

New York Enacts Legislative Change in SB S5754

On January 24, 2021, SB S5754 was enacted. The Senate Bill, backed by Governor Cuomo, makes distinct changes to how the state calculates partial benefits.

How were Partial Benefits calculated initially?

Under prior law, unemployed New Yorkers' weekly benefits would be reduced by 25% percent for each day the claimant would work, regardless of hours worked. This would mean that if a claimant worked for 4 days, they would not receive partial benefits.

How are Partial Benefits calculated now?

SB S5754 ensures that a claimant's weekly benefit amount will be measured by hours worked per week. In order to receive Partial Benefits, Claimants will need to work less than 30 hours a week and receive no more than \$504 dollars in gross pay. \$504 dollars is currently the Maximum Weekly Benefit amount in New York as of January 2021, but is subject to change.

The new method of calculation partial benefits is outlined below:

- Claimants who work between 0 - 4 hours in a week and earn no more than \$504 will receive their full unemployment benefit
- Claimants who work between 4 - 10 hours in a week and earn no more than \$504 will receive 75% of their unemployment benefit
- Claimants who work between 10 - 20 hours in a week and earn no more than \$504 will receive 50% of their unemployment benefit
- Claimants who work between 20- 30 hours in a week and earn no more than \$504 will receive 25% of their unemployment benefit
- Claimants who work over 30 hours in a week, regardless of earnings, will not receive any of their unemployment benefit

What does this mean for employers?

There will be no change to how Partial Unemployment Claims are handled by Employers, as it is new technology which has allowed the state to implement changes, thus far. Partial Benefits will be charged to the employer's account as usual.

For More Information, Please see the NY DOL Press Release: <https://labor.ny.gov/pressreleases/2021/january-18-2021.shtm>

To See the Senate Bill, Go to: <https://www.nysenate.gov/legislation/bills/2019/s5754>