly benefit rate is based on one twenty-fifth ($1/25$).

The rate based on weekly employment and wages data as evidenced by acceptable proof is \$309. (See calculations on page 2 of the instructions.)

Note: If you worked for more than one employer in the same week for one or more weeks, you must first complete the Concurrency Worksheet on the back of the Request for Rate Based on Weeks of Employment form. In the example below, the total weeks on line **F** are less than the sum of the weeks as shown on line **E** due to concurrent employment in the base period.

Example – Request for Rate Based on Weeks of Employment

A. Employer Name and Address	B. Length of Pay Period: i.e. weekly, bi-weekly, etc.	C. Total Weeks Paid During Base Period	D. Total Wages Paid During Base Period
1. Good Construction Inc. Anytown, NY 10101	Bi-weekly	43	\$ 20,781.00
2. Better Construction Inc. Anytown, NY 10101	Bi-weekly	2	\$ 640.00
3. Best Construction Inc. Anytown, NY 10101	Weekly	8	\$ 6,440.00
4.			
5.			
6.			
7.			
E. Total weeks and wages worked during the base period		53	\$ 27,861.00
F. Total weeks worked from Concurrency Worksheet		45	

G. Recomputation Formula Example

- | | |
|----------------------------------------------------------------------------------------------------------------------------------------|----------|
| 1. Divide the total wages by total weeks (the lesser of line E or F) to calculate the average weekly wage. | \$619.13 |
| 2. Divide the average weekly wage by 2 to arrive at your proposed rate based on weeks and wages.
The rate cannot exceed \$420. | \$309.57 |
| 3. Enter your current benefit rate from your last T302 Monetary Benefit Determination form. | \$300.00 |
| 4. Subtract line 3 from line 2. This amount must be \$5 or more to receive the recomputed rate based on weeks and wages. | \$9.57 |

Example

Example	1	2	3	4	5	6	7	8	9	*	40	41	42	43	44	45	46	47	48	49	50	51	52
Weeks →																							
Employer ↓	7/1/12	7/8/12	7/15/12	7/22/12	7/29/12	8/5/12	8/12/12	8/19/12	8/26/12		4/1/13	4/8/13	4/15/13	4/22/13	4/29/13	5/6/13	5/13/13	5/20/13	5/27/13	6/3/13	6/10/13	6/17/13	6/24/13
A				✓	✓	✓	✓	✓	✓	-	✓	✓	✓	✓			✓	✓	✓	✓	✓	✓	✓
B										-										✓	✓		
C	✓	✓		✓	✓	✓	✓	✓	✓	-													
Etc.										-													
			x												x	x							

Key:	
X	= No work available
*	= Weeks 10-39: Worked 26 weeks for employer "A"

Gross Weeks	53
Concurrent Weeks	8
Net Weeks	45

Instructions for Voter Registration Form

1. Fill out the Voter Registration form that immediately follows this instruction sheet.
2. Carefully tear it out of this booklet and put it in an envelope. Be sure to include your return address and correct postage.
3. Mail to the County Board of Elections in the county in which you live (see list at bottom of this page). ***Do not mail this form to the Department of Labor! We cannot process it and will have to return it to you. This will delay your registration.***

New York City
32 Broadway, 7th Fl.
New York, NY 10004
(212) 487-5300

Albany
32 North Russell Road
Albany, NY 12206
(518) 487-5060

Allegany
6 Schuyler St.
Belmont, NY 14813
(585) 268-9294

Broome
Government Plaza
60 Hawley St.
PO Box 1766
Binghamton, NY 13902
(607) 778-2172

Cattaraugus
302 Court St.
Little Valley, NY 14755
(716) 938-2400

Cayuga
157 Genesee St.
(Basement)
Auburn, NY 13021
(315) 253-1285

Chautauqua
7 North Erie St.
Mayville, NY 14757
(716) 753-4580

Chemung
378 South Main St.
PO Box 588
Elmira, NY 14902
(607) 737-5475

Chenango
5 Court St.
Norwich, NY 13815
(607) 337-1760

Clinton
Cnty Government Ctr.
Ste. 104
137 Margaret St.
Plattsburgh, NY 12901
(518) 565-4740

