

S T A T E O F N E W Y O R K

1117--A

2015-2016 Regular Sessions

I N S E N A T E

January 8, 2015

Introduced by Sens. PERALTA, AVELLA, SQUADRON -- read twice and ordered printed, and when printed to be committed to the Committee on Labor -- recommitted to the Committee on Labor in accordance with Senate Rule 6, sec. 8 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the labor law, in relation to the unemployment insurance law, increasing the maximum benefit rate for unemployment insurance

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1 Section 1. Paragraph (a) of subdivision 1 of section 518 of the labor
2 law, as amended by section 1 of part 0 of chapter 57 of the laws of
3 2013, is amended to read as follows:

4 (a) "Wages" means all remuneration paid, except that such term does
5 not include remuneration paid to an employee by an employer after eight
6 thousand five hundred dollars have been paid to such employee by such
7 employer with respect to employment during any calendar year, except
8 that such term does not include remuneration paid to an employee by an
9 employer with respect to employment during any calendar year beginning
10 with the first day of

11		that exceeds
12	January 2014	\$10,300
13	January 2015	\$10,500
14	January 2016	\$10,700
15	January 2017	[\$10,900] \$12,500
16	January 2018	[11,100
17	January 2019	\$11,400
18	January 2020	\$11,600
19	January 2021	\$11,800
20	January 2022	\$12,000
21	January 2023	\$12,300
22	January 2024	\$12,500

EXPLANATION--Matter in *ITALICS* (underscored) is new; matter in brackets [] is old law to be omitted.

LBD00158-02-6

1 January 2025 \$12,800
2 January 2026 \$13,000
3 and each year thereafter on the first day of January that exceeds
4 sixteen percent of the state's average annual wage as determined by the
5 commissioner on an annual basis pursuant to section five hundred twenty-nine of this article; provided, however, that in calculating such
6 maximum amount of remuneration, the amount arrived at by multiplying the
7 state's average annual wage times sixteen percent shall be rounded up to
8 the nearest hundred dollars. In no event shall the state's annual average wage be reduced from the amount determined in the previous year]
9 \$13,500

12 IN EACH SUCCEEDING CALENDAR YEAR, THE DEPARTMENT SHALL CALCULATE THE
13 BASE AMOUNT OF REMUNERATION NECESSARY FROM WHICH TO PRODUCE SUFFICIENT
14 PREMIUM TO PROVIDE FOR THE ANNUAL INCREASES IN MAXIMUM WEEKLY BENEFIT
15 PROVIDED FOR IN THIS ARTICLE, AND OTHER FUNDING FOR THE UNEMPLOYMENT
16 INSURANCE TRUST FUND PURSUANT TO SECTION FIVE HUNDRED FIFTY OF THIS
17 ARTICLE, AS MAY BE NECESSARY. The term "employment" includes for the
18 purposes of this subdivision services constituting employment under any
19 unemployment compensation law of another state or the United States.

20 S 2. Paragraph (a) of subdivision 5 of section 590 of the labor law,
21 as amended by section 8 of part 0 of chapter 57 of the laws of 2013, is
22 amended to read as follows:

23 (a) A claimant's weekly benefit amount shall be one twenty-sixth of
24 the remuneration paid during the highest calendar quarter of the base
25 period by employers, liable for contributions or payments in lieu of
26 contributions under this article, provided the claimant has remuneration
27 paid in all four calendar quarters during his or her base period or
28 alternate base period. However, for any claimant who has remuneration
29 paid in all four calendar quarters during his or her base period or
30 alternate base period and whose high calendar quarter remuneration
31 during the base period is three thousand five hundred seventy-five
32 dollars or less, the benefit amount shall be one twenty-fifth of the
33 remuneration paid during the highest calendar quarter of the base period
34 by employers liable for contributions or payments in lieu of contributions under this article. A claimant's weekly benefit shall be one
35 twenty-sixth of the average remuneration paid in the two highest quarters paid during the base period or alternate base period by employers
36 liable for contributions or payments in lieu of contributions under this
37 article when the claimant has remuneration paid in two or three calendar
38 quarters provided however, that a claimant whose high calendar quarter
39 is four thousand dollars or less but greater than three thousand five
40 hundred seventy-five dollars shall have a weekly benefit amount of one
41 twenty-sixth of such high calendar quarter. However, for any claimant
42 who has remuneration paid in two or three calendar quarters during his
43 or her base period or alternate base period and whose high calendar
44 quarter remuneration during the base period is three thousand five
45 hundred seventy-five dollars or less, the benefit amount shall be one
46 twenty-fifth of the remuneration paid during the highest calendar quarter of the base period by employers liable for contributions or payments
47 in lieu of contributions under this article. Any claimant whose high
48 calendar quarter remuneration during the base period is more than three
49 thousand five hundred seventy-five dollars shall not have a weekly benefit amount less than one hundred forty-three dollars. The weekly benefit
50 amount, so computed, that is not a multiple of one dollar shall be
51 [lowered to] the next multiple of one dollar. On the first Monday of
52 September, nineteen hundred ninety-eight the weekly benefit amount shall

