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Unemployed and Left Behind in New Jersey



Executive summary

Simply put, not enough unemployed workers receive the support they need when looking for work. Nationally, the Unemployment Insurance system leaves out many more unemployed workers than it covers, with Black workers, undocumented immigrant workers, other workers of color, low-wage workers and women facing the most barriers to receiving benefits. Economic downturns amplify these systemic gaps. Despite delivering benefits to about 50% of its unemployed population – a high figure compared to other states – **New Jersey’s current unemployment insurance system still leaves behind more than 700,000 workers.** Those left behind include workers deemed ineligible for unemployment insurance plus those who are eligible but, for many reasons, struggle to readily access these benefits. Like the rest of the country, New Jersey needs programs to ensure pathways to quality employment for all. It must act to build on the advances secured in recent years and fulfill this promise.

Introduction

The US Federal-State Unemployment Insurance system (UI) is broken. Its failure to support a majority of working families out of work represents a burning hole in our social safety

net. Across the country, the program leaves too many working people behind, leaving states under-stimulated during economic downturns. **No more than 30% of unemployed workers received UI benefits for most of the past decade.**¹ **Paltry and short-lived benefits incentivize those without work to settle for low-wage, low-quality jobs rather than strive for the best job available.**² Critically, and as this brief will detail in the case of New Jersey, many workers who should qualify for and would benefit from UI simply do not due to exclusionary criteria that haven't kept up with the modern economy and nature of work. This failure to ensure these critical resources reach the people who need them represents a massive drain on the economy as the much-needed macroeconomic boost that UI provides goes woefully underutilized – precisely at those moments when it's needed most.³

Why New Jersey?

New Jersey stands out as a national example. It is consistently considered one of the best states both in terms of access to UI and benefit levels.⁴ Furthermore, leadership from NJ's Department of Labor and Workforce Development has led some of the most forward-thinking policy changes in the country. These include new worker-centered administrative practices, partnerships with community-based organizations to conduct UI outreach, and the adoption of innovative technologies.⁵ **New Jersey has arguably one of the highest average UI payments in the country and one of the highest rates of reciprocity among the unemployed.**⁶ The willingness and initiative of New Jersey administrators to lead the country points to the potential for further policy changes, not just within the State of New Jersey but nationwide.

Still, too many New Jersey workers and families have been failed by UI. To meet the needs of a 21st-century workforce and before the next recession, leaders must reimagine the UI system to increase inclusion and maximize the program's ability to act as an economic stabilizer for all working families.

Many families — particularly low-income, BIPOC,⁷ immigrant, and mixed-status⁸ families — face barriers to benefitting from UI, the primary safety net program designed to assist

people who experience joblessness. This loss of income can have devastating and destabilizing effects on workers and their families, with far-reaching health and economic implications in both the short and long term.⁹ Children with unemployed parents, on average, experience lower test scores,¹⁰ lower college attendance,¹¹ lower adult earnings,¹² and a greater adult reliance on public aid.¹³ These effects persist even when parents are re-employed.¹⁴ Children living in lower-income, less financially stable homes – such as those where one or more caregivers are unemployed – are more likely to experience disparities in brain development and mental health – disparities that may be offset by a stronger social safety net.¹⁵

To pursue systemic changes to critical programs like UI, it is imperative to understand that New Jersey remains caught between two realities: though a high-wealth state, its poverty rate remains high for residents often left behind in the policy decision-making process, particularly BIPOC and immigrant women and other working-class families. A 2024 report from the New Jersey Institute for Social Justice looking at data from the Census Bureau American Community Survey (ACS) and other sources concludes: “Black and other people of color in New Jersey confront some of the worst racial disparities in the United States. One of the most racially diverse and prosperous states in the country is also one of its most inequitable. New Jersey’s racial disparities are particularly staggering in the area of economic security, with the state serving as a modern-day version of Dr. Martin Luther King Jr.’s ‘Two Americas.’”¹⁶

Over ten percent of New Jersey families with at least one child in the household live below the federal poverty line,¹⁷ which is about \$25,820 for a family of three.¹⁸ Other statistics paint an even grimmer picture: more than one-third of New Jersey households live below the ALICE (Asset Limited, Income, Constrained, Employed) Threshold¹⁹ and struggle to afford basic necessities in the communities where they live.

