



EXCLUDED WORKERS FUND

Updated July 2021

The Excluded Workers Fund (EWF) provides financial help to New Yorkers who lost income during the COVID-19 pandemic and were left out of various federal relief programs, including unemployment and pandemic benefits.

New Yorkers can sign up for EWF updates at: on.ny.gov/ewfsubscribe.

HOW DO I APPLY?

The application process for workers seeking to receive funding from the EWF is slated to begin in August 2021.

You may use a mobile device or computer to submit your application, which will be available in 13 different languages. Applicants are strongly encouraged to apply online. Applications will not be accepted by mail.

AM I ELIGIBLE?

To be eligible to receive benefits from the EWF program, applicants must show they:

1. Lived in New York State before March 27, 2020, and continue to live in New York State;
2. Are not eligible for and did not receive unemployment insurance or any other COVID-19 income relief or other specified benefits from the state or federal government;
3. Earned less than \$26,208 in the 12 months prior to April 2021; **and**
4. Lost at least 50% of weekly work-related earnings or household income at any point in time between February 23, 2020 and April 1, 2021 due to total or partial unemployment, or inability or unavailability to work due to the COVID-19 pandemic or, became responsible for a majority of their household income due to death or disability of the head of household.

WHAT DO I NEED TO APPLY?

Applicants should begin collecting the following documents, which can be used to prove identity, residency, and work-related eligibility.

Please note: Applicants can submit the same documents to prove identity and residency. At least one of the documents to prove identity and/or residency must include the applicant's photo and one must include the applicant's date of birth. All documents submitted must be:

- Certified by the issuing agency
- Unexpired (unless otherwise noted below)
- In English, or accompanied by a certified English language translation
- Not mutilated or damaged

HOW DO I PROVE MY IDENTITY?

Applicants must provide one or more of the following documents. Each document is assigned a point value and every applicant must establish 4 points or more. All requirements above must be met for approval.

- NYS Driver License (4 points)
- NYS Non-Driver ID Card (4 points)
- U.S. Passport (4 points)
- IDNYC Card (4 points) - (Cards that expired in 2020 are valid until the end of 2021. Cards that expire in 2021 are valid during the one-year renewal period following the expiration date.)
- Foreign-Issued Passport (3 points)
- NYS Learner Permit issued by NYS DMV (3 points)
- U.S. Military ID Card (3 points)
- Photo ID card issued by a local government in NYS, NYS government agency, or the federal government (3 points)

- Photo ID Card from a NYS Higher Education Institution (3 points)
- NYS In-Patient Photo ID Issued by Office of Mental Health (2 points)
- Expired U.S or Foreign-Issued Passport (expired by not more than two years) (2 points)
- Expired Foreign-Issued Driver License (expired by not more than two years) (2 points)
- Documents issued by U.S. Citizenship and Immigration Services (USCIS): Arrival/Departure Record (I-94) or Notice of Action (I-797; I-797A; I-797D) (2 points)
- U.S. Individual Taxpayer Identification Number (ITIN) Assignment Letter (2 points)
- Marriage Certificate (1 point)
- Divorce Judgement (1 point)
- NYC Parks and Recreation Membership Card (1 point)
- Birth Certificate Issued by a Foreign Country (1 point)
- Foreign-Issued Photo ID Card (1 point)
- Diploma or Transcript from a U.S. high school, college, or university (1 point)
- Non-Photo ID card issued by a local government in NYS, NYS government agency, or the federal government (1 point)
- Employer Photo ID Card (1 point)
- Photo identification card issued by a charitable organization registered with the Charities Bureau of the New York State Office of the Attorney General relating to eligibility for services or participation in the programs, issued in the ordinary course and for which eligibility was established prior to April 19, 2021 (1 point)
- Written Employment Offer, Pay Stubs, or Notice of Pay from an employer (1 point)
- more than 30 days prior to April 19, 2021 to establish current residency)
- IDNYC Card (May have been issued more than 30 days prior to April 19, 2021 to establish current residency. Cards that expired in 2020 are valid until the end of 2021. Cards that expire in 2021 are valid during the one-year renewal period following the expiration date.)
- NYS Learner Permit issued by NYS DMV (May have been issued more than 30 days prior to April 19, 2021 to establish current residency)
- State or federal tax filing or return, with proof of filing, including e-filing acknowledgements from DTF or IRS (May have been issued more than 30 days prior to April 19, 2021 to establish current residency)
- Utility Bill (e.g. electric, gas, internet, cable, water, trash/recycling)
- Bank or Credit Card Statement
- Letter from NYC Housing Authority addressed to applicant
- Letter addressed to the applicant from a homeless shelter indicating the applicant currently resides at the homeless shelter
- Current Lease Agreement, Mortgage Payment, or Property Tax Statement
- Letter addressed to the applicant from a non-profit organization or religious institution that provides services to homeless individuals
- Pay Stub
- Employment offer or notice of pay that shows an employer provided housing located in NYS, including seasonal housing
- Statement, bill, or record from a health institution or insurance company
- Jury Summons, Court Order, or other document from a court within NYS
- Letter from a domestic violence (DV) residential care program or organization that serves DV survivors
- Letter from a charitable organization registered with NYS Attorney General that provided services to the applicant in the ordinary course and for which eligibility was established prior to April 19, 2021, attesting to the applicant's NYS residency
- Document addressed to the applicant by a local government in NYS, NYS government agency, or the federal government

HOW DO I PROVE MY RESIDENCY?

