

# How to Talk to your Employer about the Excluded Workers Fund



## Q: What do I ask my employer?

**A:** The Excluded Workers Fund will provide one time payments to workers who lost work-related or household income during the pandemic but who were not eligible for regular or pandemic unemployment benefits. I believe I am eligible and I can establish my eligibility by providing a letter from you attesting to my work before the pandemic and my loss of work or reduced hours during the pandemic. Will you please provide me with this letter?

## Q: What does the letter need to say?

**A:** The letter can be short. It should include:

- Name and location of your business, address of the work site where I was employed, and/or your contact information, including a phone number
- Verification that I worked for you
- Start and end dates of my employment
- One to two sentences stating that I lost my employment with or worked less hours for you as a result of the COVID-19 pandemic
- Your signature

## Q: Who will see this letter?

**A:** The Department of Labor will use the letter to confirm my eligibility for the fund but will not share any information with any city, state or federal agencies.

## Q: By when do you need this letter?

**A:** As soon as possible. The DOL has said that the application will open this August, and that it will accept applications until the fund runs out. I would like to be prepared to apply the first day that the application is available. There is a model letter on the back page.

## Q: Will this hurt my unemployment experience rating or trigger a payroll audit?

**A:** No. This program is completely separate from the state's unemployment insurance benefits program and will not in any way impact the taxes you pay towards unemployment.

## Q: I don't feel comfortable writing this letter. Is it necessary for you to apply?

**A:** Providing a letter from you as my former employer is one of the most sure ways of getting the maximum amount of benefits. There are other ways to apply, but they require more documentation such as paystubs, W2 statements, etc. Unfortunately, I don't have these documents. My family has really struggled during the pandemic, and accessing this fund would greatly help us get through this difficult time, help us put food on our table, and to get back on our feet.

# How to Talk to your Employer about the Excluded Workers Fund



**Q: How can I be sure I won't face consequences for providing this letter?**

**A:** As the New York State Department of Labor just made clear on its website:

"Documents submitted to the DOL as part of the Excluded Worker Fund (EWF) application, including those from employers, are not public records and will be used for the sole purpose of EWF benefits administration. Disclosure of such to any other government agencies, including U.S. Immigration Customs Enforcement (ICE), is strictly prohibited by law for any purpose other than processing the application, unless legally required to do so pursuant to a lawful court order or judicial warrant."

[Option of Letterhead/logo ]

DATE

RE: Employee Name

In reference to [Employee Name] at [Company Name], I attest the information below is complete and accurate to the best of my knowledge:

[Employee name] (has) worked for me a [position] from [start date] until [end date].

On [date of layoff or hours reduction], [employee name] was laid-off/ had their work hours significantly reduced due to the COVID-19 pandemic.

Employee's work location:

Full time/Part time (pre-pandemic):

Signature

Best,

[Signature]

[Name of owner/manager]

[Title]

[Company name]

[Contact information]