

Employee Compensation Following Hurricane Sandy

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By Chris Rueli

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Hurricane Sandy slammed into the Northeast, destroying lives, homes and jobs, and some employees who missed work or had to leave work because of the storm may be entitled to compensation, according to Gary Phelan, a Principal at Cohen and Wolf.

If an employee was out of work because the business that they work for was closed, they are not entitled to be paid by their employer, but they may be entitled to unemployment compensation, Phelan said.

To get a paycheck, some employees may have found themselves suddenly working from home or having to get more creative to be productive. This is an area that can cause some “friction” between employers and employees because an employer can question how long the employee actually worked, according to Phelan.

“If an employee may be entitled to compensation, pay them. The cost of playing hardball and trying to avoid paying anything is high with respect to employee morale,” Phelan said.

This is a dispute that could certainly cause a stir around the office water cooler.

“Or in the modern of age of social media, it could cause a stir on Facebook, the new office cooler,” he said.

Although most resolutions are negotiated, Phelan believes the employees will be favored.

“I don’t think courts, or judges are going to be sympathetic to an employer given the circumstances. We are on uncharted terrain in this area of the country with respect how to respond, so it is hard to predict,” he said.

To apply for unemployment benefits or disaster unemployment assistance, those who were affected by the storm or have lost their job or income should call the Telephone Claims Center (TCC) at 1-888-209-8124, or 1-877-358-5306 if they live outside of New York.

<http://jobs.aol.com/articles/2012/11/05/hurricane-sandy-victims-can-get-unemployment-help/>