Applicants must provide one or more of the following documents, each showing their name and address within New York State. Document(s) must establish proof of residency prior to March 27, 2020 as well as current residency. Applicants may have to submit multiple documents to meet this requirement. Except for the first five documents listed below, documents establishing proof of current residency must be dated no earlier than 30 days prior to April 19, 2021. All requirements above must be met.

- NYS Driver License (May have been issued more than 30 days prior to April 19, 2021 to establish current residency)
- NYS Non-Driver ID Card (May have been issued

HOW DO I PROVE MY WORK ELIGIBILITY?

Applicants may qualify for EWF benefits in one of two amounts, depending on the information and documents provided below. Each document has a point value.

To qualify for the Tier 1 amount of \$15,600 (minus taxes), applicants need to establish a minimum of 5 points.

To qualify for the Tier 2 amount of \$3,200 (minus taxes), applicants need to establish a minimum of 3 points.

Applicants who do not provide one of the 5-point documents below must submit at least one of the 3-point documents to be considered eligible for Tier 1. For example, five 1-point documents cannot be combined for Tier 1.

NOTE: Each applicant is eligible for only one benefit payment.

- Proof of filing **New York State** taxes, which must include (A) proof of filing a New York State tax return for either tax years 2018, 2019, or 2020 with the Department of Taxation and Finance through submission of an electronic confirmation of e-filing, Department of Taxation and Finance issued “TF assignment letter”, or a bank statement reflecting payments to or from the Department of Taxation and Finance; **AND** (B) proof of a valid United States individual taxpayer identification number (ITIN) **OR** a W-7 application for an ITIN with proof of submission or filing (5 points)
- Minimum of 6 weeks of pay stubs in the 6-month period prior to the date the applicant certifies the applicant became eligible for benefits (5 points)
- Minimum of 6 weeks of wage statements from the 6-month period prior to the date the applicant certifies the applicant became eligible for benefits (5 points)
- IRS W-2 or 1099 from tax year 2019 or 2020 showing wages or income (5 points)
- Wage Notice from employer documenting employment for a period of time within 6 months prior to the date the applicant certifies the applicant became eligible for benefits (5 points)
- Letter from an employer showing applicant’s dates of work and the reason for loss of income (i.e. pandemic related) that includes: (A) employer’s mailing address and address of the site within NYS where applicant worked **AND** (B) either the employer’s NYS Unemployment Insurance account number **OR** Federal Employment Identification Number (FEIN) **OR** contact information (including phone number) of an employer representative who can verify the contents of the letter (5 points)
- Complaint filed with and acknowledged by a local, state, or federal agency or court regarding wages

owed for work performed in NYS for a period greater than 6 weeks in the 6-month period prior to the date the applicant certifies the applicant became eligible for benefits (3 points)

- Record of regular direct deposits, deposits, or transfers from an employer (3 points)
- Employer Issued ID Card (1 point)
- Written communication relating to delivery order sheets, work invoices, sales receipts, or instructions from employers (1 point)
- Written communication, including texts or social media messages or posts, between the applicant and an employer or hiring party showing a work relationship (1 point)
- Record of regular cashing of paychecks or transfer of funds from income or earnings (1 point)
- Documents issued to the applicant by the applicant’s employer showing the employer’s mailing address, NYS Unemployment Insurance Account Number or Federal Employment Identification Number (FEIN), and contact information of an employer representative (including phone number) (1 point)
- Receipts or records showing a consecutive pattern of commuting to and from a work location, such as toll records, parking receipts, or public transportation records (1 point)
- Letter from a charitable organization registered with the NYS Attorney General confirming the applicant’s work history, based on direct knowledge that the applicant worked for the required duration, acquired in the course of conducting intake, interviews, or other standard processes related to direct job-related services to the applicant prior to April 19, 2021 (1 point)

NOTE: Applicants must establish that they worked and received compensation for at least 15 hours per week for a period of greater than 6 weeks in the 6-month period prior to the date they certify that they became eligible for benefits. Applicants must also be at least 18 years of age at the time of application.

For applicants filing due to the death or disability of the head of household, information and documents provided for proof of work eligibility must reflect the work history of the former head of household. Identity and residency documents, however, should still be that of the applicant. Additionally, applicants must provide:

- Death certificate of the former head of household, including the date of death; or
- Proof of disability of the former head of household, including the date and nature of the disability. For a full list of acceptable documents, see part 704.2, section (e) of the regulations, located at dol.ny.gov/ewfregs.