1 not exceed three hundred sixty-five dollars nor be less than forty
2 dollars, until the first Monday of September, two thousand, at which
3 time the maximum benefit payable pursuant to this subdivision shall
4 equal one-half of the state average weekly wage for covered employment
5 as calculated by the department no sooner than July first, two thousand
6 and no later than August first, two thousand, rounded [down] to the
7 [lowest] NEXT dollar. On and after the first Monday of October, two
8 thousand fourteen, the weekly benefit shall not be less than one hundred
9 dollars, nor shall it exceed four hundred twenty dollars until the first
10 Monday of October, two thousand fifteen when the maximum benefit amount
11 shall be four hundred twenty-five dollars, until the first Monday of
12 [October] JULY, two thousand sixteen when the maximum benefit amount
13 shall be four hundred [thirty] SEVENTY-FIVE dollars, until the first
14 Monday of [October] JULY, two thousand seventeen when the maximum bene-
15 fit amount shall be [four] FIVE hundred [thirty-five] TWENTY-FIVE
16 dollars, until the first Monday of [October] JULY, two thousand eighteen
17 when the maximum benefit amount shall be [four] SIX hundred [fifty]
18 dollars, until the first Monday of [October] JULY, two thousand nineteen
19 when the maximum benefit amount shall be [thirty-six percent of the
20 average weekly wage] SIX HUNDRED FIFTY DOLLARS, until the first Monday
21 of [October] JULY, two thousand twenty when the maximum benefit amount
22 shall [be thirty-eight percent of the average weekly wage, until the
23 first Monday of October two thousand twenty-one when the maximum benefit
24 amount shall be forty percent of the average weekly wage, until the
25 first Monday of October, two thousand twenty-two when the maximum bene-
26 fit amount shall be forty-two percent of the average weekly wage, until
27 the first Monday of October, two thousand twenty-three when the maximum
28 benefit amount shall be forty-four percent of the average weekly wage,
29 until the first Monday of October, two thousand twenty-four when the
30 maximum benefit amount shall be forty-six percent of the average weekly
31 wage, until the first Monday of October, two thousand twenty-five when
32 the maximum benefit amount shall be forty-eight percent of the average
33 weekly wage, until the first Monday of October, two thousand twenty-six
34 and each year thereafter on the first Monday of October when the maximum
35 benefit amount shall be fifty percent of the average weekly wage
36 provided, however, that in no event shall the maximum benefit amount be
37 reduced from the previous year] EQUAL ONE-HALF OF THE STATE AVERAGE
38 WEEKLY WAGE AS CALCULATED BY THE DEPARTMENT NO SOONER THAN JULY FIRST,
39 TWO THOUSAND TWENTY AND NOT LATER THAN AUGUST FIRST, TWO THOUSAND TWENTY
40 AND ON JULY FIRST OF EACH SUCCEEDING YEAR THE MAXIMUM BENEFIT SHALL
41 EQUAL ONE-HALF OF THE STATE AVERAGE WEEKLY WAGE AS CALCULATED BY THE
42 DEPARTMENT ANNUALLY PURSUANT TO THE MANNER DESCRIBED IN THIS SUBDIVI-
43 SION. FOR PURPOSES OF THIS SUBDIVISION, THE TERM "STATE AVERAGE WEEKLY
44 WAGE" SHALL MEAN THE AVERAGE WEEKLY WAGE OF THE STATE FOR THE PREVIOUS
45 CALENDAR YEAR AS REPORTED BY THE COMMISSIONER TO THE SUPERINTENDENT OF
46 FINANCIAL SERVICES ON MARCH THIRTY-FIRST.

47 S 3. This act shall take effect immediately and shall apply to all
48 claims filed on and after the effective date of this act; provided,
49 however, that section one of this act shall take effect on the thirtieth
50 day after it shall have become a law.