

REBNY Resources:

Unemployment Insurance Claims Application Checklist for Independent Contractors

During the Coronavirus (COVID-19) Crisis

The Real Estate Board of New York (REBNY) has put together the following checklist on what personal and business information is required of independent contractors when filling out forms to claim unemployment insurance benefits. This checklist does **not** apply to traditional W2 employees.

Please note: The NYS Department of Labor's website has updated their interface and you are now able to save your information as you go through the Unemployment Insurance Claim Form. After you have completed your application an employee of the Department of Labor (DOL) will call you to confirm eligibility. Expected response call times may take up to 72 hours or longer.

The information below should only be used to help complete the DOL questionnaire and not as legal guidance. Any legal or financial questions should be directed to your legal counsel or accountant.

REQUIRED INFORMATION

Notes for the Self-Employed

- Last Date Worked
 - NY issued a state of emergency on March 7, 2020, which may be listed as the last day worked.
- Federal Employer Identification Number (FEIN) and New York State Employer Registration Number (ER Number)
 - Self-employed individuals may leave these sections blank
- Last Employer
 - Employer: List as "self-employed"
 - Address: List your business or residential address
 - Phone: List your business or residential number/cellphone

Important Note: This overview should not be construed as offering or providing legal advice in any form. The information contained herein is for informational purposes only and is not intended to be exhaustive or complete. This document is not intended to replace the reader's need to speak with their own legal counsel regarding the issues presented. All readers should seek independent legal advice where they have specific legal questions pertaining to specific legal circumstances or where otherwise appropriate.

Personal Information

- NYS Driver's License Number or NYS Non-Driver Photo ID Card Number
- Mailing Address (P.O. Box and/or home address)
- Telephone Number
- Alien Registration Number (numbers after the letter A)
 - For non-U.S. citizens
- Checking Account Information (for Direct Deposits)
 - 9-Digit Bank Routing Number
 - Checking Account Number
 - Any checking information entered on a previous claim will not carry over and will need to be re-entered for security purposes.

APPLICATION PROCESS FOR INDEPENDENT CONTRACTORS (IC)

- As an IC, you must complete the Unemployment Insurance (UI) claims process first.
- You will then receive a call from a DOL employee within 72 hours (or longer) to confirm eligibility.
 - All IC's will be denied from receiving traditional UI benefits from NY State.
- You may complete the PUA application while you wait for the phone call from the DOL.
 - Please note: We are working on gathering further information on completing the PUA form and will update our members once we have clarification.
- The PUA program will determine what UI benefits you are eligible to receive based on your wages.
- You will also receive the additional \$600 per week on top of your base unemployment benefits as determined by the PUA.

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CORPORATE OFFICER QUESTIONNAIRE: **Application Checklist for Form TCC343_5**

Business Information

- Business/Corporation Name
- Business Category (incorporated, partnership or sole proprietorship)
- Business Purpose/Operation
- Date Business Was Started and By Whom
- Names of All Officers/Partners Associated with Your Business and Their Relationship to You
 - Include title of officers/partners within the business, as well as their respective social security numbers

Stockholder Information

- Names of All Stockholders
- Percentage of Stock They Own
- Their Relationship to You
- Their Social Security Number
- Initial Investment in the Business (dollar amount)
- Additional Investments into the Business (dollar amount)

Incorporation Details (if applicable)

- Include if you have operated as an individual proprietor or partner in another or similar enterprise before incorporation
- Note if you are/were an officer, stockholder or director of the corporation
 - Include the following information: title, duties performed and knowledge of the field
- The same information will be needed if you are a relative of the officer, stockholder or director of the corporation
 - You will need to know the amount of your relatives' investment in the business and the source of the capital used for the investment
- Include an estimated date or explanation of when business operations should resume

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Business Operations

- If your business is presently being operated, include who it's being operated by
 - If not by you, include explanation as to why
 - You may need to provide additional information if other people have been added to the payroll, including their salary
- Your salary information when operating the business
- Average salary and fringe benefits of other employees doing the same work
- Business location address
- If your business is not operated from home, include the:
 - Amount of rent paid
 - To whom rent is paid
 - Whether rent is paid while the business is inactive
- Location of business records

Insurance Premiums

- Note any insurance that may need to be paid at the time you are claiming benefits
- List any equipment the business may own
- Include who pays for insurance coverage on any automobiles owned by the business

Business Advertising

- How and where your business advertises

Other Business Operating Questions

- Who handles your accounts payable/receivable, and whether those have been collected
- Who handles responses to wage and separation information requests from unemployment insurance
- Who files quarterly social security and unemployment insurance reports
- If you have ever done 'off-season' work, include information about when and where
- Knowledge of contracts that may prohibit you from working in a similar or related business

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