Columbia
401 State St.
Hudson, NY 12534
(518) 828-3115

Cortland
112 River St.
Suite 1
Cortland, NY 13045
(607) 753-5032

Delaware
3 Gallant Ave.
Delhi, NY 13753
(607) 746-2315

Dutchess
47 Cannon St.
Poughkeepsie, NY 12601
(845) 486-2473

Erie
134 W. Eagle St.
Buffalo, NY 14202
(716) 858-8891

Essex
7551 Court St.
PO Box 217
Elizabethtown, NY 12932
(518) 873-3474

Franklin
355 West Main St.
Ste. 161
Malone, NY 12953
(518) 481-1663

Fulton
2714 St. Hwy 29
Ste. 1
Johnstown, NY 12095
(518) 736-5526

Genesee
County Building #1
15 Main St.
PO Box 284
Batavia, NY 14021
(585) 344-2550

Greene
411 Main St.
Ste. 437
Catskill, NY 12414
(518) 719-3550

Hamilton
Rte. 8
PO Box 175
Lake Pleasant, NY 12108
(518) 548-4684

Herkimer
109 Mary St.
Ste. 1306
Herkimer, NY 13350
(315) 867-1102

Jefferson
175 Arsenal St.
Watertown, NY 13601
(315) 785-3027

Lewis
7660 N. State St.
Lowville, NY 13367
(315) 376-5329

Livingston
County Govt. Ctr.
6 Court St.
Room 104
Geneseo, NY 14454
(585) 243-7090

Madison
County Office Bldg.
N. Court St.
PO Box 666
Wampsville, NY 13163
(315) 366-2231

Monroe
39 Main St. W.
Rochester, NY 14614
(585) 753-1550

Montgomery
Old Courthouse
9 Park St.
PO Box 1500
Fonda, NY 12068
(518) 853-8180

Nassau
240 Old Country Rd.
5th Fl.
Mineola, NY 11501
(516) 571-2411

Niagara
111 Main St.
Ste. 100
Lockport, NY 14094
(716) 438-4040

Oneida
Union Station
321 Main St.
3rd Fl.
Utica, NY 13501
(315) 798-5765

Onondaga
1000 Erie Blvd West
Syracuse, NY 13204
(315) 435-3312

Ontario
74 Ontario St.
Canandaigua, NY 14424
(585) 396-4005

Orange
25 Court Lane
PO Box 30
Goshen, NY 10924
(845) 291-2444

Orleans
County Admin. Bldg.
14012 State Rte. 31
Albion, NY 14411
(585) 552-3274

Oswego
185 E. Seneca St.
Box 9
Oswego, NY 13126
(315) 349-8350

Otsego
Ste. 2
140 County Hwy. 33W
Cooperstown, NY 13326
(607) 547-4247

Putnam
25 Old Route 6
Carmel, NY 10512
(845) 808-1300

Rensselaer
Ned Pattison
Government Ctr.
1600 Seventh Ave.
Troy, NY 12180
(518) 270-2990

Rockland
11 New Hempstead Rd.
New City, NY 10956
(845) 638-5172

St. Lawrence
48 Court St.
Canton, NY 13617
(315) 379-2202

Saratoga
50 W. High St.
Ballston Spa, NY 12020
(518) 885-2249

Schenectady
388 Broadway, Ste. E
Schenectady, NY 12305
(518) 377-2469

Schoharie
County Office Bldg.
284 Main St.
PO Box 99
Schoharie, NY 12157
(518) 295-8388

Schuyler
County Office Bldg.
105 9th St., Unit 13
Watkins Glen, NY 14891
(607) 535-8195

Seneca
One DiPronto Dr.
Waterloo, NY 13165
(315) 539-1760

Steuben
3 E. Pulteney Sq.
Bath, NY 14810
(607) 664-2260

Suffolk
Yaphank Ave.
PO Box 700
Yaphank, NY 11980
(631) 852-4500

Sullivan
Gov't. Ctr.
100 North St.
PO Box 5012
Monticello, NY 12701
(845) 807-0400

Tioga
County Office Bldg.
56 Main St.
Owego, NY 13827
(607) 687-8261

Tompkins
Court House Annex
128 E. Buffalo St.
Ithaca, NY 14850
(607) 274-5522

Ulster
284 Wall St.
Kingston, NY 12401
(845) 334-5470

Warren
Cnty. Municipal Ctr.
3rd Floor
Human Serv. Bldg
1340 St. Rte. 9
Lake George, NY 12845
(518) 761-6456

Washington
383 Broadway
Fort Edward, NY 12828
(518) 746-2180

Wayne
7376 State Rte. 31
PO Box 636
Lyons, NY 14489
(315) 946-7400

Westchester
25 Quarropas St.
White Plains, NY 10601
(914) 995-5700

Wyoming
4 Perry Ave.
Warsaw, NY 14569
(585) 786-8931

Yates
Ste. 1124
417 Liberty St.
Penn Yan, NY 14527
(315) 536-5135

NYS Agency-Based Voter Registration Form



"If you are not registered to vote where you live now, would you like to apply to register here today?"