New Jersey can rightly boast about state-mandated protections for workers, including paid sick days,²⁰ an increased minimum wage and protections for temporary²¹ and domestic²² workers, robust misclassification compliance mechanisms,²³ and about 50% of the unemployed who receive UI benefits (a high figure when compared to other states).²⁴

However, as discussed and detailed below, much work remains undone to ensure a robust safety net for all New Jerseyans – especially those in the most vulnerable position of joblessness and loss of income. Like the rest of the country, New Jersey must update its programs to ensure pathways to quality employment for all.

To meet the needs of a 21st-century workforce and before the next recession, leaders must reimagine the UI system to increase inclusion and maximize the program's ability to act as an economic stabilizer for all working families.

Although New Jersey fares better than the national average, **the state's UI system still fails to deliver for about half of those who could and should qualify for UI yet don't receive it due to two major issues of concern: significant eligibility gaps and accessibility issues for those who are eligible.** Our analysis of Current Population Survey (CPS) Annual Social and Economic Supplement (ASEC)²⁵ and ACS²⁶ data accessed through IPUMS²⁷ reveals that **about 737,400 New Jersey workers face barriers to unemployment benefits at any moment**, a statistic comprised of several categories of workers. It includes workers who are simply not eligible for unemployment benefits, such as freelancers and the self-employed.²⁸ (As of this writing, these "excluded" workers don't qualify for regular New Jersey unemployment insurance under almost any circumstances.) And it includes other workers who *are* eligible do not receive or do not apply to receive unemployment benefits. **Collectively, this brief identifies all these workers as left behind by the unemployment insurance system.**

Pandemic shows the need for and possibility of reform

During the COVID-19 pandemic and recession, New Jersey and the federal government established several temporary programs to address fissures in the safety net. National

supplementary benefits (Federal Pandemic Unemployment Compensation or FPUC) provided an extra supplement on top of other UI benefits to help the unemployed make ends meet. Another federal program called Pandemic Unemployment Assistance (PUA) made benefits available for self-employed workers, independent contractors, and part-time workers – who the state would otherwise deem ineligible for UI benefits.²⁹ At the height of the pandemic, 1 in 6 adults in the US received some type of unemployment benefits.³⁰ When PUA expired in September 2021, 259,000 New Jerseyans lost unemployment benefits.³¹

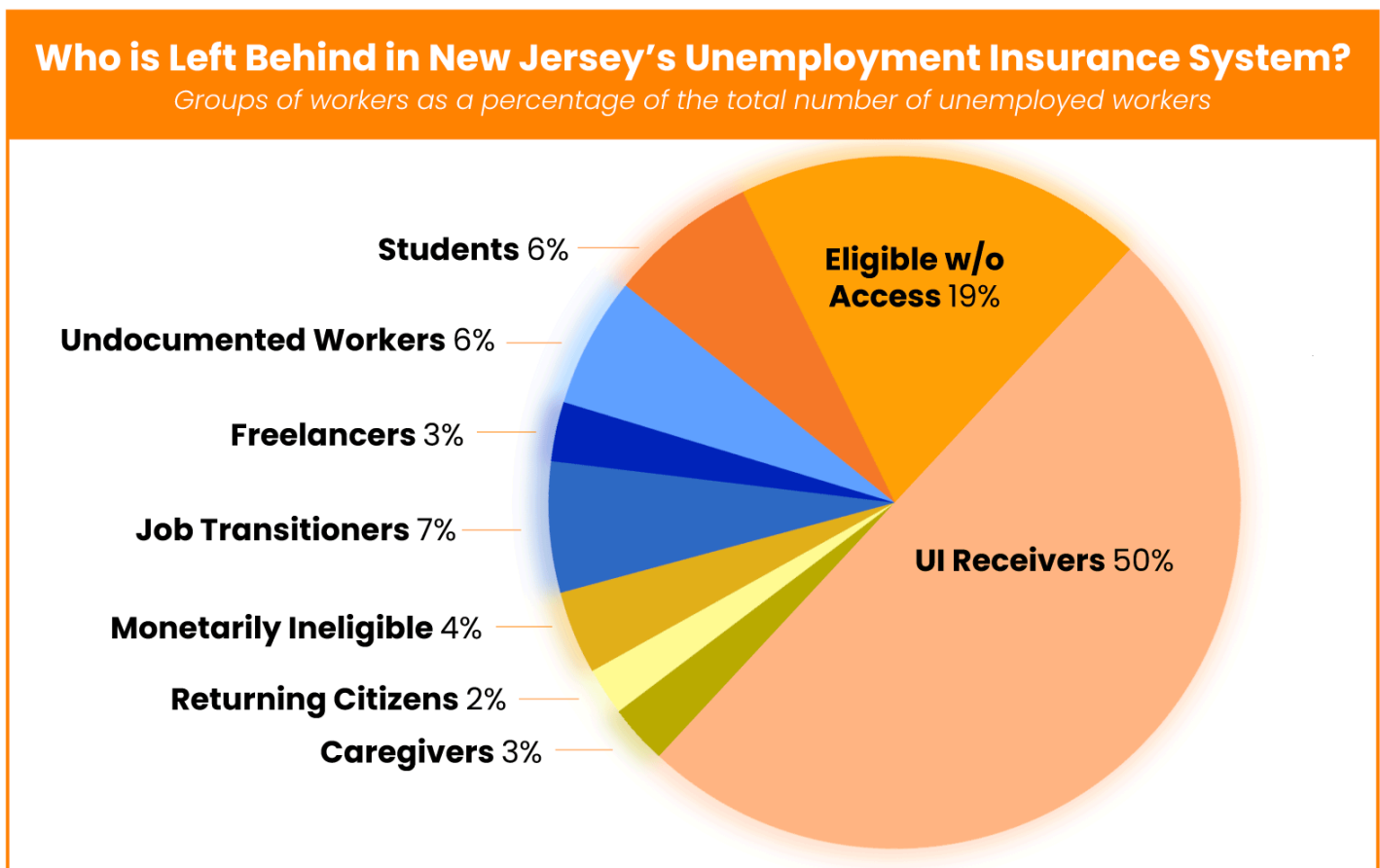
The Excluded New Jerseyans Fund (ENJF)³² temporarily expanded the availability of direct cash relief to workers and families excluded from UI and federal assistance, including undocumented workers. The ENJF provided \$2,000 to \$4,000 in one-time cash assistance. A second round of funding aided about 100,000 ITIN³³ filers with one-time \$500 payments.³⁴ Despite significant underfunding,³⁵ these programs provided more than \$110 million³⁶ to individuals and families left out of federal stimulus and unemployment efforts. The necessity to establish these supplemental, temporary programs on both the federal and state levels, although in response to an acute crisis, speaks to gaps in the current UI system that need plugging. New Jersey should address these exclusions permanently.

