

WE ARE YOUR DOL

NEW YORK
STATE OF
OPPORTUNITY
Department
of Labor

GUIDE FOR CLAIMING WEEKLY UI BENEFITS

After you file your claim for Unemployment Insurance benefits, you will need to take further action. For each week that you are unemployed and looking for work, you must claim benefits by answering a series of questions. Claiming weekly benefits is also called certifying for benefits, as you are certifying to the Department of Labor that your answers are true and correct. This fact sheet is a guide to help you claim weekly benefits.

NOTE: All Unemployment Insurance claimants must read the Claimant Handbook.

WHEN TO CLAIM / CERTIFY FOR WEEKLY BENEFITS

An Unemployment Insurance week runs Monday through Sunday. Most people claim benefits on Sunday for the week ending that day, but have until the following Saturday to do so. See example below using unemployment week 10/21/19 to 10/27/19.

By law, the first full week of your Unemployment Insurance claim is an unpaid waiting week. However, you must still claim credit for your waiting week in the same way that you claim weekly benefits.

You can claim weekly benefits either online at www.labor.ny.gov/signin or by calling our Tel-Service toll-free number at **888-581-5812**. We recommend that you use our online system. It is convenient and secure, and you may get your benefit payments faster!

UNEMPLOYMENT WEEK (MONDAY - SUNDAY)

Mon 10/21	Tue 10/22	Wed 10/23	Thu 10/24	Fri 10/25	Sat 10/26	Sun 10/27
Sun 10/27	Mon 10/28	Tue 10/29	Wed 10/30	Thu 10/31	Fri 11/1	Sat 11/2

WHEN YOU MAY CLAIM WEEKLY BENEFITS ONLINE OR BY PHONE FOR THE UNEMPLOYMENT WEEK ENDING ON 10/27

CERTIFICATION QUESTIONS

When you claim weekly benefits, you will be asked questions about the week that just ended. These questions are listed below with explanations. If you stopped claiming benefits for a week or more and start again, you will also be asked questions about why you stopped claiming.

IMPORTANT: Please read or listen to certification questions carefully. When you submit your answers, you are legally certifying that your answers are true, complete, and correct. Your answers are checked against information provided by employers and other government agencies. If you do not answer all questions truthfully, you could lose your benefits and be charged monetary penalties.

DURING THE WEEK ENDING (DATE), DID YOU REFUSE ANY JOB OFFER OR REFERRAL?

If you refuse a job offer or referral, we will review your claim to determine if you are still eligible to receive benefits.

HOW MANY DAYS DID YOU WORK, INCLUDING SELF-EMPLOYMENT, DURING THE WEEK ENDING (DATE)?

“Work” means any service you performed for a business or person. This includes work you did in self-employment or on a freelance basis, even if you were not paid. NYS DOL now uses an “hours-based” approach, so use this chart to determine the total numbers of days you should enter when certifying. Note: When totaling hours for the week, you should only count up to 10 hours a day.

HOURS WORKED PER WEEK	NUMBER OF DAYS TO REPORT TO UI	% REDUCTION IN UI
0 - 4	➔ 0 DAYS	0
5 - 10	➔ 1 DAY	25%
11 - 20	➔ 2 DAYS	50%
21 - 30	➔ 3 DAYS	75%
31+	➔ 4 DAYS	100%

When calculating your hours worked, round up to the nearest whole hour.

**IF YOU WORKED ON ANY DAYS, YOU WILL BE ASKED:
EXCLUDING EARNINGS FROM SELF-EMPLOYMENT,
DID YOU EARN MORE THAN \$504?**

If you worked at all during the week, you must indicate if you earned more than \$504 gross before taxes. This does not include any money earned in self-employment.

**HOW MANY DAYS WERE YOU NOT READY, WILLING,
AND ABLE TO WORK?**

To be ready, willing and able to work, you must be prepared to start work immediately. You must also be capable of working. For example:

- If you were ready, willing, and able to work every day on the week you are claiming, you would answer “0” days
- If you were not ready, willing and able to work on one day, you would answer “1” day
- If you were not ready, willing and able to work on two days, you would answer “2” days
- If you were not ready, willing and able to work on three days, you would answer “3” days
- If you were not ready, willing and able to work on four or more days, you would answer “4 or more” days

**HOW MANY DAYS WERE YOU OWED VACATION PAY,
OR DID YOU RECEIVE VACATION PAY?**

“Vacation pay” does not include pay you received or are owed for unused vacation days simply because your employment ended. It does include pay you received or were owed for vacation days that were scheduled before you lost your job and that fell within the week you are claiming.

Note: If you received or were owed vacation pay for any day during a planned workplace shutdown, it is considered to be “vacation pay.”

**HOW MANY DAYS WERE YOU OWED HOLIDAY PAY,
OR DID YOU RECEIVE HOLIDAY PAY?**

“Holiday pay” does not include pay you received or are owed for unused holiday credits. It does include pay you received or were owed for holidays that fell within the week you are claiming.

HAVE YOU RETURNED TO WORK?

If you are newly back to full-time or part-time work, you should not claim benefits for any day in which you worked, even if you have not yet received your first paycheck. You may only claim benefits for days in which you did not work.

For more information about claiming weekly benefits, please refer to the section titled “How do I claim weekly benefits?” in the Unemployment Insurance Claimant Handbook.