

States Expanding UI for Strikers



Background: Conditions facing U.S. workers

- Decades of rising inequality and stagnant paychecks
- Climate crisis, surveillance and AI
- Post-pandemic spike in cost of living
- Wave of organizing and strikes
- Hardship for striking workers



History of States Extending UI to Strikers

- 1935 – NY – all strikers qualify for UI after 8 week waiting period
- Non-striking workers idled by strikes – most states
- Locked out workers – 32 states
- Strikes over an employer breaking labor law or union contract qualify as good cause quits – AK, AZ, ME, MN, MT, NH, OR, UT, WV
- 1979 – U.S. Supreme Court decision in NY Telephone Co. v. NYS Dept. of Labor
- 2020 – NY – shortened waiting period for strikers to 2 weeks
- 2023 – NJ – extended UI to strikers after 2 weeks
- 2023 – Workers receive UI in NY and NJ during strikes by actors, screenwriters, and autoworkers
- 2023-2024 – Legislation introduced in at least 9 states; passed in CA and CT but vetoed by Govs. Gavin Newsom and Ned Lamont

Rationale for Expanding UI for Strikers



- Consistent with purposes of UI
 - Maintains family incomes
 - Supports economy
 - Protects workers from being forced into unsuitable work
- Furthers national labor policy
 - Protects the right to strike
 - Balances power in the workplace
 - Fairness between workers and executives

Other Groups of Temporarily Idled Workers Eligible for UI

- Seasonal workers
- Temporary layoffs
- Work sharing





Policy Questions

- Cost impact on trust funds – approx. 1%
- Impact on strikes

For more information visit
NELP's UI Policy Hub
www.nelp.org

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