



Legal Strategies and Solutions  
to Protect and Grow Businesses<sup>sm</sup>

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**COVid-19 HOW-TO GUIDE**  
**NYS Unemployment Insurance**  
**for**  
**Self-employed**

General procedure for claiming UI benefits

Go to the following URL: <https://www.labor.ny.gov/ui/cares-act.shtm>

Specific procedure for claiming UI benefits

Go to the following URL: <https://www.labor.ny.gov/ui/pdfs/Unemployment-Filing-Instructions.pdf>

Apply for UI benefits

Go to the following URL: <https://applications.labor.ny.gov/IndividualReg/>

Additional guidance for Self-employed individuals seeking PUA benefits

Go to the following URL: <https://www.labor.ny.gov/ui/pdfs/self-employed-ui-guide.pdf>

General explanation:

As a result of recent changes to NYS law in response to the COVID-19 situation, many individuals who traditionally do (did) not qualify for regular unemployment insurance (“UI”) benefits, such as self-employed workers and independent contractors, may qualify for UI benefits under **Pandemic Unemployment Assistance** (“PUA”).

Eligibility

To be eligible for UI benefits under PUA, you must be unable to work because of any one or more of the following circumstances:

- √ Are diagnosed with COVID-19 or have COVID-19 symptoms and are seeking diagnosis;
- √ Have a member of the household who is diagnosed with COVID-19;
- √ Are providing care for a family or household member diagnosed with COVID-19;
- √ Are the primary caregiver for a child whose school or care facility closed due to COVID-19;
- √ Are unable to reach their place of employment due to an imposed quarantine or because advised by medical provider to self-quarantine due to COVID-19;

- √ Were scheduled to start new employment and cannot reach the workplace as direct result of COVID-19;
- √ Became the major breadwinner because the head of household died from COVID-19;
- √ Quit your job as a direct result of COVID-19;
- √ Your place of employment closed as a direct result of COVID-19; or
- √ Satisfy any additional criteria specified by U.S. Secretary of Labor.

For a summary checklist, go to the following URL:

<https://www.labor.ny.gov/ui/pdfs/pandemic-unemployment-assistance.pdf>

### Prerequisite

If you believe you are eligible, you must first apply for UI benefits and receive confirmation that you are *ineligible* for UI benefits under the traditional standard. After you receive such confirmation, you may apply for PUA benefits.

### Is there a waiting period for PUA?

No.

### Coverage Period

PUA benefits are available for periods of unemployment between January 27, 2020 and December 31, 2020, for up to 26 weeks of coverage. PUC benefits (see below) are available for an additional 13 weeks after the PUC benefits cease, for a cumulative total of 39 weeks of coverage.

### Maximum benefit

In New York, the current maximum weekly benefit rate is \$504—which is the same for UI benefits. The minimum PUA benefit rate is 50% of the average weekly benefit amount in New York. For January 1, 2020 through March 31, 2020, the minimum benefit rate is \$172 per week. For April 1, 2020 through June 30, 2020, the minimum benefit rate is \$182 per week.

However, because of the other recently enacted UI program—Pandemic Unemployment Compensation (“*PUC*”)—a person who receives PUA benefits will also receive \$600 per week for PUC.

For additional FAQs and the source of the foregoing information, go to the following URL:

<https://labor.ny.gov/ui/pdfs/ui-covid-faq.pdf>

**DISCLAIMER:** The foregoing is not legal advice and cannot be relied upon unless and until a binding client representation agreement is entered into with this law firm. Before making any decisions, consult with your legal advisor.

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