

WE ARE YOUR DOL



Department of Labor

UNEMPLOYMENT INSURANCE AND BENEFIT YEAR ENDING (BYE) DATE

Update – 6/29/21: NYS DOL has updated its guidance regarding how unemployment insurance (UI) recipients with claims ending on or after July 4, 2021 should proceed if still unemployed when they reach their BYE date. Claimants receiving UI benefits, including Pandemic Emergency Unemployment Compensation (PEUC) and Extended Benefits (EB), must file a new claim online (labor.ny.gov/signin) or through NYS DOL's automated phone system after their BYE date. UI claimants will not receive benefits on an expired claim unless deemed not qualified for a new claim after reapplying.

Claimants who are unemployed during the last week of benefits of their current benefit year should certify for that week of benefits at least 24 hours before filing a new claim for benefits.

PUA claimants who continue to be unemployed when they reach their current BYE date do not need to reapply for benefits. Instead, PUA claimants may continue to certify weekly while unemployed to continue receiving the benefits they are eligible for.

NYS DOL has updated its guidance to ensure that New Yorkers approaching their benefit year ending (BYE) date will receive the new or extended benefits they are entitled to as quickly as possible.

The “BYE date” is the date when an individual’s unemployment insurance (UI) claim ends — after a claim’s BYE date passes, you cannot collect any additional benefits on that claim. To view your claim’s BYE date, log in to labor.ny.gov/signin with your **NY.gov** username and password and click “View Payment History” under “Unemployment Services” (see below for an example).

Start Effective Date:	6/29/21
Benefit Year Ending Date:	6/29/21
Weekly Benefit Amount:	\$500
Maximum Amount Payable:	\$1,000
Effective Days Remaining:	1

UI Claimants: If you are still unemployed when your claim reaches its BYE date, you may qualify for extended benefits under federal programs **or** for an entirely new claim, based on your work history and non-self-employment wages earned since filing your initial claim. For example:

- **If you have not worked for an employer OR have worked for an employer but have not earned 10 times your weekly benefit rate since filing your initial claim:** Continue to certify on your existing claim. You can keep certifying on your existing claim. You do not have to reapply if you did not return to work, but if you choose to reapply, we will review your eligibility for a new claim.
- **If you have worked for an employer AND earned 10 times your weekly benefit rate since filing your initial claim:** You must file a new claim. If you continue to claim on an expired claim, your benefits may be stopped.

If you need to file a new claim, the best way to file a new claim for benefits is online. Go to labor.ny.gov/signin and click "File a Claim." Alternatively, you can also file a new claim through our automated telephone service by calling **888-209-8124**. Once a new claim is filed, we will determine if (1) you are eligible for a new UI claim, or (2) you may continue to receive extended benefits on your existing claim.

If you miss your filing day, you can file your new claim on the **Friday** after your BYE date, or the correct day in a later week. While it may take 2-3 weeks to process your new claim, you will be paid all benefits due at your new benefit rate. After you file your new claim, continue to certify weekly while you are unemployed.

If you are filing a claim for benefit in March or April 2021, the day you should file your new claims for benefits is based on the first letter of your last name:

- **A – F:** file your new claim the Tuesday after your BYE date
- **G – N:** file your new claim the Wednesday after your BYE date
- **O – Z:** file your new claim the Thursday after your BYE date

NYS DOL will be sending out emails, text messages, and DocuSign forms via email to claimants who are receiving UI as they approach their BYE date. Follow the instructions on the email and/or text message and fill out the DocuSign form to receive to get the benefits you are entitled to.

This guidance impact claims ending between March 7, 2021 and June 27, 2021.

PUA Claimants: Based on federal law, claimants receiving Pandemic Unemployment Assistance (PUA) do **NOT** have to reapply when their claim reaches its BYE date. While the PUA program is ongoing, claimants who remain unemployed should continue certifying to receive the benefits they are entitled to.

