

NEW YORK STATE DEPARTMENT OF LABOR SHARED WORK PROGRAM

Legislative Report 2022

WE ARE YOUR DOL





One of our core objectives at the New York State Department of Labor (NYSDOL) is to provide solutions for businesses and individuals no matter the economic conditions. The agency has a hand in most of the state's labor-related activities — from helping New Yorkers find jobs and ensuring they are protected in the workplace, to supporting businesses, unions, and training programs. The agency is also responsible for distributing unemployment insurance benefits to New Yorkers who are out of work due to no fault of their own.

Since 1985, businesses have relied on NYSDOL's Shared Work Program to manage business cycles and retain their skilled, knowledgeable employees. No one knew it at the time but, in early 2020, the program would soon prove to be more critical than ever before.

On March 1, 2020, the first New York State resident tested positive for the novel coronavirus-2019, commonly known as COVID-19. Though smaller outbreaks had occurred on the west coast, New York would be the first state in the nation to feel the significant impact of the COVID pandemic. COVID-related shutdowns would follow, forcing businesses across the state to close, upending the lives of millions of New Yorkers who were suddenly facing layoffs for the first time.

The Shared Work Program would be a key component of a NYSDOL response that had to be bold, comprehensive, and immediate. An aggressive promotional campaign that included strategic emails, newsletter articles, social media content, and in-person and virtual presentations lead to a record number of sign-ups. While deftly managing an unprecedented number of customers, the Shared Work team was able to simultaneously implement game-changing enhancements to the program. These included an expedited application process, enhanced plan flexibility through legislative action, and unmatched customer service.

In 2019, about 10,000 New Yorkers participated in Shared Work. In 2020, nearly 75,000 utilized the program to avoid the hardships of full unemployment. For thousands of individuals and businesses statewide, the program was a life preserver. A light at the end of the tunnel.

When New York's economy regained momentum in the spring and summer of 2021 and businesses reopened their doors and welcomed back a workforce desperate to return to the jobs they loved. Warm weather and eased restrictions engendered the hope that we had gotten through the worst of it and a turn-around was imminent, but it wasn't long before we discovered not everyone was ready to go back to work. Whether out of lingering fear of COVID or a desire to find something better, hiring trends lagged expectations. In turn, businesses experiencing downturns continue to utilize Shared Work, as it has never been more critical to retain experienced, trustworthy employees.

Whatever the future holds, the Shared Work Program and our agency will continue to modernize, to grow, and to improve because We Are Your DOL, and we are "Transforming New York's World of Work."

Respectfully,

Commissioner Roberta Reardon



Promotion of the Shared Work Program to Businesses throughout New York State

As the New York State Department of Labor (NYSDOL) publishes this year's Legislative report, NYSDOL's Shared Work Program (SWP) is being widely promoted throughout our business communities within New York State. This report highlights the strategic techniques used and the successes achieved in promoting the SWP to businesses statewide.

During the COVID-19 pandemic, many employers closed or struggled to stay open, thus losing their talented workforce. In response, NYSDOL seized the opportunity to promote the value of the SWP for businesses and their employees. When businesses began reopening toward the end of 2020, the SWP was strategically promoted as a reopening tool. Many businesses used the program so they could keep their staff working while also adhering to the social distancing restrictions put in place due to COVID-19.

The SWP is designed to help employers manage business cycles and seasonal adjustments while helping to spare their workers the hardships of full unemployment. This program helps employers retain knowledgeable, trained employees and avoid layoffs by allowing staff members to receive partial Shared Work benefits while working reduced hours. Full-time, part-time, intermittent, temporary, and seasonal employees are eligible.

Executive Summary

Over the last 12 months, NYSDOL has aggressively promoted the SWP and engaged with thousands of businesses to market and educate them on the benefits of the program. SWP has given businesses the safety net they needed to remain open, especially during turbulent times. When faced with a myriad of obstacles, businesses utilized the program to stay operational, keep their employees working and build morale.

Pursuant to Chapter 458 of the Laws of 2021, the New York State Department of Labor shall conduct outreach to employers within the state for purposes of providing information regarding the benefits of Shared Work Programs, including remote and in-person information sessions, correspondence, assistance in completing applications for approval of a Shared Work plan, and such other means as the Commissioner may deem appropriate.

The department shall report to the Governor, the Temporary President of the Senate, and the Speaker of the Assembly on any and all outreach efforts made pursuant to this Shared Work legislation on an annual basis.

