



Timothy Heyden & Associates
"Defending the unemployed since 1999"
 30 year member of IULOE Local 17
 9782 Middle Road, East Concord, New York 14055
 716-560-3711
timheydenassociates@gmail.com



Navigating New York State Unemployment Insurance Rules

- 1) Remain calm, stay focused & get organized, before doing anything!!!
- 2) Communications – Text messaging and using email are the best ways to contact Timothy Heyden & Associates (TH&A). Please use exact, factual information. Responding to information requests from TH&A, is critical to a claimant establishing an unemployment insurance (UI) claim or for dispute resolution.
- 3) **DO NOT** contact the New York State Department of Labor (NYSDOL) to talk to a Labor Service Representative (LSR) unless you have consulted with TH&A first!!!!!! If you must talk to a LSR, call the Telephone Claims Center (TCC) at **888-209-8124**. Be careful with your words.

Establishing a NYGOV ID Account

- 1) There are two (2) ways to establish or create a new UI claim. The safest and easiest way is to set up a **"NY.GOV ID Account"**, by using the NYSDOL "Official" web site at: www.labor.ny.gov. The other way, though not recommended, is to file a new UI claim by calling the TCC at 888-209-8124.
- 2) TH&A strongly recommends that a claimant use a laptop or desk top computer, though a smart phone is acceptable. Your NY.GOV ID **username** and **password** should be saved and stored in a hard copy file...**NOT** on your smart phone!!! A printer is a very useful tool.
- 3) To set up a NY.GOV ID Account, you will need a personal email address and disclose such to the NYSDOL.
- 4) Both your **username** and **password** are case sensitive.
- 5) **Username** – your selected account **username** can be your email address or another one that you commonly use.
- 6) **Password** – Your selected pass word must contain at least eight (8) characters, with at least one (1) capital and one (1) lower case letter. Numbers are fine to use but be creative.
- 7) **Pin Number** – At some point in the process, you may have to select a four (4) digit pin number.
- 8) **Three secret questions** – At some point in the process, the claimant must select and answer, three (3) secret security questions that are case sensitive.
- 9) It is highly recommended that you print out every page during the creation of your NY.GOV ID account. If you have no printer, carefully write down **exactly** how your username, password, pin number and the answers to the three (3) secret questions, read.
- 10) **Never, ever** disclose to a LSR that someone else knows your username or password. You are allowed though, to have someone assist you with using or setting up your NY.GOV ID account, as long as you are present. Only the claimant may contact a LSR or the NYSDOL.
- 11) TH&A strongly recommends that you visit and surf the NYSDOL Official Web Site, prior to filing a new UI claim. Get comfortable with using the web site.



Establishing a new UI Claim

- 1) **IMPORTANT-** a claimant has from **Monday to Sunday** to file a new UI claim, during their **first week of eligibility**, one in which you earn **\$504.00** or less in gross wages and have employment on **three (3)** days or less.
- 2) Online access to file a **new** UI claim is available Monday to Thursday, 7:30 AM to 7:30 PM, on Friday from 7:30 AM to 5:00 PM or from 12:01 AM Saturday to 7:00 PM Sunday.
- 3) Claimants should know how many employers they have had in the last 18 months, their last employer's tax identification number if known, their first and last day of work with every employer. They should also have ready, their drivers license, know their immigration status, checking account information and military service information.
- 4) Claimants should read each question very carefully...just answer the question....don't read into the question. If a claimant is confused about how to answer a question, they can just **sign out** of their account and start all over again later.

Basic NYSDOL Rules

- 1) An unemployment insurance week runs from **Monday at 12:00:01 AM** to the following **Sunday at Midnight**. The NYSDOL only wants to know what you did during **week ending** Sunday at Midnight...**NOT** when you got paid for services provided.
- 2) A NYSDOL UI day runs on a normal 24 hour clock and day. Any hours of work that go past Midnight, fall onto the next day.
- 3) Each new UI claim must be **validated** the following week by certifying (claiming weekly UI benefits) between **Monday** and the following **Saturday** by 7:00 PM. You must claim weekly UI benefits the same way thereafter, during each week that you work three (3) days or less and earn **\$504.00** or less in gross wages. You can also claim weekly UI benefits by calling the Tele-Service number at:**888-581-5812**.
- 4) An unemployment insurance claim lasts 26 weeks or 104 days of effective benefits. Taking even part time work, will help extend your UI claim period even further.
- 5) A UI week consists of four (4) days. For every day that you work in a week, the NYSDOL takes away a quarter (1/4) of your weekly benefit rate. Those days taken away for working part time will be given to you on the other end of the claim.
- 6) You are not required to contact the NYSDOL to tell them that you are back to work.
- 7) You can be paid your weekly UI benefits on a **KeyBank Debit Card** or by **Direct Deposit** into an established checking account. You must provide your Mother's Maiden name to the NYSDOL in order to use the safer, Direct Deposit payment method. Again, your Mothers Maiden name is case sensitive to the system and must exactly match the one that you originally gave to the NYSDOL upon creating your NY.GOV ID account.
- 8) If you violate the rules and regulations of the NYSDOL, the punishment is **severe** but only if the Agency finds out about the violation first. If you accidentally violate unemployment insurance law, you should contact TH&A via email ASAP and disclose the **exact** details about the alleged violation.
- 9) After you validate your claim, the NYSDOL will call the claimant in for periodic reviews of their work search efforts. You must look for three (3) jobs each week...get organized and be aggressive in trying to find a new job.
- 10) **WARNING** – The NYSDOL knows almost immediately when you go to jail, when you get out or when you step onto an airplane! If you leave the Continental United States, **DO NOT** claim UI benefits or even check your NY.GOV account status. "You must be ready, willing and able to work each week that you are seeking UI benefits for". If you do not meet that requirement in any given week, just do not claim UI benefits for that week!!!!