- ☐ **YES** (If you check yes, please complete **VOTER REGISTRATION APPLICATION** at bottom of page)
☐ **NO** because I choose not to register OR
☐ I am already registered at my current address OR
☐ I asked for and received a mail registration form.

If you do not check any box, you will be considered to have decided not to register to vote at this time.

(Signature) _____

(Date) _____

(Please Print Name) _____

Important!

Applying to register or declining to register to vote will not affect the amount of assistance that you will be provided by this agency.

If you would like help filling out the voter registration application form, we will help you. The decision whether to seek or accept help is yours. You may fill out the application form in private.

Información en español: si le interesa obtener este formulario en español, llame al 1-800-367-8683

中文資料: 若您有興趣索取中文資料表格, 請電: 1-800-367-8683

한국어: 한국어 양식을 원하시면 1-800-367-8683 으로 전화 하십시오.

যদি আপনি এই ফর্মটি ইংরেজীতে পেতে চান তাহলে 1-800-367-8683 নম্বরে ফোন করুন

VOTER REGISTRATION APPLICATION (instructions on back)

NVRA-05 (07/2012)

☐ Yes, I need an application for an Absentee Ballot

Please print or type in blue or black ink

☐ Yes, I would like to be an Election Day worker

1	Are you a U. S. citizen? Yes <input type="checkbox"/> No <input type="checkbox"/>		2	Will you be 18 years old on or before election day? Yes <input type="checkbox"/> No <input type="checkbox"/> If you answered NO, do not complete this form unless you will be 18 by the end of the year.		For Board use only!
	If you answered NO, do not complete this form.					
3	Last Name	First Name	Middle Initial	Suffix		
4	Address where you live (do not give P.O. address)		Apt. No.	City/Town/Village		Zip Code County
5	Address where you get your mail (if different from above)		P.O. Box, star route, etc.	Post Office		Zip Code
6	Date of Birth	7	Sex (circle) M <input type="checkbox"/> F <input type="checkbox"/>	8	Home Tel. Number (optional)	
10	The last year you voted	Your Address was (give house number, street and city)		9	ID Number—Check the applicable box and provide your number: <input type="checkbox"/> New York DMV number _____ If you do not have a New York DMV number, please provide: <input type="checkbox"/> Last four digits of your Social Security Number _____ <input type="checkbox"/> I do not have a New York Driver's license number	
	In county/state	Under the Name (if different from your name now)				
11	Choose a party -- Check one box only <input type="checkbox"/> Democratic Party <input type="checkbox"/> Republican Party <input type="checkbox"/> Conservative Party <input type="checkbox"/> Working Families Party <input type="checkbox"/> Independence Party <input type="checkbox"/> Green Party <input type="checkbox"/> Other (write in) _____ <input type="checkbox"/> I do not wish to enroll in a party		12	AFFIDAVIT: I swear or affirm that • I am a citizen of the United States. • I will have lived in the county, city or village for at least 30 days before the election. • I will meet all requirements to register to vote in New York State. • This is my signature or mark on the line below. • The above information is true, I understand that if it is not true, I can be convicted and fined up to \$5,000 and/or jailed for up to four years. _____ (Signature or Mark in Ink) (Date)		

(Optional) Register to donate your organs and tissues

Last Name _____
 First Name _____
 Middle Initial _____ Suffix _____
 Address _____
 Apt Number _____ Zip Code _____
 City _____
 Birth Date _____ Sex ☐ M ☐ F
 Eye Color _____ Height _____ Ft. _____ In.

By signing below, you certify that you are:

- 18 years of age or older
- Consent to donate all of your organs and tissues for transplantation, research, or both;
- Authorizing the Board of Elections to provide your name and identifying information to DOH for enrollment in the Registry;
- And authorizing DOH to allow access to this information to federally regulated organ procurement organizations and NYS-licensed tissue and eye banks and hospitals upon your death.



