

# Applying for Unemployment Insurance

## What is Unemployment Insurance?

The Unemployment Insurance Program provides temporary income to workers who lose their jobs through no fault of their own. Unemployment Insurance Benefits can be up to \$405 a week, depending on your earlier wages. Benefits are paid for up to 26 weeks. You also may be able to apply for Extended Benefits, which provides up to 67 weeks of additional benefits.

## Am I Eligible?

To be eligible for Unemployment Insurance Benefits, You must have earned enough wages in your “base period.” Figuring out whether you have earned enough in the base period is complicated, so the safe thing to do is to apply if you are not sure. However, here is an outline of the eligibility rules. Your base period consists of four complete calendar quarters. The calendar quarters for each year are January-March, April-June, July-September, and October-December. A quarter must have passed before it is considered complete.

You can choose the base period that is most favorable to you. Your base period is either:

- the first four of the five most recently completed quarters, or
- the four most recently completed quarters.

To be eligible for benefits, you must meet the following requirements:

1. You must have earned at least \$1600 in one of the quarters in your base period;
2. You must have earned some wages in at least two quarters in your base period;
3. Your total wages in the base period must equal at least one and one-half times the wages you earned in

the quarter when you earned the most—if you earned \$2,000 in your best quarter, you must have earned \$3,000 in the whole base period.

In addition to the earnings requirement, you must meet certain general requirements.

1. You must be ready, willing, and able to work.
2. If you quit your last job, you must have had “good cause” (a good reason). Examples are health problems caused by working conditions, physical illness, or disability; and sexual harassment.
3. You must not have been fired for misconduct. For unemployment purposes, “misconduct” is doing things that are seriously harmful to your employer’s interests and that violate reasonable standards of behavior. Making a mistake at work should not be misconduct.

If you meet the eligibility requirements, you have a legal right to Unemployment Insurance Benefits.

## What Will My Benefits Be?

Your weekly benefit will be the higher of:

- 1/26 of the wages you earned in the highest-earning base period quarter. If you earned \$3,575 or less in your highest quarter, calculate 1/25 of the wages earned in that quarter;
- OR
- 1/2 of the average weekly wage during your base period.

If the second way of computing your benefits is better for you, you must apply for this method within 10 days of receiving notification that you are eligible.

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## How Do I Apply?

To apply for Unemployment Insurance Benefits, call the Claims Center toll-free at (888)-209-8124. If you use TDD equipment, call a relay operator at (800) 662-1220 and instruct the operator to call the Telephone Claims Center at (888) 783-1370. The best times to call are Thursday and Friday afternoons.

You can also apply online at <https://ui.labor.state.ny.us/UBC/home.do> (English only).

It is important to apply as soon as possible after you lose your job because there is a one-week waiting period before you are entitled to receive benefits.

When you apply, have the following information with you: Social Security number, proof of employment (Record of Employment, pay stubs, most-recent W-2 forms), names and addresses of recent past employers, and driver's license/motor vehicle card. If you are not a U.S. citizen, you will also need your registration and work authorization card information.

If you do not speak or read English well, ask for an interpreter. The Telephone Claim Center offers Spanish, Russian, Cantonese, Mandarin, and Creole translation. If no translator is available, get a friend or family member to help. It is important to understand what is going on so that you provide the right information.

Make sure that all information provided is accurate. Do not say you were laid off if you quit or were fired. There are penalties for misrepresentation.

If there is a question about your eligibility, a Claims Examiner will interview you by telephone about your last job and how it ended. The Claims Examiner will also request information from your employer before making a decision on your application.

## If My Claim is Approved, When Will I Receive Benefits?

If your claim is approved, you will receive benefits through a Direct Payment Card or direct deposit into your checking account in three to four weeks. You will then receive weekly benefits as long as you continue to show you are making reasonable efforts to find a job. **In order to keep receiving benefits, you will need to certify by telephone on a weekly basis that you continue to be eligible for benefits.** The Unemployment Insurance program booklet explains how to certify for benefits.

## What Can I Do if My Application is Denied?

If your application is denied, you can appeal the decision and have a hearing before an Administrative Law Judge. Ask for an appeal by mailing a request for a hearing to the address on the notice you received. The appeal **must be received within 30 days** of the date the notice denying benefits was mailed to you. You will be mailed the date, time and place of the hearing. While you wait for your hearing, continue to recertify weekly by phone.

Hearings are informal and you are not required to have a lawyer, but generally people who are denied benefits are more likely to win their appeal if they have a lawyer or other representative. If you believe that your application was wrongly denied call for free assistance:

**Unemployment Action Center:** 212-998-6568

**Workers Defense League:** 212-627-1931

**Single Stop:** for locations and contact information, visit [www.singlestopusa.org/Locations/Northeast/NewYork.shtml](http://www.singlestopusa.org/Locations/Northeast/NewYork.shtml)

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**CDP - Urban Justice  
Center**

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