

STATE OF NEW YORK

6752

2023-2024 Regular Sessions

IN ASSEMBLY

May 8, 2023

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

AN ACT to amend the labor law, in relation to increasing the unemployment insurance minimum weekly benefit amount

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. Paragraph (a) of subdivision 5 of section 590 of the labor law, as amended by section 8 of part 0 of chapter 57 of the laws of 2013, is amended to read as follows:

(a) A claimant's weekly benefit amount shall be one twenty-sixth of the remuneration paid during the highest calendar quarter of the base period by employers, liable for contributions or payments in lieu of contributions under this article, provided the claimant has remuneration paid in all four calendar quarters during his or her base period or alternate base period, but shall not be less than six hundred fifty dollars. However, for any claimant who has remuneration paid in all four calendar quarters during his or her base period or alternate base period and whose high calendar quarter remuneration during the base period is three thousand five hundred seventy-five dollars or less, the benefit amount shall be one twenty-fifth of the remuneration paid during the highest calendar quarter of the base period by employers liable for contributions or payments in lieu of contributions under this article, but shall not be less than six hundred fifty dollars. A claimant's weekly benefit shall be one twenty-sixth of the average remuneration paid in the two highest quarters paid during the base period or alternate base period by employers liable for contributions or payments in lieu of contributions under this article when the claimant has remuneration paid in two or three calendar quarters provided however, that a claimant whose high calendar quarter is four thousand dollars or less but greater than three thousand five hundred seventy-five dollars shall have a weekly benefit amount of one twenty-sixth of such high calendar quarter, but

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

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1 shall not be less than six hundred fifty dollars. However, for any
2 claimant who has remuneration paid in two or three calendar quarters
3 during his or her base period or alternate base period and whose high
4 calendar quarter remuneration during the base period is three thousand
5 five hundred seventy-five dollars or less, the benefit amount shall be
6 one twenty-fifth of the remuneration paid during the highest calendar
7 quarter of the base period by employers liable for contributions or
8 payments in lieu of contributions under this article, but shall not be
9 less than six hundred fifty dollars. Any claimant whose high calendar
10 quarter remuneration during the base period is more than three thousand
11 five hundred seventy-five dollars shall not have a weekly benefit amount
12 less than ~~[one]~~ six hundred ~~[forty-three]~~ fifty dollars. The weekly
13 benefit amount, so computed, that is not a multiple of one dollar shall
14 be lowered to the next multiple of one dollar. On the first Monday of
15 September, nineteen hundred ninety-eight the weekly benefit amount shall
16 not exceed three hundred sixty-five dollars nor be less than forty
17 dollars, until the first Monday of September, two thousand, at which
18 time the maximum benefit payable pursuant to this subdivision shall
19 equal one-half of the state average weekly wage for covered employment
20 as calculated by the department no sooner than July first, two thousand
21 and no later than August first, two thousand, rounded down to the lowest
22 dollar. On and after the first Monday of October, two thousand fourteen,
23 the weekly benefit shall not be less than one hundred dollars, nor shall
24 it exceed four hundred twenty dollars until the first Monday of October,
25 two thousand fifteen when the maximum benefit amount shall be four
26 hundred twenty-five dollars, until the first Monday of October, two
27 thousand sixteen when the maximum benefit amount shall be four hundred
28 thirty dollars, until the first Monday of October, two thousand seven-
29 teen when the maximum benefit amount shall be four hundred thirty-five
30 dollars, until the first Monday of October, two thousand eighteen when
31 the maximum benefit amount shall be four hundred fifty dollars, until
32 the first Monday of October, two thousand nineteen when the maximum
33 benefit amount shall be thirty-six percent of the average weekly wage
34 until the first Monday of October, two thousand twenty when the maximum
35 benefit amount shall be thirty-eight percent of the average weekly wage,
36 until the first Monday of October, two thousand twenty-one when the
37 maximum benefit amount shall be forty percent of the average weekly
38 wage, until the first Monday of October, two thousand twenty-two when
39 the maximum benefit amount shall be forty-two percent of the average
40 weekly wage, until the first Monday of October, two thousand twenty-
41 three ~~[when the maximum benefit amount]~~. On and after the first of
42 Monday of October, two thousand twenty-three, the weekly benefit shall
43 not be less than six hundred fifty dollars, nor shall ~~[be]~~ it exceed
44 forty-four percent of the average weekly wage, until the first Monday of
45 October, two thousand twenty-four when the maximum benefit amount shall
46 be forty-six percent of the average weekly wage, until the first Monday
47 of October, two thousand twenty-five when the maximum benefit amount
48 shall be forty-eight percent of the average weekly wage, until the first
49 Monday of October, two thousand twenty-six and each year thereafter on
50 the first Monday of October when the maximum benefit amount shall be
51 fifty percent of the average weekly wage provided, however, that in no
52 event shall the maximum benefit amount be reduced from the previous
53 year.

54 § 2. This act shall take effect on the sixtieth day after it shall
55 have become a law.