Sign

Date

Qualifications for Registration

You Can Use This Form To:

- register to vote in New York State;
- change your name and/or address, if there is a change since you last voted;
- enroll in a political party or change your enrollment.

To Register You Must:

- be a U.S. citizen;
- be 18 years old by December 31 of the year in which you file this form (note: You must be 18 years old by the date of the general, primary, or other election in which you want to vote.);
- be a resident of the County, or of the City of New York at least 30 days before an election;
- not be in jail or on parole for a felony conviction; and
- not claim the right to vote elsewhere.

Important!

If you believe that someone has interfered with your right to register or to decline to register to vote, your right to privacy in deciding whether to register or in applying to register to vote, or your right to choose your own political party or other political preference, you may file a complaint with:

NYS Board of Elections
40 North Pearl St, Suite 5
Albany, NY 12207-2729
Telephone: 1-800-469-6872;

TDD/TTY users contact the New York State Relay at 711;
or visit our web site - www.elections.ny.gov

Your decision to register will remain confidential and will be used only for voter registration purposes. Anyone not choosing to register to vote and/or information regarding the office to which the application was submitted will remain confidential, to be used only for voter registration purposes.

Verifying your identity

We will try to check your identity before Election Day, through the **DMV number (driver's license number or non-driver ID number)**, or the **last four digits of your social security number**, which you will fill in Box 9.

If you do not have a **DMV or Social Security number**, you may use a valid photo ID, a current utility bill, bank statement, pay-check, government check or some other government document that shows your name and address. You may include a copy of one of those types of ID with this form.

If we are unable to verify your identity before Election Day, you will be asked for ID when you vote for the first time.

To complete this form:

It is a crime to procure a false registration or to furnish false information to the Board of Elections.

Box 9: You must make one selection. For questions refer to *Verifying your identity* above.

Box 10: If you have never voted before, write "None". If you can't remember when you last voted, put a question mark (?). If you voted before under a different name, put down that name. If not, write "Same".

Box 11: Check one box only. To vote in a primary election, you must be enrolled in one of these listed parties — Except the Independence Party, which permits non-enrolled voters to participate in certain primary elections.

EQUAL OPPORTUNITY is THE LAW

It is against the law for all recipients of Federal financial assistance to discriminate on the following basis:

Against any individual in the United States, on the basis of race, color, religion, sex, national origin, age, disability, political affiliation or belief; and against any beneficiary of programs financially assisted under Title I of the Workforce Investment Act of 1998 (WIA), on the basis of the beneficiary's citizenship/status as a lawfully admitted immigrant authorized to work in the United States, or his or her participation in any WIA Title I-financially assisted program or activity. The recipient must not discriminate in any of the following areas: Deciding who will be admitted, or have access, to any WIA Title I-financially assisted program or activity; providing opportunities in, or treating any person with regard to such a program or activity; or making employment decisions in the administration of, or in connection with such a program or activity.

What to Do If You Believe You Have Experienced Discrimination

If you think you have been subjected to discrimination under a WIA Title I-financially assisted program or activity, you may file a complaint within 180 days from the date of the alleged violation with either:



Director

Division of Equal Opportunity Development
New York State Department of Labor
State Office Campus, Building 12, Room 540
Albany, New York 12240

PHONE: (518) 457-1984
(TDD) 1-800-662-1220
(VOICE) 1-800-421-1220

or you may file a complaint directly with:

Director

Civil Rights Center (CRC)
U.S. Department of Labor
200 Constitution Avenue, NW
Room N-4123
Washington, D.C. 20210

If you file your complaint with the recipient, you must wait either until the recipient issues a written Notice of Final Action, or until 90 days have passed (whichever is sooner), before filing with the Civil Rights Center (see address above). If the recipient does not give you a written Notice of Final Action within 90 days of the day on which you filed your complaint, you do not have to wait for the recipient to issue that Notice before filing a complaint with CRC. However, you must file your CRC complaint within 30 days of the 90-day deadline (in other words, within 120 days after the day on which you filed your complaint with the recipient). If the recipient does give you a written Notice of Final Action on your complaint, but you are dissatisfied with the decision or resolution, you may file a complaint with CRC. You must file your CRC complaint within 30 days of the date on which you received the Notice of Final Action.

