

# New York State Excluded Workers Fund (EWF)

**The Excluded Workers Fund (EWF) is a program by New York State that will provide a one-time payment to workers who lost income between March 27, 2020 and April 1, 2021, but were excluded from state and federal unemployment relief.**

## Who is an excluded worker?

If ALL of the following apply to you, you are an excluded worker who qualifies for EWF:

- Live in New York State now;
- Have lived in New York State since before March 27, 2020;
- Have at some point between February 23, 2020 and April 1, 2021 lost 50% or more of your wages or income because of:
  - COVID-related unemployment, partial unemployment, or inability to work OR
  - COVID-related death or disability of a breadwinner or major household source of income;
- Have worked at least 15 hours per week before losing your income or wages;
- Be ineligible for state Unemployment Insurance or federal Pandemic Unemployment Assistance; AND
- Have earned \$26,208 (gross) or less between April 19, 2020 and April 19, 2021.

*NOTE: The receipt of federal stimulus funds (relief payments sent by the government in amounts of \$600, \$1,200, or \$1,400) does NOT affect eligibility for the Excluded Workers Fund. You can still apply if you received stimulus payments.*

## What does the EWF offer?

Workers can qualify for either Tier 1 or Tier 2.

- Tier 1: \$15,600 pre-taxes
- Tier 2: \$3,200 pre-taxes

*NOTE: New York State will withhold 5% of the benefit in state taxes. Fund payments may be subject to federal taxes. Please consult an accountant or attorney for tax advice.*



## How do I apply?

**Applications are open at [dol.ny.gov/EWF](https://dol.ny.gov/EWF)**

- You must apply online with the New York State Department of Labor (DOL).
- You may use a mobile device or computer to submit your application, which is available in 13 different languages.
- Applications will not be accepted by mail.
- The DOL will not charge you a fee to apply.

# Frequently Asked Questions

## What do I need to apply?

Applicants will need to prove their identity, NYS residency, and pre-pandemic employment and earnings by submitting documents through the application.

- You can submit the same documents to prove identity and residency
- At least one document for identity and/or residency must have your photo (unless you have a caretaker who can show proof of relationship)
- At least one document for identity and/or residency must show your date of birth
- All documents must be:
  - Certified by the issued agency
  - Unexpired unless otherwise noted
  - In English, or accompanied by a certified English language translation
  - Not mutilated or damaged

## Can someone help me with my application?

If you need help applying, New York State is partnering with trusted community-based organizations to provide the help you need.

- Visit [dol.ny.gov/CBOList](https://dol.ny.gov/CBOList) for a full list of trusted organizations, or
- Call 877-EWF-4NYS ([877-393-4697](tel:877-393-4697)) to speak with an agent and find a location near you.
  - 800-662-1220 TTY/TTD - English
  - 877-662-4886 TTY/TTD – Español

Avoid scams!

- You should only apply for EWF benefits from the official Department of Labor website and get help only from trusted organizations.
- DOL will only contact you if you sign up for EWF updates or apply for EWF benefits.
- If you have concerns about fraud, report it using the complaint form at [dol.ny.gov/EWF](https://dol.ny.gov/EWF).

## How long will the program last?

Funds for the program are finite and will be distributed on a first come, first served basis.

- Applications are processed in the order they are received.
- Once all the funds are allocated, the fund will be discontinued and the application process will be closed.

## How and when will payments be released?

Approved applicants will receive a one-time payment on a Visa prepaid card mailed to the address provided in the application.

- The card has ATM access and can be used everywhere Visa debit cards are accepted in the U.S.
- The card is valid for up to 12 months and funds do not expire.
- From the date of application, fund administrators estimate that review and processing will take approximately six to eight weeks.

## Will the DOL share my personal information with immigration enforcement agencies?

No. There are criminal penalties for disclosing any documents, including those from employers, submitted as part of your application to any government agencies, including ICE.

- Your documents will only be used for determining eligibility and will not be shared with anyone outside of the application process, unless to comply with a judicial warrant or court order.