Who Does New Jersey's Unemployment Insurance System Leave Behind?

Simply put, not enough unemployed workers receive the support they need when looking for work. Nationally, the UI system currently leaves out many more unemployed workers than it covers, with Black workers, undocumented immigrant workers, other workers of color, low-wage workers and women facing the most barriers to receiving benefits.³⁷ Economic downturns amplify these systemic gaps.³⁸ Many of these barriers arise out of criteria for eligibility that predominantly benefit white, non-disabled, relatively well-earning male workers, criteria rooted in the New Deal era and the decades immediately following and an economy that, in many ways, no longer exists.³⁹

As a result, a high percentage of unemployed workers in New Jersey and elsewhere – including family caregivers returning to work, student workers entering the labor force, independent contractors, formerly incarcerated returning citizens, and undocumented workers – are ineligible for UI.

Below, we provide an overview of the types of workers who face barriers to using unemployment insurance and an estimate of their numbers.



Freelancers and Self-Employed

A significant portion of the labor force is considered self-employed and earns income using Tax Form 1099. These include people who are self-employed and independent

contractors, as well as employees improperly classified as self-employed. Estimates from the Upjohn Institute indicate that about fifteen percent of workers are classified as 1099 earners nationally, with about half of those workers estimated to be misclassified employees.⁴⁰ This issue became prominently exposed as PUA covered this group of workers labeled as part of the “gig” economy, such as rideshare drivers for whom incomes completely ran out during the pandemic. Using ACS data, we estimate the total number of freelancers and self-employed workers who make less than \$500,000 per year to number about 139,400 in New Jersey. Assuming an unemployment rate of five percent, about 6,970 are unemployed.

Job Transitioners

Unemployment benefits are unavailable to workers who voluntarily leave unemployment without very specific reasons. (New Jersey establishes an exception to this rule, known as “good cause” separation. If a worker can prove that their reason for leaving a job was “good cause” directly related to the job and “so compelling” that they had no choice but to leave the job, such as by showing “unsafe, unhealthful, or dangerous” working conditions, that worker may become eligible to collect unemployment insurance benefits.⁴¹) Two of the only avenues available for workers to exercise power on the job are through their voices or the right to exit. Frequently, workers do not use their voice in their workplace because the cost of doing so is too high – the potential loss of income and no chance to replace it. Ensuring universal eligibility for all unemployed workers is essential to adequate macroeconomic stimulation and maximizing worker power. We estimate that the number of workers transitioning out of employment and back into the labor market for new opportunities in New Jersey is 16,600.

