



Farmers and the Self-Employed Directly Affected by Hurricane Irene and Tropical Storm Lee *You May Qualify for Disaster Unemployment Assistance (DUA)*

Have you lost your income due to the effects of Hurricane Irene or Tropical Storm Lee? If so, you may be eligible for DUA.

What is DUA?

Funded by the Federal Government, DUA provides payments to people in Federally declared disaster areas who have lost work or income due to a disaster. The NYS Department of Labor administers the program on behalf of the Federal government and makes payments to those who qualify. President Obama has declared many counties in New York major disaster areas at Governor Cuomo's request.

Who is eligible?

If you live or work in Albany, Bronx, Clinton, Columbia, Delaware, Dutchess, Essex, Greene, Herkimer, Kings, Montgomery, Nassau, Orange, Otsego, Putnam, Queens, Rensselaer, Richmond, Rockland, Saratoga, Schenectady, Schoharie, Suffolk, Sullivan, Ulster, Warren, Washington or Westchester Counties and you lost your income due to the effects of Hurricane Irene, you may qualify for DUA.

If you live or work in Broome, Chemung, Chenango, Delaware, Fulton, Herkimer, Oneida, Orange, Otsego, Schenectady, Schoharie, Tioga or Ulster Counties and you lost your job or income due to Tropical Storm Lee, you may qualify for DUA.

Eligibility requirements for DUA differ from regular unemployment insurance and you may qualify if you are self-employed, even if you own and operate a farm.

DUA eligibility and benefit amounts are decided on an individual, case-by-case basis. The primary factor is whether the self-employed person or farmer is performing less than their normal, full-time services and earning wages less than \$405 a week.

Some situations that qualify for DUA include:

- You were injured in the disaster and are unable to work.
- Your business or farm was damaged or destroyed in the disaster.
- You are now the breadwinner or provide the majority of support for a household because the former head of household died in the disaster.
- Most of your income comes from areas affected by the disaster, even if you worked for yourself, and your business or farm income has been impacted as a direct result of the disaster.

Can I still run my business or farm and collect DUA?

You may be able to earn an income and still collect DUA in some situations. Examples include, but are not limited to, the following:

- Businesses may qualify for DUA if the level of income is significantly diminished as a direct result of the disaster. For example, a manufacturer of goods that has a major part of their inventory destroyed may be eligible.
- Farmers who are involved in more than one aspect of farming (i.e. dairy and crops) may still be eligible for partial DUA payments.

Will collecting DUA prevent me from either cleaning or salvaging my business/farm?

- Restorative or clean-up work, which is necessary because of the disaster, will not disqualify an individual for DUA.
- Salvaging or other limited self-employment activity alone will not necessarily make someone ineligible for DUA as long as they work less than full time and their earnings do not exceed their maximum weekly benefit rate.

- If salvaging results in a brief period of earnings of more than \$405 a week, then DUA would stop during that period, but resume after salvaging operations end. For example, a farmer who was substantially impacted by the disaster may be able to harvest the residual crops that were not impacted by the disaster. During the period where salvaging occurred, the farmer may not be eligible for DUA, but could be eligible later on.

How do I apply for DUA?

Call our toll-free number at 1-888-209-8124 and you will be connected with a DUA specialist who will walk you through the application process. If you are currently out of state, but lived or worked in affected counties, call 1-877-358-5306. File your application with the NYS Department of Labor as soon as possible.

For Hurricane Irene, you must apply for DUA by:

- **November 16, 2011** - *Counties affected:* Albany, Bronx, Clinton, Columbia, Delaware, Dutchess, Essex, Greene, Herkimer, Kings, Montgomery, Nassau, Otsego, Orange, Putnam, Queens, Rensselaer, Richmond, Rockland, Saratoga, Schenectady, Schoharie, Suffolk, Sullivan, Ulster, Warren, Washington and Westchester.

For Tropical Storm Lee, you must apply for DUA by:

- **November 14, 2011** - *Counties affected:* Broome, Chenango, Chemung, Delaware, Fulton, Oneida, Orange, Otsego, Schenectady, Tioga and Ulster.
- **November 23, 2011** - *Counties affected:* Herkimer and Schoharie.

When you file for unemployment insurance benefits, you should have the following information ready and available:

- Your social security number
- Your NYS driver license or Motor Vehicle ID card number (if you have one)
- Your mailing address and zip code
- A phone number where you can be reached for additional information
- Your alien registration card number (if you have one)
- Your 2010 income tax return:

Self-employed workers:

Schedule C (line 31) *net profit or loss*

Farmers:

Schedule F (line 36) *net farm profit or loss*

If you lost these records in the disaster, you should apply anyway and inform the DUA specialist when you apply.

Is there anything else I should know?

If you are eligible for DUA, you will be required to certify that you lost total or partial income with the NYS Department of Labor on a weekly basis, either online or by mailing your certification to the Department. You must specify that you are unemployed and remain directly impacted by the disaster.

For those impacted by Hurricane Irene, if you qualify, benefits are payable from August 29, 2011 through March 4, 2012.

For those impacted by Tropical Storm Lee, if you qualify, benefits are payable from September 12, 2011 through March 18, 2012.

Even if you salvage a crop or have some income coming in, you may still qualify for DUA, so it is important that you file as soon as possible. Your employees could also qualify for DUA. Because DUA is Federally funded, your unemployment insurance taxes will not be impacted if you have employees who qualify for DUA.

Where can I go for more information?

For questions about your claim, call 1-888-209-8124.

For general employment and training services, including layoff aversion strategies, job listings, and help with finding workers, please visit your local Department of Labor One-Stop Career Center.

For information on DOL services for job seekers, please call 1-888-4-NYSDOL or (518) 457-9000. Or visit our web site at: www.labor.ny.gov/workforcenypartners/osview.asp

PROTECT *all Workers*
ASSIST *the Unemployed*
CONNECT *Employers and Workers*

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