## How Do I Prove My Identity?

To prove your identity, you need a total of 4 points or more by providing one or more of the following documents:

### 4 POINTS

- ☐ IDNYC identification card (non-expired or expired in 2020 or 2021)
- ☐ Non-expired New York State driver's license or non-driver identification card
- ☐ Non-expired United States passport

### 3 POINTS

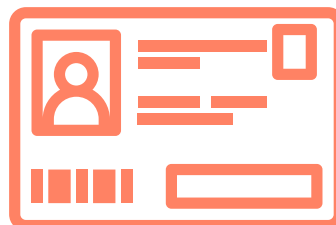
- ☐ Non-expired passport issued by a country other than the United States
- ☐ New York State learner's permit
- ☐ US military ID
- ☐ Any other federal, NYS or local government-issued photo ID that does not say "not for identification purposes"
- ☐ Photo ID issued by an educational institution, including College/University photo ID

### 2 POINTS

- ☐ NYS Office of Mental Health photo ID card
- ☐ Expired US or foreign passport (expired 2 years ago or less)
- ☐ Foreign driver's license with photo (expired 2 years ago or less)
- ☐ USCIS (immigration) documents including Form I-94, I-797, I-797A, or I-797D
- ☐ ITIN authorization letter (i.e. the letter you get from the IRS when you receive an ITIN)

### 1 POINT

- ☐ Marriage certificate or divorce decree
- ☐ New York State inpatient photo identification card
- ☐ Non-expired parks and rec membership card
- ☐ Foreign birth certificate
- ☐ Consular ID card (or any other photo ID issued by another country)
- ☐ Diploma or transcript from a high school, college or university in the US
- ☐ Non-photo ID issued by a federal, NYS, or local government other than those already listed that does not say "not for identification purposes"
- ☐ Photo ID card issued by an employer
- ☐ Photo ID issued by a NYS nonprofit organization in which you received services or participated in organizational programs prior to April 19, 2021
- ☐ A written employment offer, pay stubs, or notice of pay documents provided to you by an employer



## How Do I Prove My Residency?

**To prove your residency, you must provide one or more of the following documents, each showing your name and address within New York State. Document(s) must establish proof of residency prior to March 27, 2020 as well as current residency.**

- ☐ A non-expired NYS drivers license or NYS non-driver ID or NYS learner's permit issued by DMV
- ☐ An IDNYC that expired in 2020, 2021, or is currently valid;
- ☐ State or federal tax filing or return; OR
- ☐ Two of the following, one dated before March 27, 2020 & one dated on or after March 19, 2021:
  - ☐ Copy of a utility bill
  - ☐ A current lease, mortgage payment, or property tax statement
  - ☐ Pay Stub
  - ☐ Employment offer or notice of pay showing your employer provided housing located in NYS
  - ☐ Medical statement, bill or record
  - ☐ Insurance statement, bill, or record (including renter's, homeowners, life and auto insurance)
  - ☐ Bank or credit statement
  - ☐ Jury summons, court order, or other document from a NYS court or administrative law forum
  - ☐ Letter attesting to your past and/or current residency from any of the following institutions:
    - A homeless shelter indicating you currently reside at the shelter
    - Homeless services provider/Non-profit or religious institution that provides housing to homeless individuals
    - Domestic violence services provider or program in NYS that provides services to domestic violence survivors
    - NYS charitable organization that provided services to the applicant prior to April 19, 2021 and can attest to applicant's residency
- ☐ Letter addressed to you from NYCHA
- ☐ Document from a federal, NYS, or local entity (for example, a school district) EXCEPT documents from the NYS Department of Labor related to your EWF application



# How Do I Prove My Work Eligibility?

Applicants may be eligible for either **Tier 1 (\$15,600 pre-taxes)** or **Tier 2 (\$3,200 pre-taxes)** of the Excluded Workers Fund.

## **Tier 1 → You need 5 points**

- You can use one 5-point item, two 3-point items, or one 3-point item and two 1-point items.

## **Tier 2 → You need 3 points**

- You can use one 3-point item or three 1-point items.

### **5 POINTS**

- ☐ A state tax return for tax 2018, 2019, or 2020 using valid ITIN number
- ☐ A letter from an employer showing dates of work and why you are no longer employed, and at least ONE of the following:
  - Employer's mailing address & the address of your worksite (within NYS) AND
  - Contact information, including a phone number of someone who can verify the contents of the letter; OR
  - Employer's Unemployment Insurance account number or Federal Employment Identification Number (FEIN)
- ☐ At least 6 weeks of pay stubs/wage statements from the 6 months prior to when you became eligible for benefits or lost income
- ☐ W2 or 1099 form for tax years 2019 or 2020 showing wages or income
- ☐ A Wage Theft Prevention Act (WTPA) Wage Notice your employer gave you at the time of hiring, showing you were employed in the 6 months before becoming eligible for benefits or lost income

### **3 POINTS**

- ☐ An unpaid wages or other claim, complaint, or equivalent document filed with a governmental agency that shows you:
  - Worked in NYS prior to April 19, 2021, AND
  - Received or should have received wages for more than 6 weeks in the 6 month period before you lost employment/income
- ☐ Evidence of regular direct deposits, deposits, or transfers from an entity or from a person unrelated to you, such as:
  - Statements from a financial institution (e.g. bank, credit union, coop)
  - Receipts from check cashing (e.g. Western Union, Walmart)
  - Transaction logs from payment (e.g. Zelle, Venmo, Cash App, PayPal)

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## **Tier 2 → You need 3 points**

- You can use one 3-point item or three 1-point items.

