

# Shared Work

## What you should know about your employer's Shared Work Plan

### I. What is Shared Work?

The Shared Work Program gives employers an alternative to laying off workers during business downturns by allowing them to work a reduced work schedule and collect partial Unemployment Insurance benefits. Instead of cutting staff, your employer can reduce the number of hours of all employees or just a select work group.

Shared Work keeps trained, productive employees on the job during temporary business downturns – which means your employer can gear up quickly when business conditions improve. He or she saves the expense of recruiting, hiring and training new employees, while you are spared the hardships of full unemployment.

### II. How does it work?

Your employer has designed a Shared Work Plan that was approved by the New York State Department of Labor. If you qualify for Unemployment Insurance benefits, you can receive Shared Work benefits to partially compensate for the reduction in your wages.

You must file a claim between the Monday and Sunday of your first reduced Shared Work week by going online at [www.labor.gov](http://www.labor.gov) or by calling 1-888-209-8124 . Failure to file a claim during this week may result in a delay in benefit payments.

Each week that you are on Shared Work, you must claim (certify for) your Shared Work

benefits, either online at [www.labor.ny.gov](http://www.labor.ny.gov) or by mail. We recommend you certify online. It is convenient and you will receive your benefit payments faster by avoiding paper mail delays. Please note that if you certify online, your employer must also certify online. For the purposes of Unemployment Insurance, a week runs from Monday to Sunday. You should claim weekly benefits for the previous week on the last day of that week (Sunday) through the following Saturday. Any certification made on a Sunday is for the week ending that day.

If you choose to certify by mail, you will fill out a claim certification form that your employer will give you each week. Your employer also must complete part of the certification form.

### III. Plan requirements

In order to participate in the Shared Work Program, your employer has agreed to meet the following requirements:

- The reduction in employees' hours and the corresponding reduction in wages can be no less than 20% and no more than 60%.
- Only employees who normally work no more than 40 hours per week are eligible to participate.
- Employees' fringe benefits cannot be reduced or eliminated unless they are reduced or eliminated for the entire workforce.



- The plan cannot exceed 53 weeks.  
Note: Even though a plan may be approved for up to 53 weeks, you are limited to a maximum of 26 weeks of Shared Work benefits.
- Full- and part-time employees are eligible.
- Your employer cannot hire additional employees for the work group covered by the Shared Work Plan. However, if an employee leaves while the plan is in effect, your employer can hire a replacement.
- If there is a collective bargaining agreement in effect, the collective bargaining unit must approve the Shared Work Plan.
- The Shared Work Plan must be in lieu of a layoff of an equivalent percentage of employees.
- All employees in an affected unit must be included in the program, and the hours of all must be reduced to the same extent during each week of the plan. The percentage of reduction may vary from unit to unit, or from week to week, as long as it is at least 20% but no more than 60%.

If you feel that your employer has not honored this agreement in any way, please contact the Department of Labor's Liability and Determination Section at (518) 457-5807.

#### **IV. Questions and answers**

**Q.** Will I start receiving my benefits right away?

**A.** No. You must serve an unpaid waiting week before receiving your Shared Work benefit payments unless you have already served a waiting week on an existing claim. You must claim this unpaid waiting week

or else you will not receive credit for it. During this waiting week, you will receive your normal wages, less the designated percentage reduction.

**Q.** What is the weekly amount that I will receive?

**A.** The Shared Work weekly amount will be your weekly unemployment benefit rate multiplied by the percentage that your hours and wages have been reduced under the Shared Work Plan. For example, if you earned \$400 per week and were totally unemployed, you might receive an unemployment benefit rate of \$200. Under the Shared Work Program, if your wages are reduced 20%, you will receive \$320 per week in wages from your employer (20% of \$400 equals an \$80 reduction), and \$40 in Shared Work benefits (20% of \$200). Thus, you would receive a total of \$360 in wages and Shared Work benefits for each week of the plan.

**Q.** Will working a second, part-time job affect my benefit rate?

**A.** Yes. Any work with a different employer or self-employment will reduce the amount of Shared Work benefits that you are eligible to receive. If you work a second job, you will lose one-quarter of your Shared Work benefits for each day that you work. If you work more than three days, you will lose all Shared Work benefits for that week. For example, if you normally receive \$80 in Shared Work benefits and you work a second job two days a week, your benefit amount would be reduced by half. You would receive \$40.

**Q.** What do I do if I have a question about my Shared Work benefit payment, or I believe my Shared Work weekly benefit amount is incorrect?



**A.** If you have a question about your payment (for example, if your payment is delayed), you should contact the Department of Labor at (518) 485-6375. Do not contact the Telephone Claim Center. They do not have the information needed to assist you.

**Q.** How long am I eligible for benefits under Shared Work?

**A.** You can receive a maximum of 26 weeks of Shared Work benefits during a benefit year. However, you may not receive more in Shared Work benefits, combined with regular unemployment insurance benefits, in a benefit year than you could have received under the regular Unemployment Insurance program alone (26 x regular benefit rate).

**Q.** If I normally work more than 40 hours per week, can I receive Shared Work benefits for a reduction in my hours?

**A.** No. Shared Work benefits can only be paid to compensate for wages lost because of a reduction in your normal work schedule of no more than 40 hours per week.

**Q.** Can I receive Shared Work benefits if my normal hours and wages are reduced less than 20% or more than 60%?

**A.** No. However, you may be eligible to receive benefits under the regular Unemployment Insurance program.

**Q.** What do I do if I become totally unemployed?

**A.** If you become totally unemployed, you should immediately contact the Department of Labor at 518-485-6375 in order to receive regular unemployment insurance benefits.

**Q.** How will Shared Work benefits affect my income taxes?

**A.** Any unemployment benefits that you receive, including Shared Work benefits, are subject to federal, state, and local income tax. You can have federal income taxes withheld from your unemployment insurance claim. If you choose to have taxes withheld, the withholding amount is set at 10% for federal taxes and 2.5% for New York State taxes. Taxes withheld will be reported on a 1099-G statement that is available after the end of the year.

**Q.** If I receive supplemental unemployment insurance (SUB), am I eligible for Shared Work Benefits?

**A.** No. employees are not eligible for Shared Work benefits in any week in which they receive supplemental unemployment compensation benefits (SUB pay).

**Q.** Are Shared Work benefits issued via debit cards?

**A.** Shared Work benefits can be issued to a debit card or, if you choose, directly deposited into your checking account.

For additional information about Shared Work, please call: **(518) 485-6375**

or write:

**New York State Department of Labor  
Unemployment Insurance Division  
Shared Work Unit  
State Office Building Campus  
Albany, N.Y. 12240**