For the period September 1, 2021 to August 31, 2022:

- Plans are now approved within 1-2 business days. Prior to 2020, plans took up to three weeks for approval due to all applications being submitted by paper.
- Emails delivered to over 500,000 business contacts.
 - More than 100,000 recipients opened emails. Additionally, thousands clicked through to the Department of Labor website to get more information
- NYSDOL staff have contacted over 29,000 businesses via phone calls
- Staff have held over 25 presentations to Business Associations, Chambers of Commerce and Manufacturing Associations
- Promotional videos created and posted on the Shared Work webpages.

Videos show businesses:

- How the program works
- How it can benefit them
- How to apply



Background and Successes

New York's Shared Work Program became effective January 6, 1986 by Chapter 438 of the Laws of 1985 and has been amended by legislation several times since then.

A few initial Employer/Employee qualifications for the Shared Work Program in 1986 included:

- Employers of 10 or more full-time employees could participate
- SW benefits are payable for a maximum of 20 weeks during a single benefit year
- Employees cannot exceed the amount a claimant would receive under regular UI
- Employment with another company was disregarded
- Claimants are not eligible for NY's work sharing benefits during any week in which five percent or more of their wages were derived from piece work, or during any week in which they receive supplemental UI payments from their employer or union.

In April 2013, NYSDOL Unemployment Insurance (UI) Reform Legislation provided measures to expand employer and claimant qualifications for Shared Work participation, such as reducing the number of employees an employer must employ to qualify from five to two and expanding participation to part time, temporary or seasonal employees. In conjunction with UI Reform legislation, NYSDOL also improved the online Shared Work application.

In May 2014, development of self-service options for both employers and claimants were completed; including the ability for employers and claimants to complete weekly certifications online; and for employers to upload Shared Work participant lists.

Chapter 420 of the Laws of 2021, effective on September 6, 2021, changed the cap on Shared Work benefits from a maximum of 26 weeks to a maximum of 26 times an individual's weekly benefit rate.

Key Successes

- Cap on Shared Work benefits went from a maximum of 26 weeks to a maximum of 26 times an individual's weekly benefit rate.
- Plans are approved within 1-2 business days
- Created a digital form on our website so businesses can request more information
 - All submissions are contacted within 24 hours, most same day
- Email Campaigns strategically timed and targeted using business intelligence collected by the Shared Work Promotional team. Targeted businesses include:
 - Those experiencing supply chain issues
 - Seasonal businesses looking to gear up or slow down
 - Financial institutions and mortgage lenders impacted by the rising interest rates
 - Manufacturing businesses
 - Small Businesses

- NYSDOL's working relationship with the NYS Chamber of Commerce and business associations has grown tenfold. Highlights include:
 - Shared Work digital content including newsletters and marketing materials have been distributed across the State through a variety of business organizations
 - Numerous live virtual presentations that were also recorded to be viewed later
 - Shared Work marketing materials placed on their websites
 - Additional virtual presentations and in-person events are scheduled or in the works

COVID-19 Pandemic

The SWP was highly utilized during the COVID-19 pandemic. New York saw a surge in businesses in need of a program to retain their valuable employees during trying times. NYSDOL had been working to effectively get the word out about the SWP. Highlights included:

- NYSDOL's SWP had paid out over \$100 million to New Yorkers in 2020. Below is a comparison of 2020 vs 2019:
 - In 2020:
 - 3,347 total Shared Work plans
 - 74,294 total employees entered in Shared Work plans
 - 71,589 total employees (claimants) who certified for Shared Work benefits
 - In 2019:
 - 341 total Shared Work plans
 - 10,864 total employees entered in Shared Work plans
 - 6,733 total employees (claimants) who certified for Shared Work benefits
- NYSDOL had to strategically market the SWP to fully educate businesses, community groups, non-profit organizations, and associations about the differences between Shared Work use/benefits and regular Unemployment Insurance (UI).
- It was also important that NYSDOL market it in a way that it didn't put any further undue stress on the staff processing claims. Additional staff were added to manage program needs following the marketing efforts.
- During the pandemic, NYSDOL had 43 full-time staff working on the SWP from both the UI Division (some of which had been borrowed from the employer side temporarily) and the Division of Employment and Workforce Solutions. Staff had prepared projections to approximate the need for additional staff if new plans were approved. The method and manner of marketing needed to be commensurate with the capacity to absorb additional interest. Program activities included making and responding to phone calls, approving, reviewing, and maintaining new plans, and more
- In November 2021, as businesses started to reopen, NYSDOL began marketing the Shared Work Program as a re-opening tool, especially for restaurants, hotels, sports complexes, event venues, and businesses that had been hurt due to closures

Improvements made to the Shared Work Program during the pandemic

Due to the increased plan volume, technological improvements needed to be made immediately to match demand. Enhancements included:

- Systems were upgraded and modernized so applications could be submitted and plans could be managed electronically (business & claimant–registration/continuing certification), which drastically reduced paper applications and certifications tenfold. This was implemented while enhancing customer service.
 - As a direct result of these automated changes, it improved:
 - The ability to customize plans to meet operational needs for the business
 - Application review and approval times.
 - The quality of the program webpage.
 - Marketing materials created to drive awareness, educate employers and employees.