Monetarily Ineligible

Another sizable group that lacks eligibility includes those who make too little and work for too short of a period to receive unemployment benefits. In New Jersey, this constitutes

those who make less than \$8,600 in a year and worked for 20 or fewer weeks in the base period.⁴² Individuals in this group often work in the service sector with low hourly pay and variable weekly hours. During the COVID-19 pandemic, workers who earned very low wages were likely a majority of PUA recipients.⁴³ Lack of support during periods of unemployment contributes to these workers cycling between unstable and often low-quality employment situations. Using ACS data, we estimate this total number of workers in New Jersey – both employed and unemployed – to be 200,700. Of this group, we estimate that about 10,035 are unemployed.

Returning Citizens

Given our country's well-documented reality of mass incarceration – the US incarcerates more people than any other country, in total number and per capita⁴⁴ – and the fact that most incarcerated individuals are eventually released, we must address the myriad and particular barriers to (re)employment faced by returning citizens such as discrimination and stigma, lower educational achievement, and difficulties securing stable housing and transportation.⁴⁵ “The cumulative effect of these barriers is that individuals returning from incarceration generally face lower employment rates, limited lifetime earnings, and are disproportionately denied jobs relative to similarly situated individuals without a history of criminal justice system involvement.”⁴⁶ In 2022, according to the most recent data available from the Bureau of Justice Statistics and data from the Federal Bureau of Prisons, approximately 5,600 people were released from state and federal jails and prisons to communities in New Jersey.⁴⁷ Assuming a 70% unemployment rate, we estimate 3,920 are unemployed.⁴⁸

Undocumented Workers

Even though numerous employers pay payroll taxes to the UI system on behalf of undocumented workers and most undocumented immigrants pay federal and state income taxes,⁴⁹ these workers are excluded by state and federal policy from eligibility for

standard UI. However, during the height of the COVID-19 pandemic, several states, including California, New Jersey, New York, Oregon, and Washington, provided them with temporary unemployment benefits.⁵⁰ New Jersey used emergency federal funds to establish the ENJF as previously discussed. Using data from the Center for Migration Studies, we estimate that the total number of undocumented workers in New Jersey is 310,115.⁵¹ Based on a five percent unemployment rate, we estimate 15,505 undocumented workers are unemployed.

Unemployed Caregivers Returning To Work

Numerous caregivers enter and reenter the workforce after caring for family members, children, and other loved ones. Unless they received sufficient income from employment for long enough during the base period, many do not qualify to receive UI, especially if the duration of the care they provided began before the base period. Our analysis using CPS ASEC data from 2015 to 2019 found that 6,000 workers in New Jersey were unemployed as new or re-entrants to the workforce after being outside of the workforce due to caregiving reasons.

Unemployed Workers Entering Workforce From Education

Frequently without a work history, students do not have any support when they (re)enter the workforce after leaving education. That vulnerability has durable impacts over time, especially when they graduate into a recession.⁵² According to the October 2022 supplement to the Current Population Survey, among 20- to 29-year-olds nationwide, unemployment rates were 5.7% for recent associate degree recipients, 8.6% for recent bachelor's degree recipients, and 4.1% for recent advanced degree recipients.⁵³ Using CPS ASEC data from 2015-2019, our analysis focused on reentrants and entrants who were outside the labor market due to pursuing education and were currently unemployed. We found 13,500 who were leaving education and unemployed in New Jersey.

UI-Eligible Workers not Accessing Benefits

The largest group of workers who do not receive the benefit are those who are eligible for the benefit but do not apply for it or who apply but still don't receive it. There are numerous reasons for this, including the lack of ease and accessibility of the UI application tied to the digital divide in economically disadvantaged communities of color and the lack of accessible program materials in applicants' native languages.⁵⁴

Many workers and their families simply lack awareness of their eligibility. In 2022, across the US, about 70% of unemployed workers did not apply for assistance, and of these, 55% believed they were ineligible.⁵⁵ These gaps in access and awareness result in eligible low-wage workers receiving UI at about half the rate of higher-wage workers.⁵⁶

Our analysis reveals that, unlike most states in the US, New Jersey does a fair job of getting UI benefits to most workers who appear to be eligible. However, the number of workers eligible in New Jersey who fail to receive the benefit is still significant. By calculating the other groups of unemployed and excluding them from this and assuming a standard reciprocity of 50% for the unemployed receiving UI benefits in NJ, we estimated that about 45,500 unemployed workers in New Jersey do not receive unemployment despite likely being eligible.