### **1 POINT**

- ☐ Employer issued ID badge
- ☐ Emails, text messages, social media posts or other written communications relating to delivery order sheets, work invoices, point of sale receipts, directions or instruction from employers
- ☐ Emails, text messages, social media posts, or other written communications between an applicant and an employer or hiring party showing the existence of a work relationship
- ☐ Evidence of recurring cashing of paychecks and/or remittances related to earnings such as:
  - Bank statements
  - Receipts from check cashing
  - Transaction logs from a payment app
- ☐ Documents or materials issued by an employer to an employee, including documents that include:
  - Employer's mailing address OR
  - Employer's NYS unemployment insurance account number or Federal Employment Identification Number (FEIN) OR
  - Contact information, including a phone number of employer's representative
- ☐ Receipts or records showing a pattern of commuting to and from a work location, such as:
  - Toll records
  - Parking receipts
  - Public transportation records
- ☐ Letter attesting to your employment history issued by a charitable organization that had direct knowledge that you worked for at least 6 weeks of the 6 months before April 19, 2021



*NOTE: To prove your work eligibility, you can provide a single document or a set of documents for each item category. No document or set of documents can be counted more than once.*

*An example of a set of documents is the following: If you provide 7 text messages and an email to demonstrate a work relationship with your employer, you will only earn 1 point for all 8 documents because they are all in one category type.*

# What Happens After I Apply?

## What can I expect after I submit my application?

You should receive a Claim ID after submitting your application. Save this code for future reference. DOL will begin processing your application.

- If additional information or correction is required, DOL will send you a text message or email with a link advising you to sign in to your account for details.
- Once you sign in, follow the instructions to see which documents need to be corrected or re-submitted and why.
- You will have 7 calendar days to respond from the date and time of the email or text notification.
- If a response is not received within the timeframe provided, a determination will be made based on the available information.
- Once a determination on your application has been made, DOL will send you a text message or email letting you know whether your application was approved or denied.
- From the date of application, fund administrators estimate that review and processing will take approximately six to eight weeks.

## How will DOL contact me?

- Text messages will be sent from 833-586-1144 (toll free). Save this number or email to your phone.
- Email notifications will be sent from EWF@labor.ny.gov.
- Applicants may also receive a phone call from an EWF representative if additional information is needed. In such cases, they will only call you from 877-393-4697.
- Beware of communications that do not come from DOL.

## What if DOL rejects any of my documents?

- If DOL identifies a problem with your application, you will receive a text message or email from DOL and you will have 7 calendar days to address the issue.
- You will receive a text message or email after DOL makes a determination (approval or denial of your application).

## What if DOL denies my application or gives me Tier 2 instead of Tier 1?

Applicants who are denied benefits or otherwise disagree with DOL's determination in their case have the right to appeal.

- You will receive a text message or email from DOL when DOL makes a determination or identifies a problem with your application.
- Applicants have 7 calendar days to select the Appeal button to initiate an appeal before the determination is final.
- Once you appeal, DOL will conduct a heightened review of your application.
- You will receive a notification asking you to provide additional information or documents within 7 calendar days from the date of the notification.
- If DOL does not receive a response from you within the timeframe provided, it will make a determination on the appeal based on the information it has.
- When DOL completes the review process, it will send you a text message or email letting you know whether it approved or denied your appeal. Appeals can take up to three weeks to process. It can take longer if additional information is needed.



# How to Talk to Your Employer

## Q: What should 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

## 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 already opened the application to the public and once the funds run out, the application will close.

## 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 pay stubs, 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 the table, and to get back on our feet.

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

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

"Documents submitted to the DOL as part of the Excluded Workers 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 US 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."

## NOTE:

- Letters can be from past or present employers that will confirm that you lost 50% hours at any time during the pandemic.
- A template letter is attached to this document and is also available at [fundexcludedworkers.org/resources-faqs](https://fundexcludedworkers.org/resources-faqs)
- This template can also be used by self-employed workers.