FREQUENTLY ASKED QUESTIONS

Q: HOW DO I KNOW IF I AM RECEIVING UI OR PUA BENEFITS?

There are a few ways to tell if you are currently receiving UI or PUA benefits:

1. After you filed your initial claim, you should have received a Notice of Determination of Eligibility letter in the mail that states you were found eligible for UI or PUA.
2. If you are asked COVID-19-related questions each week when certifying, you are receiving PUA benefits.
3. NYS DOL is texting and emailing New Yorkers receiving UI and PUA as they are approaching their benefit year ending date. When you receive the email, the subject line will say whether you are receiving UI or PUA.

Please note: Becoming unemployed during the pandemic does not automatically mean you are receiving PUA benefits.

Q: HOW DO I DETERMINE IF I EARNED TEN TIMES MY WEEKLY BENEFIT RATE?

To determine if you have earned ten times your benefit rate, multiply your weekly benefit amount by 10. If you have earned more than that amount (excluding wages from self-employment) in total since filing your initial claim for benefits, then you must reapply for benefits.

Q: HOW DO I FIND MY BYE DATE AND WEEKLY BENEFIT RATE?

Your BYE date and weekly benefit rate can be found in your Payment History in your online account. The DOL will also tell you that it is time to file a new claim for benefits if you submit a weekly certification after your claim's BYE date has passed.

Q: I AM RECEIVING PUA BENEFITS, BUT THE ONLINE SYSTEM IS TELLING ME TO FILE A NEW CLAIM. WHAT SHOULD I DO?

Double-check to confirm you are receiving PUA benefits. If you are, you can disregard this message and just keep certifying weekly while unemployed.

**Q: WHAT IS THE BEST WAY TO REAPPLY FOR BENEFITS?
HOW LONG WILL IT TAKE TO BEGIN RECEIVING BENEFITS AGAIN?**

The best way to file a new claim for benefits is online. Go to labor.ny.gov/signin and click “File a Claim.” You can also file a new claim through our automated telephone service by calling **888-209-8124**. If found eligible for a new claim, it may take 2-3 weeks for your claim to process before you start receiving benefits again. You will be paid all benefits you are entitled to, including any backpay you are due while the claim was processing. Continue to certify weekly while your new claim is awaiting approval.

To ensure your new application for benefits is approved as quickly as possible, be sure to have all the following with you before you file:

- Your New York State driver license or Motor Vehicle ID card number (if you have either one)
- Your complete mailing address and zip code
- A phone number where we can reach you from 8 am – 5 pm, Monday – Friday
- Your Alien Registration card number (if you are not a U.S. Citizen and have a card)
- Names and addresses of all your employers for the last 18 months, including those in other states; if your work was in another state, **you may need to file with that state.**
- Employer Registration number or Federal Employer Identification Number (FEIN) of your most recent employer (FEIN is on your W-2 forms)
- Your copies of forms SF8 and SF50, if you were a federal employee
- Your most recent separation form (DD 214), for military service

Q: CAN I CALL TO EXTEND MY CURRENT UI CLAIM INSTEAD OF FILING A NEW CLAIM FOR BENEFITS?

No, if you have worked for an employer and earned ten times your weekly benefit rate (excluding earnings from self-employment), you cannot extend your current claim. You must file a new claim for benefits online at labor.ny.gov/signin or by using our automated phone service at 888-209-8124.

Q: IF MY WEEKLY BENEFIT RATE IS LOWER ON MY NEW UI CLAIM, CAN I STAY ON MY INITIAL UI CLAIM?

Under the Continued Assistance Act enacted December 27, 2020, the claim on which PEUC has been established may continue to be paid if a new UI claim filed after the benefit year ending date is at least \$25 less than what was payable on the prior claim for PEUC. When you receive your determination letter in the mail, it will show your weekly benefit rate for UI. If the wages shown on the form are wrong or employment or earnings are missing, then you can submit a **Request for Reconsideration** to have your Monetary Determination reconsidered.