Promotional Efforts

On June 14, 2021, The United States Department of Labor (USDOL) awarded NYSDOL a Promotional Shared Work/Short Time Compensation (SW/STC) Grant.

This promotional portion of the grant is being utilized to:

- Hire a promotional team.
- Develop and deploy promotional campaigns to drive awareness and engagement, utilizing a full spectrum of marketing vehicles including digital (emails, website, webinars, social content) to more traditional methods (phone calls, in-person events, print).
- Gather testimonials to utilize in promotional materials.

The Shared Work team utilized intel to identify businesses most likely to need the program due to current or trending business conditions, as well as other factors. Targeted promotional emails (See Attachment A) were sent to these businesses, which included:

- High Financial Stress Score Businesses
- Seasonal Businesses
- International Women’s Day (Women-Owned Businesses)
- Small Businesses
- Printing & Publishing (Business Downturn)
- Heating & Cooling (Business Seasonal Downturn)
- Supply Chain Impact (Materials Shortage)
- Tech Business Trends (Online Service Providers/Software/Programming)
- Federal Rate Impact (Mortgage/Finance/Insurance/Real Estate)

Data mining was conducted to reach key decision-makers and influencers, as well as identify and target select businesses for email campaigns. Some examples of data categories utilized include:

- Executive–Manager Leaders (Levels / Titles / Roles)
- Industry
- Financial Indicators (Stress Score / Opportunity Final Segment)
- Type (Women Owned / Small)
- Employee Size

Industries are selected / targeted for each email to ensure appropriate businesses are contacted in alignment with the strategy and in a timely manner.

Winter 2021-22

- Manufacturing, Construction and Wholesale Trade
- Retail Trade and Services
- Hospitals, Insurance, Financial, Real Estate, Public Administration and Utilities
- Mining, Transportation and Communication
- Agriculture, Forestry and Fishing

Spring 2022

- Seasonal Businesses
- Accounting Businesses
- Women Owned Businesses
- Agriculture, Forestry, Fishing, Construction, Insurance, Financial, Real Estate, Manufacturing, Mining, Retail Trade, Services, Transportation, Communications, Utilities and Wholesale Trade
- Chambers of Commerce and Business Associations
- Heating and Cooling Businesses
- Printing Companies
- Small businesses
- Business Leaders and Executive to Manager Titles
- Steel, Aluminum and Metal Industries

Summer 2022

- Online Service Providers, Software Publishers, Computer Programming, Graphic Design Businesses
- Prior Shared Work Plan Holders (2009-2019)
- Financial Institutions, Mortgage Lenders, and Related Business (Title Insurance/Legal Services/Etc.)

Email Strategies and Highlights

- Unique subject lines are created for each email. Subject lines are relevant and compelling driving recipients to open the emails which is critical in driving awareness
- Unique messaging is crafted for each email. (Attachment A includes Email Example)
- Copy is written that addresses both the nature of the impact and industries affected
- Shared Work feature and benefit highlights are also included
- Emails delivered to over 500,000 business contacts
- More than 100,000 recipients opened emails. Additionally, thousands clicked through to the Department of Labor Website to get more information
- Notably the emails also include a “Get More Information” call to action

Website Improvements to enhance content and facilitate communications

- Digital Form was created and added to the Department of Labor website
- Form is accessible on Shared Work page and is accessible to all visitors of that web page
- Interested parties can submit the form to “get more information”
- All submissions are contacted within 24 hours, most same day. A Shared Work promotional team member responds to the submission and provides an overview on eligibility, features and benefits
- More in-depth / technical questions are directed to the Shared Work Account Management Team

Promotional videos created and posted on the Shared Work webpages

Videos show:

- Employers how the program works
- How it can benefit them
- How to apply

Additional enhancements are in the works.

