

Unemployment Insurance and Strikes

Can I get Unemployment Insurance (UI) if I am out on strike?

If you lose your job due to a labor dispute, such as a strike or other industrial controversy, you may be eligible for UI benefits after 49 days. You may be eligible sooner if:

- The labor dispute ends and you are still unemployed
- Your employer hires permanent replacement workers
- There is a lockout

When do I file a claim?

Contact the Department of Labor when the strike starts. File a claim right away, to see if you are eligible for benefits now or after 49 days.

How do I file a claim?

You can file on our web site:

- Monday-Thursday, 7:30 am - 7:30 pm
- Friday, 7:30 am to 5:00 pm
- Saturday and Sunday until 7:00 pm

Go to labor.ny.gov, and click on "Individuals," then "Unemployment Assistance," and then "File a Claim." You can file by phone Monday – Friday from 8:00 am – 5:00pm:

- Call our Telephone Claims Center (TCC) at **1-888-209-8124**
- Out-of-state residents should call **1-877-358-5306**

What happens after I file a claim?

You will get an Unemployment Insurance Monetary Benefit Determination letter in the mail. This will tell you the work history and earnings we have on file for you. It will tell you how much money you would receive weekly, if we approve you for UI benefits.

If we do not approve you for UI benefits, you will receive a determination letter (denial). If you receive a denial, for example because your employer did not hire replacement workers, the determination letter will tell you what you need to do.

How do I get more information?

To find out more about UI, visit our web site at labor.ny.gov. Click on "Individuals," and then on "Unemployment Assistance." There you can find our Frequently Asked Questions and UI Handbook.

What if I have a question about unemployment or about my claim?

You can call the TCC during the hours listed above. Or, send us an e-mail at labor.ny.gov. Click on "Contact us" and complete the inquiry form to submit your question.

Is there a wait period?

Yes, under New York Labor Law the first week of your claim is a wait period, which is unpaid. You must claim benefits for that week to receive credit, as well as to collect any future weeks of UI benefits. You do not get credit for the wait period until after the end of the 49 days noted in the first question.

PROTECT *all Workers*

ASSIST *the Unemployed*

CONNECT *Employers and Workers*