

Testimony of E. Jeanne Harnois on

New York's Partial Unemployment Insurance Rules and Workplace Safety Guidance Are Hurting Workers Like Me During the Covid-19 Crisis

Before the Joint New York State Senate and Assembly Public Hearing on the Impact of Covid-19 on the Workforce

August 13, 2020

My name is Jeanne Harnois, and I am here today as an unemployed worker affiliated with Unemployed Action, a 14,000-member project of the Center for Popular Democracy. I have lived in Washington Heights, Manhattan, for over 10 years working as a writer/editor and then as a business analyst. Before the pandemic hit, I had just been laid off from a two-year consulting assignment as a business analyst for Wells Fargo making approximately \$100 thousand a year. In addition, I work as a freelance editor/writer, generating various degrees of additional income. In prior years, I have also supplemented my income—especially during periods without full-time work—by picking up side work, including working as a background actor, being a poll worker, dog walking, and picking up holiday retail shifts at stores like Macy's and Barney's.

I am also honored to represent the following three workers whose written testimony is being submitted. (I am reading directly from their bios.):

- John Smith
- Abigail P.
- L.R.F.

When it comes to our workforce, it's New York, Tough enough for you, yet?

When I was laid off, I became eligible for the maximum New York State amount of \$504/week and then the additional federal amount of \$600. If I do not have taxes withheld, that brings me to just what I was making before I was laid off. And, yes, that is relying on not withholding taxes which means that I am looking at a massive tax bill next April! But one year's crises at a time. What I am facing now is that if I take on additional work, I will lose benefits equal to or greater than what I would earn on a supplemental job.

Part of the reason for this is that the Unemployment Insurance System is running on, not just outdated computers, but on outdated ideas. The UI System assumes that everyone has one steady job, 9-5, Monday to Friday. But the reality is so different. New York is all about the side hustle. A fair number of people have a regular job, and when they are done with that for the day, they go on to a second job or professional passion. At its most effective, the UI System would mirror that reality and be a safety net to help people transition into an appropriate full-time job, not penalize them for attempting to maximize both their earnings and professional potential. Flourish or suffer? When people like John Smith are able to work as a therapist, New York is a better place.

I knew I was in trouble when the pandemic hit because of the simple fact that I am a woman over, not just 40, but over 50. I am 57. My age is something that I have decidedly kept hidden for the past several years, specifically regarding my work. I am sharing it with you today because of how important this issue is and to impress on you my sincerity in working toward a solution. In the past several weeks, I have talked to a lot of older workers who, like me, have been dealing with issues surrounding age discrimination and "discomfort." (The discomfort of other people, specifically hiring managers and co-workers.) My fear, shared by other workers that I have talked to, is that employers are using the pandemic to favor younger workers who they perceive to be at lower risk.

They can turn me down for Covid-related fears, but I can't turn them down. I recently started a job with the Census. This is by no means an equivalent job to what I had before and certainly does not even remotely take advantage of my skills and experience. (I have two masters degrees.) Despite precautions, I feel that it is unsafe as it involves regularly touching high-touch surfaces (door bells, door handles), going into people's homes where they most likely aren't masked, and having five- to ten-minute conversations with people in their ecosystems, over and over again. I have auto-immune issues and the thought of having to do this petrifies me, especially as without full-time work I have very sketchy health insurance. (A hearing for another day.) I have not seen my mother, who lives in congregate care out of state and is ill, in several months, but I feel forced into doing this work—going into strangers' homes—as, if I refuse it, I risk losing my benefits. And then what? I am a single person living alone. It is a real Sophie's Choice: my health or a roof over my head.

I urge you to stand up for New Yorkers and support them through this crisis. Through solid leadership, you can take action and get rid of the penalty for part-time work, better reflecting the reality for a significant number of workers in the state. You can also set a firm guideline protecting workers from being forced to accept work that may be unsafe for them or a member of their family during this time.

Thank you for the opportunity to talk with you today.