Informational webinars with trusted local partners

Promotional partnerships secured with influential Chambers of Commerce and Associations to reach businesses through webinars. Strategic partners include:

- Business Council of New York State
- Manufacturers Association of New York State
- New York State Society for Human Resource Management Regional Workforce Development Chairs

- New York City Chambers in conjunction with NYC Small Business Resource
 - Queens
 - Bronx
 - Manhattan
 - Staten Island
 - Yonkers
- Western New York Chamber Alliance
 - Amherst Chamber of Commerce
 - Boston-Colden Chamber of Commerce
 - Buffalo-Niagara Chamber of Commerce
 - Cheektowaga Chamber of Commerce
 - Clarence Chamber of Commerce, Inc.
 - Grand Island Chamber of Commerce
 - Greater East Aurora Chamber of Commerce
 - Kenmore-Town of Tonawanda Chamber of Commerce
 - Lancaster Depew Elma Chamber of Commerce
 - Niagara River Region USA Chamber of Commerce
 - Niagara USA Chamber
 - Orchard Park Chamber of Commerce
 - Southtowns Regional Chamber of Commerce
 - Chamber of Commerce of the Tonawandas
 - Springville Area Chamber of Commerce
 - West Seneca Chamber of Commerce
- Additional webinars are scheduled for future dates (e.g., Fall series).
 - Capital Region Chamber
 - Cayuga Country & Economic Development Agency
 - Tompkins Chamber
 - Tri-sponsorship Bethlehem, Colonie & Guilderland Chamber
- Guest Presenters at select webinars have included:
 - Commissioner Roberta Reardon
 - A local business representative that used Shared Work to the benefit of their business
- Webinars are also recorded and posted (e.g. YouTube) or distributed to other members.
- Digital Content (articles, posters, kiosks) strategically deployed to reach business in their local areas.
 - A Shared Work article was included in Digital Newsletters sent out by all the Chambers/associations that held webinars (listed above).
 - The article was also sent out by other Chambers/associations in their digital newsletters. Examples below:
 - Bethlehem Chamber
 - Center State Corp Economic Opportunities
 - Chautauqua Chamber

- Columbia Chamber
- Coney Island Chamber
- Corning Area Chamber
- Fulton Montgomery Region Chamber
- Garment District Alliance
- Genesee Chamber
- Lake George Chamber
- Manufacturers of Central NY Association
- North Counter Chamber
- Northeastern Retail Lumber Association
- Southern Saratoga Chamber
- Tompkins Chamber
- Utica Chamber
- Digital posters and kiosks to be placed strategically throughout NYS to promote Shared Work.
- In-Person Events/Print
 - In-person events are on a limited basis.
 - The first of several planned was held in the Spring of 2022; the New York Press Association.
 - Leads generated for business interested in Shared Work
 - Press organizations expressed interest in including articles on Shared Work for promotional purposes
 - Other planned events include:
 - Business Council of New York State, Inc. Annual Meeting
 - New York State Innovation Summit
 - New York State Society for Human Resource Management (SHRM) Annual Conference and Solution Center
 - Tables set up and print promotional materials distributed as needed for each
- Phone outreach is strategically timed and targeted in conjunction with Email Campaigns.
 - Around 29,000 calls have been made to date
 - Phone calls are made on a daily basis. Select businesses are contacted / select portions of each email campaign is contacted
 - Contact names for Business Leaders (Executives-Managers), as available with Dunn and Bradstreet data, facilitate phone outreach. Promotional Team members are able to personalize the call by asking for that specific contact

- Unique scripts (phone calls & email follow ups) are written for outreach efforts in alignment with the email promotion that has been sent out. Each is designed to engage business owners and demonstrate how Shared Work can be of benefit to their operational needs
 - Phone scripts ensure conversations with business contacts are delivered in a consistent and relevant manner by all Promotional Team Members
 - Email follow ups ensure the same and are sent to business contacts that request more information
- Testimonials are gathered to support promotional efforts
 - A broad spectrum of testimonials were gathered to demonstrate how Shared Work has helped business through different challenges
 - Efforts continue in this regard to further expand and demonstrate the benefits of the SWP.
- Additional measures in place to support promotional efforts
 - Two virtual meeting rooms
 - Rooms set up to meet virtually with employers and employees
 - Rooms have all the high technology to be able to promote the SWP to business organizations, non-profits and others that are eligible to take advantage of this program
 - Utilize the established networks developed by Dun & Bradstreet and the Rapid Response Team:
 - To conduct presentations to employers and representative agent groups
 - Discuss improvements made to the SWP process
 - To emphasize the benefits in using the SWP

Testimonials

“I do equipment and party rentals, so it’s very seasonal. When winter hits, business slows down dramatically. There’s not a lot of tents, Bobcats, and excavator rentals in the middle of winter. I’ve got mechanics, front counter, salespeople, delivery guys, bookkeepers who participate. It works for everyone. It allows me to go into winters with a lot more confidence. We’re prepared for the reduced hours. Normally I reduce 20%, but I know that if it really slowed down, I could go to 40% or even 60%. To have that flexibility I can effectively and accurately plan my payroll through the slow season. Payroll cost is my single biggest expense. Having the ability to reduce by 20% without having layoffs, it’s huge.”