“Head of household” is defined as a member of your household who contributed at least 50% of the financial support to your household and was at least 18 years old at the time of death or at the time of becoming disabled.

ARE MY APPLICATION MATERIALS PROTECTED?

Documents submitted to the DOL as part of the EWF application, including those from employers, are not public records and will be used for the sole purpose of EWF benefits administration. Disclosure of such to any other government agencies, including U.S. Immigration Customs Enforcement (ICE), is strictly prohibited by law for any purpose other than processing the application, unless expressly authorized by the individual applicant or legally required to do so pursuant to a lawful court order or judicial warrant.

WHAT CAN I EXPECT AFTER I SUBMIT MY APPLICATION?

DOL will begin processing your application. If additional information or corrections are required, DOL will send you a text message or email (based on your preferred method of communication) with a link advising you to sign-in to your account for details. Once you sign-in, follow the instructions to see which documents need to be corrected or resubmitted and why. You will have 7 calendar days to respond from the date and time of the email or text notification. If a response is not received within the timeframe provided, a determination will be made based on the available information.

Applicants should diligently monitor their accounts, text messages, and emails for any status updates or requests for additional information. Text messages will be sent from **(833) 586-1144** (toll free). Email notifications will be sent from **EWF@labor.ny.gov**. Applicants may also receive a phone call from an EWF representative if additional information is needed. In such cases, we will only be calling you from **(877) 393-4697**.

Once a determination is made, DOL will send you a text message or email letting you know whether your application was approved or denied.

HOW AND WHEN WILL PAYMENTS BE RELEASED?

Approved applicants will receive a one-time payment on a Visa® prepaid card mailed to the address provided in their application. The card has ATM access and can be used everywhere Visa debit cards are accepted in the U.S.

From the date of application, fund administrators estimate that review and processing will take approximately six to eight weeks. If an application is incomplete or requires additional information or documents, it may take longer to process the application. As EWF is a new program and volumes are difficult to estimate, timeframes are subject to change.

Visa prepaid card is issued by MetaBank®, N.A., Member FDIC, pursuant to a license from Visa U.S.A. Inc. No recurring payments. Card valid for up to 12 months, funds do not expire and may be available after card expiration date, fees may apply. Card terms and conditions apply.

CAN I APPEAL MY DETERMINATION?

Applicants who are denied or disagree with their determination have the right to appeal. You will receive a text message or email when a determination is made. To appeal, sign-in to your account immediately and follow the instructions. Applicants have 72 hours to select the “Appeal” button to initiate an appeal before the determination is final. Once you appeal, a heightened review of your application will take place. You will receive a notification asking you to provide additional information or documents within 7 calendar days from the date of the notification. If a response is not received within the timeframe provided, a determination will be made based on the available information. Once the review process is complete, we will send you a text message or email letting you know whether your appeal was approved or denied. Appeals can take up to three weeks to process. It can take longer if additional information is needed.

HOW LONG WILL THE PROGRAM LAST?

Once the application goes live in early August, applicants are encouraged to apply as soon as possible. Funds for the program are finite and will be distributed on a first come, first served basis. Applications will be processed in the order they are received. Once all the funds from this historic \$2.1 billion are allocated, the fund will be discontinued. Applicants, community groups, and advocates will be notified and the application process will be closed.

BEWARE OF FRAUD

You should only apply for EWF benefits from the official Department of Labor website and get help only from trusted organizations.

Visit dol.ny.gov/CBOlist for a list of trusted organizations or call **877-EWF-4NYS (877-393-4697)** once the program goes live to speak with an agent and find a location near you.

800-662-1220 TTY/TTD – English
877-662-4886 TTY/TTD – Español

If a person or organization tries to charge you money or collect your personal information to help you apply, **DO NOT** give them anything. You may report such activity by filing a complaint with the New York Attorney General’s office (on.ny.gov/agfraud) or by calling the Attorney General’s hotline at **(800) 771-7755**. For hearing impaired: TDD **(800) 788-9898**.

You will receive communication from the Department of Labor only if you sign up for EWF updates or apply for EWF benefits. An email or text message will tell you that your application is being processed.

Beware of communications that do not come from the Department of Labor.

WHAT HAPPENS IF I PROVIDE FALSE INFORMATION IN MY APPLICATION?

Knowingly making a false statement or presenting false documents can have serious consequences. Someone who commits this type of fraud may be convicted of a Class E felony in addition to having to return all money received.

For more information about the Excluded Workers Fund, visit dol.ny.gov/EWF.

Important Information about Translated Documents: Official documents are provided herein in English only; documents translated into any other language are provided for convenience and in accordance with applicable law. Any conflicts, inconsistencies, mistakes, or apparent conflicts with the English version of a document due to language translation shall not be given any legal effect.