



## STOKES WAGNER

ATTORNEYS AT LAW

ATLANTA • ITHACA • LOS ANGELES • PITTSBURGH • SAN DIEGO • SAN FRANCISCO

### **NEW YORK UNEMPLOYMENT BENEFIT CHANGES**

As part of his State of the State address on January 11, 2021, Governor Cuomo announced changes in the calculation of unemployment benefits for part-time workers in New York. Previously, unemployed workers' weekly benefits were reduced by 25% per day worked, regardless of how many hours were worked in that day. **Beginning January 18, 2021**, New Yorkers can work up to seven days a week and still receive some unemployment benefits as long as they work no more than 30 hours and earn no more than \$504 in gross pay per week, reducing the disincentive for employees to take part-time work. No unemployment benefits are available for employees who earn more than \$504 in gross pay per week or for employees who work over 30 hours per week.

The chart below shows how to calculate benefits. Employees in New York will continue to be required to submit weekly certifications either online or by phone. The new formula will be used to convert hours worked into "days" for purposes of calculating benefits. "When totaling hours for the week, claimants should use a maximum of 10 hours per day, even if they worked more hours during a day," according to a release from the governor's office.

Number of Hours Worked	Available Unemployment Benefit	Number of Days to Report When Certifying
0-4 hours	Full unemployment benefit	0
4.1-10 hours	75% of unemployment benefit	1
10.1-20 hours	50% of unemployment benefit	2
20.1-30 hours	25% of unemployment benefit	3
30+ hours	No unemployment benefit regardless of earnings	

The changes are effective for work done on or after Monday, January 18, 2021, which will start being certified Sunday, January 24, 2021.

*THIS DOCUMENT PROVIDES A GENERAL SUMMARY AND IS FOR INFORMATIONAL/EDUCATIONAL PURPOSES ONLY. IT IS NOT INTENDED TO BE COMPREHENSIVE, NOR DOES IT CONSTITUTE LEGAL ADVICE. PLEASE CONSULT WITH COUNSEL BEFORE TAKING OR REFRAINING FROM TAKING ANY ACTION.*

**Questions? Contact Stokes Wagner.**