



## Legislation Text

---

**File #:** Res 0056-2022, **Version:** \*

---

### Res. No. 56

Resolution calling upon the State Legislature to pass, and the Governor to sign, S.8165/A.9037, establishing an excluded worker unemployment program.

By Council Members Avilés, Hanif, Farias, Stevens, Cabán, Restler, De La Rosa and Hudson

Whereas, Amidst the COVID-19 pandemic, hundreds of thousands of low-wage immigrant workers including street vendors, domestic workers, delivery drivers, cooks and more, delivered vital services that kept New York City afloat; and

Whereas, In many cases, due to their immigration status, such vital workers were left out of various federal relief programs, including unemployment and pandemic benefits; and

Whereas, Realizing that some of New York's most vulnerable communities were losing their livelihoods due to the COVID-19 crisis, New York State took emergency action by creating the Excluded Workers Fund; and

Whereas, The Excluded Workers Fund established a \$2.1 billion fund to provide essential workers throughout the state with financial relief, helping 128,000 New Yorkers in a positive and meaningful way; and

Whereas, As the COVID-19 crisis enters its third year, advocacy groups are pushing state lawmakers to not only replenish the fund, which ran out of funds and closed to new applicants about two months after opening, but to further provide a more permanent social safety net for these types of workers; and

Whereas, According to the New York Times, many workers who were eligible for the fund's lifeline missed out on payments due to the untimely closure of the fund; and

Whereas, Further troubles for undocumented and other excluded workers came when allegations of fraud arose in relation to the fund, leading the Department of Labor to block the ability of recipients to access

cash benefits from automatic teller machines on December 28, 2021; and

Whereas, Recognizing the need to bolster protections for excluded workers, Senator Jessica Ramos and Assembly Member Karines Reyes introduced S.8165/A.9037, which would amend the state Labor Law to create an Excluded Workers Fund for workers who are left out of traditional worker services, such as unemployment; and

Whereas, S.8165/A.9037 is tailored to assist workers that have not received any unemployment benefits within 12 months of application and requires workers to also show they have provided a service in the past for which they were paid in cash, personal check or non-payroll check, or have not received a wage statement from the employer; and

Whereas, The Excluded Workers Fund has been a lifeline for many districts in New York City, underling the need to further protect the City's most vulnerable workers whose lives and livelihoods have been jeopardized by the COVID-19 crisis; now, therefore, be it

Resolved, That the Council of the City of New York calls upon the State Legislature to pass, and the Governor to sign, S.8165/A.9037, establishing an excluded worker unemployment program.

AH  
LS #7181  
02/16/2022