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September 7, 2021

Honorable Kathy Hochul
Governor of New York State
NYS Capitol Building
Albany, NY 12224

Re: Continuing Unemployment Issues

Dear Governor Hochul:

First, I would like to once again congratulate you on your historic achievement of becoming the first female governor of New York State. There is no question that you have come into this position not only in an incredibly challenging time, but in a pivotal time as well, and I understand that you have inherited significant challenges. As you know, New Yorkers stepped up to flatten the curve of the spread of COVID-19 in our State; however, to date, our State has not lived up to its obligations for those who have been negatively impacted during these last 18 months in particular. It is clear that you intend to hit the ground running when it comes to moving agencies along to ensure they are fulfilling their mission, and I write to you today to ask that you do the same with the Department of Labor (DOL)—an agency that has been especially plagued with excessive troubles throughout the duration of the pandemic, particularly with regards to processing unemployment claims.

I wrote to your predecessor on this issue in May of 2020, with a follow-up letter in April of 2021, to alert the former Governor to the many challenges that were being reported to my office and to urge the state to take immediate action to reform the program. Unfortunately, despite those two letters being written almost a full year apart, my office was still being flooded not only with the same types of complaints pertaining to delays in the release of benefits and an inability of residents to get into contact with the Department, but the same volume of calls as well. As I am sure you would agree, the fact that the state had failed to drastically improve the process in that time is unacceptable.

Now, almost 18 months since the start of the pandemic, my office continues to receive serious complaints about the Department of Labor and the many issues plaguing the unemployment process.

Recently, a constituent emailed to let me know that after my office helped connect him with a DOL representative earlier this year to certify and release a single week's worth of back pay on May 18, he unfortunately had to continue calling the DOL call center nearly every two weeks since that time to try and get the remainder of the payments he is owed. Furthermore, in addition to his numerous, unsuccessful calls, he stated that he has contacted the DOL through its secure email system, but has not gotten a response in his four

or five attempts. This has left him still awaiting eight weeks of missed payments dating back to March of last year—**near the start of the New York State on PAUSE order.**

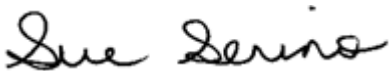
Another constituent, a healthcare worker who had worked throughout the entire pandemic until losing her job approximately a month ago, informed me that she received a text on August 24 asking her to certify her claim after filing for unemployment insurance. However, she has tried to certify her claim every day since that text but is inexplicably unable to do so. In an attempt to find another way to certify her claim, she has tried logging in to the online service, but is having further technical issues, and is unable to connect with anyone at DOL despite attempting four separate numbers for the Department. These longstanding and pervasive troubles with DOL's handling of unemployment claims are forcing New Yorkers to concentrate their efforts on accessing these benefits at the expense of their efforts looking and applying for a new job.

These are just two of the many egregious pending cases my office continues to grapple with. It is clear that the system continues to be broken, and a decisive, dedicated effort is needed to correct it. The pandemic has certainly highlighted and exposed just how unprepared our State was in many respects, and many New Yorkers were more than patient, understanding that there would be difficulties in the early stages of the pandemic as the State faced many new challenges. However, 18 months is far too long to be considered a grace period for DOL to adequately address these shortcomings. The fact that many New Yorkers still cannot get reliable answers to their questions whenever they are lucky enough to speak to a human representative in the agency is unacceptable. While I know this is not a mess of your own making, but one of many you have inherited, it is my hope that you will prioritize fixing the broken unemployment system expeditiously.

My office alone has worked with thousands of constituents who were—and in many cases, still are—in critical need of accessing the benefits they are owed, and I am sure the same goes for the offices of many other elected officials. On behalf of these New Yorkers who have been waiting far longer than anyone should ask of them, I implore you to make fixing this broken system a top priority.

I thank you for your time and consideration, and stand ready to assist you in this endeavor.

Sincerely,

A handwritten signature in cursive script that reads "Sue Serino".

Senator Sue Serino
41st District