

# Unemployment Insurance (UI) and Strikes

## Can I get Unemployment Insurance (UI) if I am out on strike?

If you lose your job due to a labor dispute, such as a strike or other industrial controversy, you may be eligible for UI benefits after 49 days. You may be eligible sooner if:

- The labor dispute ends and you are still unemployed
- Your employer hires permanent replacement workers
- There is a lockout

## When do I file a claim?

Contact the Department of Labor when the strike starts. File a claim right away, to see if you are eligible for benefits now or after 49 days.

## How do I file a claim?

You can file on our website:

Monday-Thursday, 7:30 am - 7:30 pm  
Friday, 7:30 am to 5:00 pm  
Saturday and Sunday until 7:00 pm

Go to [labor.ny.gov/signin](https://labor.ny.gov/signin). You must sign in with your NY.gov ID. If you don't have a NY.gov ID, you must create one.

You can also file by phone Monday – Friday from 8:00 am – 5:00pm, by calling our Telephone Claims Center (TCC) at 1-888-209-8124.

## What happens after I file a claim?

You will get an Unemployment Insurance Monetary Benefit Determination letter in the mail. This will tell you the work history and earnings we have on file for you. It will tell you how much money you would receive weekly, if we approve you for UI benefits.

If we do not approve you for UI benefits, you will receive a determination letter (denial). If you receive a denial, for example because your employer did not hire replacement workers, the determination letter will tell you what you need to do.

## How do I get more information?

To find out more about UI, visit our website at [labor.ny.gov](https://labor.ny.gov). Click on “Individuals”, and then on “Unemployment Assistance.” There you can find links to our Frequently Asked Questions and UI Handbook.

## What if I have a question about unemployment or about my claim?

You can call the TCC during the hours listed above. Or, send us an email through your online services account. Sign in with your NY.gov ID and click on “messages.”

## Is there a waiting period?

Yes, under New York Labor Law the first week of your claim is a waiting period, which is unpaid. You must claim benefits for that week to receive credit, as well as to collect any future weeks of UI benefits. You do not get credit for the wait period until after the end of the 49 days noted in the first question.