

Follow us | Submit | RSS | Today's most popular | My headlines | My Profile | Log out

LAST CALL Sale *Neiman Marcus* **SAVE UP TO 65% OFF**
regular prices
[Find Your NM](#)

Subscribe to Newsday Today's paper | My Newsday | Traffic alerts **4** | Merrick, NY **86°** | Hi micbo

LONG ISLAND CHANGE REGION
Newsday is dusting off its hiking boots to hit new routes in the Adirondacks.

Long Island | Sports | Entertainment | News | Lifestyle | Business | Health | Opinion | Jobs | Cars | Real Estate

More

Latest photos | Tips | Weather | Traffic | Obits | Crossword | Columns | Blogs | Towns | Yellow Pages | Restaurants

Carrie Mason-Draffen [Newsday > Columnists](#) [Print](#)

4 Comments | Email | Like | Tweet 2 | 0

Help Wanted: Jobless benefits for Grandma?

July 10, 2012 9:51 AM By CARRIE MASON-DRAFFEN carrie.mason-draffen@newsday.com



Photo credit: iStock | Quitting a job for "good cause," perhaps such as becoming a guardian for a grandson, may qualify a person for unemployment benefits.

Carrie Mason-Draffen



[Carrie Mason-Draffen](#)
Mason-Draffen, a business reporter, writes a column

DEAR CARRIE: I recently quit my job to care for my 9-year-old grandson since his mother will be in a court-ordered program for three months. Am I eligible to collect unemployment benefits since I had no choice but to leave? I'm the only relative aside from my husband who can care for him and have been given temporary guardianship. Would I need a court order from the judge to qualify for unemployment? -- **Inquiring Grandma**

DEAR INQUIRING: The State Labor Department couldn't give me a definite answer without knowing all the facts of your case. But you may find part of its answer encouraging:

Find Your Next Car with Dealer Special of the Week

Find Newsday on Facebook

Facebook Public Profile
Login to see this content

Most popular

Stories | Photos



'7 Habits' author Stephen Covey dies after bike accident
2:00 PM

Jason Kidd: 'I had a few drinks' before crash
2:49 PM

Jason Kidd charged with DWI in Water Mill
9:31 AM

Follow us about workplace issues. Submit

bio | email

"Her situation doesn't automatically disqualify her, though, which is why she should apply. DOL will examine the specifics unique to her."

Your situation could well fall under the category of quitting your job for "a compelling personal reason," which the department's website indicates could qualify as quitting with "good cause." If you need an official court document to buttress your claim, I'm sure the department will let you know.

Your eligibility will also depend on other factors such as whether you earned enough income and worked enough hours in your benefit year, which would be the 52 weeks preceding the date that you file a claim.

To file by phone, call 1-888-209-8124. See the accompanying link with information on how to file online.

DEAR CARRIE: I am a unionized office employee. Last summer my employer said it was withdrawing from the union's pension plan. Since I had just over three years on the job at that time, I was not vested in the pension. But my employer paid contributions for all union employees. So I have a hard time believing that us nonvested folks won't get anything. Could that be true? -- **Lost Pension?**

DEAR LOST PENSION: Unfortunately it's true. When an employer funds a pension plan you have to fulfill certain seniority requirements to qualify for that money in retirement.

"Contributions made by your employer may be lost under this scenario, if you did not have enough service to vest," said Victoria Quesada, a pension-rights attorney in West Hempstead.

Had you contributed any money, you would be entitled to get that back, however.

"Any employee contributions should not be lost," Quesada said.

DEAR CARRIE: Can a person who is a manager and exempt, also belong to the same union as the nonexempt employees he or she supervises? -- **Managers Allowed?**

DEAR MANAGERS: It's legal, said employment attorney Michael J. Borrelli of Borrelli & Associates in Great Neck.

"There is no law that prohibits a manager or an exempt employee . . . from being in the same union as nonexempt . . . employees," he said.

Managers, as you noted, generally are exempt, which means companies don't have to pay them overtime or even minimum wage. Nonexempt employees, on the other hand, are generally hourly employees who have to be paid overtime and minimum wages.

Though managers may belong to a union, they don't have the same protections under the law as nonexempt employees. For example, they don't have protections under the National Labor Relations Act, "the primary law designed to protect employees who engage in union activity," Borrelli said.

And a manager's union membership could prove awkward.

"As a practical matter, a conflict of interest may arise when you have union members who are being disciplined by other members of the same union," he said.

For more on [unemployment benefits](http://bit.ly/nn1nWS) go to <http://bit.ly/nn1nWS>

For more on vesting rights in a pension plan go to <http://1.usa.gov/AE7YWA>

Be the first to rate: [Click to rate](#)

Add New Comment

0

Type your comment here.

Post as micbo

Police: 1 dead, 1 injured in Baldwin Harbor Log out
16 m ago

Springsteen, McCartney concert ends in silence
9:17 AM

Latest Columns

- Can emergency child guardian get jobless benefits? Is this boss renegeing on sick and personal days?
- How much does boss need to know about your debt? Boss insists on noncompete deal after cutting wages
- Injured worker 'not needed,' now what?

Try Sittercity For Free

Find Trusted Sitters & Nannies. Join For Free!

Sittercity.com

Air Conditioning Installs

Central Air and Ductless A/C Pros Professional Installation & Repair

www.diamonditr.com

Unemployment Benefits

Before Pursuing Unemployment Claims & Benefits - Read This First!

www.NFIB.com

AdChoices

Showing 4 comments



peanutbutter 5 days ago

I thought a requirement for UI was tht the recipient be actively looking for a job. This person is very distinctly not going to be loking for a job. So how do they qualify? This is abuse of the system, hardships happen.

Flag Like Reply



LIObserver 6 days ago

The first writer stated:

his mother will be in a court-ordered program for three months

Is that a nice way of saying "jail?" Shouldn't the little bastid be removed by Child Welfare?

Flag Like Reply



susmil92073 6 days ago

Your nutz for quitting your job. You can't quit your job now a days, work is hard to come by. And unemployment isn't enough. Why couldn't someone else take care of this kid like daycare or sumthing?

Flag Like Reply



ofama 6 days ago

Obama Money

Flag Like Reply

Services

Join us on facebook

Join us on twitter

Sign up for news alerts

Sign up for newsletters

Get our Apps

Newsday mobile

Our Network

Explore Long Island am New York Star Publishing CareerBuilder Optimum MSG Varsity

Long Island Towns Optimum Autos Optimum Homes News 12 MSG Westchester News