



September 1, 2020

Roberta Reardon, Commissioner
New York State Department of Labor
Building 12
W.A. Harriman Campus
Albany, NY 12240

By Email and U.S. Mail

Dear Commissioner Reardon:

As New Yorkers continue to face economic insecurity brought on by unemployment as a result of COVID-19, we appreciate the great lengths to which the Department of Labor has gone to ensure that New Yorkers receive the benefits they deserve. Processes have been improved and policies that existed under normal circumstances have been updated to account for new realities during the pandemic.

Changes such as removing the application verification by phone and the one-week waiting period, amending forfeiture penalties, and expanding eligibility among self-employed individuals have positively impacted the lives of tens of thousands of people.

We are now hearing from constituents regarding another gap in the manner in which unemployment benefits are being administered that we believe should be reconsidered in the face of the ongoing public health crisis. There are a significant number of long-term residents of New York who have been stuck abroad due to health concerns, caregiving responsibilities, travel restrictions, or simply a lack of funds to return to the United States. These individuals are currently without any hopes of receiving benefits they would otherwise be entitled to if they were in New York.

We understand that the standard approach would be to deny unemployment benefits to these individuals because they are not in the state and therefore are not “available to work” here, but we believe that this factor should be considered differently given the global disruption that the pandemic has caused. Any concern about the appropriateness of granting benefits to New Yorkers currently not physically in the state can be addressed without categorically denying benefits to all applicants who find themselves in that circumstance. We ask that as an emergency

measure during the pandemic, you reconsider the Department's approach to these applicants and expand benefits to those who can verify the authenticity of their New York residency, provide all associated documentation, and perhaps look for work remotely until they can return to the state.

Thank you again for your partnership with us and all the hard work you and your colleagues at the Department have done to make our unemployment benefits programs effective. We look forward to your response. Should you wish to discuss this matter, feel free to reach out to any of us directly or via Chantel Cabrera in Senator Kavanagh's office at 718-298-5565 or Cabrera@nysenate.gov.

Sincerely,



Brian Kavanagh



Andrew Gounardes



Brad Hoylman



Robert Jackson



Liz Krueger



Kevin Parker



Gustavo Rivera



Julia Salazar

cc: Governor Andrew Cuomo
Dana Carotenuto Rico, Deputy Secretary for Legislative Affairs & Policy, Office of the Governor