# EXCLUDED WORKERS FUND WORK ELIGIBILITY LETTER

The Excluded Workers Fund (EWF) provides financial help to New Yorkers who lost income during the COVID-19 pandemic and were left out of various federal relief programs, including unemployment and pandemic benefits.

To receive funds, applicants must provide a number of documents to verify their identity, residency, and work eligibility. Each document submitted to prove work eligibility has a point value.

- To qualify for the **Tier 1** amount of \$15,600 (minus taxes), applicants need to establish a minimum of **5 points**.
- To qualify for the **Tier 2** amount of \$3,200 (minus taxes), applicants need to establish a minimum of **3 points**.

The successful completion of this letter is worth **5 points**.

**Applicant Name:** \_\_\_\_\_

*First Name, Last Name*

**Employment Start Date:** \_\_\_\_\_

*MM/DD/YYYY*

**Date applicant lost employment or work hours for COVID-related reasons:** \_\_\_\_\_

*MM/DD/YYYY (Date should be between  
March 2020 and April 2021)*

**Reason for loss of work:** \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

## EMPLOYERS ARE REQUIRED TO SUBMIT **ONE** OF THE FOLLOWING:

- A.** The employer's mailing address\* and the address of the site(s), within New York State, at which the applicant was employed; **or**  
*\*Self-employed workers should use their own mailing address.*

*Mailing Address*

*Address of Work Site(s)*

- B.** The employer's New York State Unemployment Insurance account number or Federal Employment Identification Number (FEIN); **or**

☐ FEIN  
☐ UI ACCT

*Select One*

*ID Number*

- C.** Contact information, including a phone number, for a representative of such employer who can verify the contents of the letter. (In selecting this option, a DOL representative may contact you, but only to confirm the information submitted here.)

*Contact First & Last Name, Title, Phone Number and/or E-mail*

**Note to employers:** This letter can be filled out and submitted by self-employed applicants. Additionally, documents submitted to the DOL as part of the 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 expressly authorized by the individual applicant or legally required to do so pursuant to a lawful court order or judicial warrant. Submitting this letter will not impact an employer's unemployment insurance experience rating or contribution rate.

For more information on the Excluded Workers Fund, including eligibility requirements, visit [dol.ny.gov/ewf](https://dol.ny.gov/ewf).

## Resources (NYC)

**For more information and updates on EWf implementation, visit [fundexcludedworkers.org](https://fundexcludedworkers.org) or [dol.ny.gov/EWFApply](https://dol.ny.gov/EWFApply).**

**Information is available in many languages.**

**You can also contact the following organizations for assistance:**

### Bronx

#### BronxWorks

Languages: Arabic, Bengali, English, French, Spanish, Urdu  
646-393-4000

#### Emerald Isle Immigration Center

Languages: English, Spanish, Tibetan  
718-478-5502

#### Part of the Solution

Languages: English, Spanish  
718-220-4892 x 141

### Brooklyn

#### Academy of Medical and Public Health Services (AMPHS)

Languages: Arabic, Chinese, English, French, Haitian Creole, Spanish  
212-256-9036

#### Carroll Gardens Association

Languages: English, Spanish, Tagalog  
718-243-9301

#### Mixteca

Languages: Spanish  
718-965-4795

### Manhattan

#### African Services Committee

Languages: 35 Native African Languages, Arabic, English, French, Haitian Creole, Spanish  
212-222-3882

### Manhattan

#### Cabrini Immigrant Services of NYC

Languages: Chinese, English, Spanish  
212-791-4590

#### Catholic Charities

Languages: Bangla, English, Hindi, Spanish, Translation Services  
347-391-5785

#### Chinese-American Planning Council

Languages: Chinese Cantonese, Chinese Fujianese, Chinese Mandarin, English, Spanish  
718-358-8899

#### LatinoJustice PRLDEF (New York City)

Languages: English, Spanish  
212-219-3360

#### Northern Manhattan Improvement Coalition

Languages: English, Spanish  
212-822-8300

#### Street Vendor Project, Urban Justice Center

Languages: Arabic, Bengali, Chinese, English, Spanish, Wolof  
646-602-5600

#### The Door - A Center for Alternatives

Languages: English, French, French Creole, Spanish, Translation Services  
212-941-9090