— **Ralph S., Owner, Sedore Equipment**

“When I discovered Shared Work, I was very excited. I thought it was great. It really made a bad situation a little better. When the pandemic hit, people weren’t driving and there were fewer accidents. As a body shop, our business declined dramatically. As business picked up, we were able to change the percentage of Shared Work we were using, so it was flexible. These are employees who have been with us for a long time. This is a unique industry, so everyone is trained for their specific craft. They have expertise. To rehire or find new people would’ve been a big expense and taken some time. I would highly recommend it (SW) to any employer in a tough situation. It’s a great thing to have to keep people working.”

— **Cathy V., Accounting Manager, IFM Collision Center**

“The Shared Work Program has been wonderful for us, especially in these trying times. We’ve had supply chain problems that have caused a massive imbalance in our workload. It’s very unpredictable. From week-to-week we can adjust our work schedules to utilize Shared Work when needed.”

— **Ernie S., President, Penn & Fletcher Embroidery**

“Shared Work was a critical resource in helping us get through the 2008 financial crisis. From what I’ve seen, the next recession could make 2008 look like child’s play. No matter what kind of business you have, big or small, Shared Work can help you navigate your next downturn.”

— **Cyndi H., CFO, JC Smith Inc.**

“When COVID hit, we knew our advertising dollars were going to drop dramatically because businesses weren’t open. But at the same time, we were providing critical updates to our communities. We had a group of young, enthusiastic reporters and Shared Work helped us keep them on staff, which led to our communities being better informed.”

— **Jeff B., Senior Editor, LI Herald**

“When our sales went down and payroll was cut, Shared Work was a life-saver for us. Our employees were ecstatic. If we lost our experienced workers, we’d take a hit. We’d have to rehire and retrain, which costs money and it’s a pain.”

— **Linda V., Accounting Manager, Northfield Precision Instrument Corp.**

Attachment A: Supply Chain Impact Email

Email Subject Line: Supply Chain Issues
Impacting Your Business?

WE ARE YOUR DOL



Here's the lowdown on managing your business slowdown.

With supply chain issues becoming a more frequent and common problem, your business may experience workflow fluctuations. At times, you may have more employees than work available. When this happens, **Shared Work can help you through it!**

The program is an opportunity for your business to:

- **Save on labor costs** - Adjust schedules to fit the work available. Reduce hours during a slow period and ramp up when business returns.
- **Retain employees** - Keep knowledgeable, skilled employees on the job. Reducing hours means you don't have to reduce personnel.
- **Increase flexibility** - Shared Work is in place for 53 weeks and you can use it when you need it. You can even adjust schedules on a *weekly* basis to fit the work available.

Think of it as a safety net, because with Shared Work you don't have to cut personnel to save labor dollars. Instead, you keep your employees and they receive reduced pay from your business AND a percentage of their unemployment benefits.

It's easy to apply for Shared Work and thousands of businesses across New York State are utilizing customized plans tailored to meet their needs. See what a few of them are saying below.

Call 518-457-2378, [visit our website](#) to learn more or sign up to [get more information](#) now!

WE ARE YOUR DOL



SHARED WORK PROGRAM

What businesses are saying...



These are employees who have been with us for a long time. If they had gone elsewhere, we would've had to start from scratch and that can be costly to advertise and go through the hiring process. I would highly recommend Shared Work to any employer in a tough situation.

Cathy Volpe | Accounting Manager, IFM Collision Center



I do equipment and party rentals, so it's very seasonal. When winter hits, business slows down dramatically. Without Shared Work, I'd have a lot of layoffs. They say for every employee you lose it costs you \$50,000. I tell everybody I know about the program. It's a huge perk for us.

Ralph Sedore | Owner, Sedore Equipment



It has been wonderful for us, especially in these trying times. We've had supply chain problems that have caused a massive imbalance in our workload. It's very unpredictable. From week-to-week we can adjust our work schedules to utilize Shared Work when needed.

Ernie Smith | President, Penn & Fletcher Embroidery



When things slowed down recently, everyone was asking, "What are we gonna do?" I remembered using Shared Work way back in the 80s and it's still a great program. It helped us financially and is a great resource to have available when we needed it. It kept us going and shows that we care about our people.

Eileen Freida | Operations Manager, Mooney-Keehey Printing

Now is the time to [get more information](#) on Shared Work!

WE ARE YOUR DOL

