



WE ARE YOUR DOL



## UNEMPLOYMENT INSURANCE (UI) FOR BUSINESSES

New York's UI program is part of a Federal-State-Business partnership that helps the unemployed. The program offers immediate, short-term financial help for people who are out of work through no fault of their own. The New York State Department of Labor manages the UI Program.

The UI program is an insurance system. Employers pay into the system through a quarterly tax based on their payroll. The benefits paid are based on the person's work history in the prior 15 months. We charge a proportional share to the accounts of all applicable employers in those 15 months, even if the business did not discharge the employee.

### PROTECTING UI – A SHARED RESPONSIBILITY

Everyone who is part of the UI system is responsible to protect it. This ensures that only people who are properly entitled to collect benefits receive payments.

To collect UI benefits, unemployed persons must have lost their job through no fault of their own. They must be ready, willing, and able to work, and must actively seek work they are suited to do. They also must take part in job-search programs.

As an employer, you finance the UI program through a tax on your payroll. To keep your tax rate low, it is crucial that you send details regarding benefit claims promptly when asked. This assures that we do not pay UI benefits to anyone who is not eligible. If you disagree with our decision to pay benefits, or the rate of benefits paid, you can request a hearing. If you know of wrongdoing on the part of anyone receiving benefits, report it by calling **1-888-890-5090**.

State employees must protect the UI system and act with integrity. We use database cross-matching and investigative tactics to ensure that only people who are entitled by law can receive UI benefits. We audit UI claims to ensure the quality, accuracy, and integrity of the system. We also ensure that all employers take part in the system and compete fairly.

### WHO IS AN EMPLOYER?

An employer includes:

- Any person, partnership, firm, or association
- A public or private, domestic or foreign corporation
- The legal representatives of a deceased person
- The receiver, trustee, or successor of a person, partnership, firm, association, public or private, domestic or foreign corporation
- Certain domestic and agricultural employers
- New York State and other government entities, including some Native American tribes

### CONDITIONS FOR LIABILITY

General business employers become liable for UI on:

- The first day of the calendar quarter in which you pay remuneration (see "Quarterly Reporting" for a definition of remuneration) of \$300 or more

Or

- The day you acquire any or all of the business of a liable employer

Conditions differ for nonprofit organizations, government entities, Native American tribes, household and agricultural employers. See the Employer's Guide to Unemployment Insurance, Wage Reporting, and Withholding Tax (NYS-50) for details about your conditions for liability and the definitions of covered employees. You can find this guide online at [www.labor.ny.gov](http://www.labor.ny.gov).

Before you register, you must obtain a Federal Employer Identification Number (FEIN) from the Internal Revenue Service (IRS). You can download an application (Form SS-4) or apply online at [www.irs.gov](http://www.irs.gov) or call the IRS at **1-800-829-3676**.

## REGISTER FOR UI

You must complete an online or paper Employer Registration (Form NYS-100) for us to determine if you are liable under the New York State Unemployment Insurance Law.

To register online (this is only for Business Employers and Household Employers of Domestic Services) go to [www.labor.ny.gov/ui/employer.shtml](http://www.labor.ny.gov/ui/employer.shtml) and follow the links.

Currently, online registration is not available to Non-Profit Employers, Agricultural Employers, Governmental Employers and Native American Tribes. You must use a paper form found on our website at [www.labor.ny.gov](http://www.labor.ny.gov).

## QUARTERLY REPORTING

Each calendar quarter, employers must report their payroll and pay UI tax. You do this on the Quarterly Combined Withholding, Wage Reporting and Unemployment Insurance Return (Form NYS-45). We base your tax contributions on the first \$8,500 of remuneration paid to each employee in a calendar year. Remuneration includes every form of compensation you pay to covered employees, including:

- Salaries and commissions
- Tips
- Cash wages
- Vacation pay
- Back pay
- The value of meals and lodging
- Bonuses
- Compensation to corporate officers

## QUARTERLY FILING DUE DATES

Calendar Quarter	Due Date
January-February-March	April 30
April-May-June	July 31
July-August-September	October 31
October-November-December	January 31

## FILE USING UI ONLINE SERVICES

Web File your Form NYS-45 through our Online Services.

Web Filing offers these benefits:

- Calculates amounts due
- Provides instant confirmation of successful filing
- Lets you pay from your bank account via ACH debit
- Offers different ways to file wage reports

### USING ONLINE SERVICES, YOU ALSO CAN:

- File a NYS-1 Coupon online
- Report a Change of Address online
- Check your UI account balance
- View benefit charges
- File a Shared Work application

Visit [www.labor.ny.gov](http://www.labor.ny.gov) to register.

It is important that employers file complete and accurate quarterly returns and pay taxes due on time. If you prefer to file by paper, you can download the NYS-45 at [www.tax.ny.gov](http://www.tax.ny.gov), or contact the NYS Department of Taxation and Finance at **518-457-5431**.

## THIRD PARTY DESIGNEE

If you want to designate a third party to have access to your account, submit a Power of Attorney (Form IA-900). You can download the form from our website at [www.labor.ny.gov](http://www.labor.ny.gov) and mail the original to the address provided on the form.

## CONTACT US

If you have questions about UI, call **1-888-899-8810**.