

Unemployment Insurance: Benefits

Purpose

This document describes New York State (NYS) unemployment insurance benefits provided to employees.

Definitions

Base Period

The first four quarters of the last five completed calendar quarters prior to the filing of the benefit claim.

Base Period Employer

The employer for whom the claimant worked during the base period. If you worked for more than one employer during the base period, then your benefit is based on your salary from all such employers during the base period.

Maximum New York State Unemployment Benefit

The unemployment benefit rate for a week of total unemployment is based on the employee's wages of the calendar quarter with the highest wages, up to a maximum weekly benefit. Refer to the Rates page of the Research Foundation (RF) Web site for the current amount.

Benefit amounts will be one twenty-sixth (1/26) of the employee's high quarter wages .

Note: If a claimant's high quarter wages are \$3,575 or less, the weekly benefit amount will be 1/25 of the claimant's high quarter wages.

Limitations on Benefits

The following pension reduction and workers' compensation limitations are excerpts from the New York State Department of Labor's (DOL's) publication "Unemployment Insurance Benefits—An Employer's Guide," (IA318.2—10/03).

"Pension Reduction. Individuals who are eligible for unemployment insurance and are receiving a retirement pension financed by a base period employer may have their weekly benefits reduced if their base period employment with that employer resulted in eligibility for the pension or an increase in the amount of the pension. Benefits are reduced as follows.

1. If a base period employer contributed 100 percent to a claimant's pension plan, the weekly benefit will be reduced by 100 percent of the weekly pension amount.
2. If a base period employer contributed at least 50 percent (but less than 100 percent) to the pension plan, the weekly benefit will be reduced by 50 percent of the weekly pension amount.
3. If a base period employer contributed less than 50 percent to the pension plan, there will be no reduction in the weekly benefit rate.
Social Security benefits are not deductible from the benefit rate.
Workers' Compensation Limitation. The unemployment insurance benefits to which a claimant may be entitled are limited to the difference between the amount of workers' compensation benefits and 100% of the claimant's average weekly wage."

Maximum Compensation Period

Benefits under the state's regular Unemployment Insurance Program are payable for up to 26 weeks of total unemployment at the full weekly benefit rate or in an equivalent amount during a greater number of weeks if the person is partially employed. Partial benefits can be paid for any week in which a claimant works no more than 3 days and earns no more than the maximum benefit rate (a total of 104 benefit days). These benefits are payable during the person's benefit year, i.e., the 52-week period following the week in which the claim was filed.

Benefit Payment

Unemployment benefits payments are made directly to the person by the local unemployment insurance office that services the area where the claim was made.

When Benefits Are Not Paid

Under the New York State Unemployment Insurance Benefits Law, compensation will not be made to a former Research Foundation employee if he or she is disqualified for any of the following reasons:

- The employee's required work or wages were less than established by New York State law.
- The employee voluntarily quit.
- Termination was the result of misconduct.
- Termination was the result of refusal of a job.

Change History

- **April 10, 2006** - Converted from BE-A-232, added "Definitions" section, and removed "Maximum NYS Unemployment Benefit" chart..