

9231

I N A S S E M B L Y

February 4, 2016

Introduced by M. of A. RICHARDSON -- read once and referred to the
Committee on Labor

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 ASSEM-
BLY, DO ENACT AS FOLLOWS:

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

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

that exceeds

January 2014	\$10,300
January 2015	\$10,500
January 2016	\$10,700
January 2017	[\$10,900] \$12,500
January 2018	[11,100
January 2019	\$11,400
January 2020	\$11,600
January 2021	\$11,800
January 2022	\$12,000
January 2023	\$12,300
January 2024	\$12,500
January 2025	\$12,800
January 2026	\$13,000

and each year thereafter on the first day of January that exceeds
sixteen percent of the state's average annual wage as determined by the
commissioner on an annual basis pursuant to section five hundred twen-
ty-nine of this article; provided, however, that in calculating such

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

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1 maximum amount of remuneration, the amount arrived at by multiplying the
2 state's average annual wage times sixteen percent shall be rounded up to
3 the nearest hundred dollars. In no event shall the state's annual aver-
4 age wage be reduced from the amount determined in the previous year]
5 \$13,500

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

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

17 (a) A claimant's weekly benefit amount shall be one twenty-sixth of
18 the remuneration paid during the highest calendar quarter of the base
19 period by employers, liable for contributions or payments in lieu of
20 contributions under this article, provided the claimant has remuneration
21 paid in all four calendar quarters during his or her base period or
22 alternate base period. However, for any claimant who has remuneration
23 paid in all four calendar quarters during his or her base period or
24 alternate base period and whose high calendar quarter remuneration
25 during the base period is three thousand five hundred seventy-five
26 dollars or less, the benefit amount shall be one twenty-fifth of the
27 remuneration paid during the highest calendar quarter of the base period
28 by employers liable for contributions or payments in lieu of contrib-
29 utions under this article. A claimant's weekly benefit shall be one
30 twenty-sixth of the average remuneration paid in the two highest quar-
31 ters paid during the base period or alternate base period by employers
32 liable for contributions or payments in lieu of contributions under this
33 article when the claimant has remuneration paid in two or three calendar
34 quarters provided however, that a claimant whose high calendar quarter
35 is four thousand dollars or less but greater than three thousand five
36 hundred seventy-five dollars shall have a weekly benefit amount of one
37 twenty-sixth of such high calendar quarter. However, for any claimant
38 who has remuneration paid in two or three calendar quarters during his
39 or her base period or alternate base period and whose high calendar
40 quarter remuneration during the base period is three thousand five
41 hundred seventy-five dollars or less, the benefit amount shall be one
42 twenty-fifth of the remuneration paid during the highest calendar quar-
43 ter of the base period by employers liable for contributions or payments
44 in lieu of contributions under this article. Any claimant whose high
45 calendar quarter remuneration during the base period is more than three
46 thousand five hundred seventy-five dollars shall not have a weekly bene-
47 fit amount less than one hundred forty-three dollars. The weekly benefit
48 amount, so computed, that is not a multiple of one dollar shall be
49 [lowered to] the next multiple of one dollar. On the first Monday of
50 September, nineteen hundred ninety-eight the weekly benefit amount shall
51 not exceed three hundred sixty-five dollars nor be less than forty
52 dollars, until the first Monday of September, two thousand, at which
53 time the maximum benefit payable pursuant to this subdivision shall
54 equal one-half of the state average weekly wage for covered employment
55 as calculated by the department no sooner than July first, two thousand
56 and no later than August first, two thousand, rounded [down] to the

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

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