### Queens

#### Emerald Isle Immigration Center

Languages: English, Spanish, Tibetan  
718-478-5502

#### Korean-American Family Service Center

Languages: English, Korean  
718-460-3800

#### Korean Community Services of Metropolitan NY

Languages: Chinese, English, Korean, Spanish  
646-389-6392

#### New Immigrant Community Empowerment

Languages: English, Spanish  
718-205-1687

#### Sunnyside Community Services

Languages: English, Spanish  
718-784-6173

#### The Haitian Americans United for Progress (HAUP)

Languages: English, French, Haitian Creole  
718-527-3776

### Staten Island

#### Project Hospitality

Languages: Arabic, English, French, Russian, Spanish  
718-448-1544

## Resources (Long Island)

**For more information and updates on EWF implementation, visit [fundexcludedworkers.org](https://fundexcludedworkers.org) or [dol.ny.gov/EWFApply](https://dol.ny.gov/EWFApply).**

**Information is available in many languages.**

**You can also contact the following organizations for assistance:**

### **Long Island**

#### SEPA Mujer

Languages: English, Spanish

110 N. Ocean Avenue

Patchogue, NY 11772

631-980-2555

#### Centro Corazon de Maria

Languages: English, Spanish

31 E. Montauk Highway

Hampton Bays, NY 11946

631-728-5558

## Resources (Hudson Valley)

**For more information and updates on EWF implementation, visit [fundexcludedworkers.org](https://fundexcludedworkers.org) or [dol.ny.gov/EWFApply](https://dol.ny.gov/EWFApply).**

**Information is available in many languages.**

**You can also contact the following organizations for assistance:**

### **Hudson Valley**

Community Resource Center

Languages: Spanish, Portuguese, English

914-835-1512

Neighbors Link

Languages: English, French, Spanish, Urdu,  
translation services available

914-666-3410

Rural & Migrant Ministry

Languages: Spanish, Mixteco, English

845-485-8627

Worker Justice Center

Languages: Spanish, English, translation services  
available

845-331-6615

Catholic Charities Community Services,

Archdiocese of New York

Languages: Bangla, English, Hindi, Spanish,  
translation services available

347-391-5785

Catholic Charities Community Services of  
Rockland, Inc.

Languages: English, French, Haitian Creole,  
Spanish

845-942-5791

## Resources (Central New York)

**For more information and updates on EWF implementation, visit [fundexcludedworkers.org](https://fundexcludedworkers.org) or [dol.ny.gov/EWFApply](https://dol.ny.gov/EWFApply).**

**Information is available in many languages.**

**You can also contact the following organizations for assistance:**

### **Central New York**

Workers Center of Central New York

Languages: Spanish, French, English

2013 East Genesee Street

Syracuse, NY 13210

315-218-5708

Salvation Army Syracuse Area Service

Languages: English, Spanish

200 Twin Oaks Drive

Syracuse, NY 13206

315-475-1688

Huntington Family Centers Inc.

Languages: English

405 Gilford Street

Syracuse, NY 13204

315-476-3157

### **Finger Lakes/Southern Tier**

Tompkins County Workers' Center

Languages: Chinese, Spanish, English

115 E. Martin Luther King Jr. St. / The Commons

Ithaca, NY 14850

607-269-0409

Catholic Charities of Tompkins and Tioga

Languages: Spanish, Haitian Creole, English,

Karen, Burmese

324 West Buffalo Street

Ithaca NY 14850

607-272-5062

Aim Independent Living Center

Languages: American Sign Language (ASL),

English, Translation Services

271 East First Street

Corning, NY 14830

607-906-8225

## Resources (Western New York)

**For more information and updates on EWF implementation, visit [fundexcludedworkers.org](https://fundexcludedworkers.org) or [dol.ny.gov/EWFApply](https://dol.ny.gov/EWFApply).**

**Information is available in many languages.**

**You can also contact the following organizations for assistance:**

### **Western New York**

#### ACCESS of WNY

Languages: Arabic, English  
609 Ridge Road, 2nd Fl  
Buffalo, NY 14218  
716-332-5901

#### Western New York Council on Occupational Safety and Health (WNYCOSH)

Language: English  
2495 Main St #438  
Buffalo, NY 14214  
716-206-2550

#### Justice for Migrant Families

Languages: Spanish, English  
371 Delaware Ave  
Buffalo, NY 14210  
716-206-2550 (WNYCOSH)  
[info@jfmfwny.org](mailto:info@jfmfwny.org)  
716-202-0611 (EWf Hotline Tuesdays 6-8pm)

#### Rural & Migrant Ministry

Languages: Spanish, English  
Liturgia Rural Worker Education Center  
7 Phelps Street  
Lyons, NY 14489  
315-871-4031 / 845-485-8627

#### Worker Justice Center

Languages: Spanish, English  
1187 Culver Rd  
Rochester, NY 14609  
585-325-3050