Simply put, not enough unemployed workers receive the support they need when looking for work. Nationally, the UI system currently leaves out many more unemployed workers than it covers, with Black workers, undocumented immigrant workers, other workers of color, low-wage workers and women facing the most barriers to receiving benefits.

Next Steps

The federal government remains gridlocked on numerous issues, including unemployment insurance reform. While federal proposals for UI reform have been presented, and most voters support reform,⁵⁷ the prospects for immediate change seem limited.

That leaves it up to states to lead by meeting the problem head-on, reforming existing systems, and establishing new ones that complement a 21st-century workforce and provide every worker with the freedom and resources to secure dignified employment.

Several state legislatures have taken the initiative to guarantee benefits to ineligible workers and expand access to those currently eligible but not receiving benefits. In 2021, Maine improved state-provided UI benefits and established a pilot navigator program to expand access to existing unemployment benefits.⁵⁸ In New York, State Sen. Jessica Ramos and Assemblymember Karines Reyes have championed the Unemployment Bridge Program, which aims to cover multiple types of UI-ineligible workers and would develop a navigator program to ensure access to the new benefit.⁵⁹ Colorado established an excluded worker benefit program for undocumented workers in 2022.⁶⁰

While this brief focused on the number of workers who do not receive benefits in New Jersey, other issues remain, including insufficient benefit amounts.⁶¹ While federal legislation limits the types of workers who can benefit from unemployment insurance, nothing prevents a state from creating new benefits and programs to reach and cover all unemployed workers to make a truly universal and easily-accessible unemployment benefits system. The state legislature could build on recent innovations and permanently establish one or more new programs to create new benefits to workers who are currently left behind, maximize access to UI-eligible and UI-ineligible workers, provide sufficient benefit amounts, and bring all workers together under a sustainable, universal, dignified unemployment system. It's clear that in the case of New Jersey, there is ample need and opportunity to ensure as many people as possible receive some type of unemployment and ensure benefits provide pathways to quality employment for all.

Appendix: Methodology

For our analysis and estimates of the numbers of excluded workers, we use both the American Community Surveys (ACS) and the Current Population Survey's Annual Social and Economic Supplement (ASEC), accessed through the IPUMS database. Due to qualitative concerns with counting non-citizens in the 2020 Census, we use the 5-year ACS from 2015 to 2019 and an average of those same years from the ASEC data. To address a discrepancy in the estimates of the average number of total unemployed workers across those five years, we average between the two estimates from the two surveys. We generally follow the approach of the Immigration Research Initiative in estimating the number of New Yorkers excluded from unemployment benefits in 2023⁶² to estimate the number of workers in each left behind group. Like the IRI, we assume that as a very rough estimate, half of non-citizens are undocumented within each category we directly analyze. We use ACS or ASEC data to determine the number of workers that meet the criteria in question and subtract potential overlapping populations.

Generally, for each of the categories of left behind workers in the labor force (that is, both employed and unemployed), the analysis consisted of identifying the group by using key survey variables with programs available from IPUMS. When necessary, we excluded overlapping categories. For instance, to identify the monetarily ineligible for UI, we looked for waged workers who earned below \$8,600 and worked less than 20 weeks in the past year (the requirements to receive unemployment insurance). Furthermore, and as mentioned above, we subtracted half of the non-citizen population that met the same characteristics to avoid double-counting undocumented workers. In another instance, for job transitioners, we identified the number of unemployed workers who left their jobs and were not receiving unemployment.

However, with certain categories of workers we restricted identification to the number of unemployed workers, not the entire labor force. With caregivers or students (re)entering the labor force we focused on those who were unemployed specifically, so as to limit potential gross inaccuracies regarding their unemployment rates and eligibility. Nonetheless, we were careful to subtract for overlapping populations that are also left behind. To estimate the number of unemployed workers who are eligible for UI but not receiving, we first identified the number of unemployed workers who remained after assuming a fifty percent (50%) rate of reciprocity (the average rate of UI reciprocity in New Jersey) who are unemployed and not part of any group that is excluded, hence making it highly likely that they are eligible for unemployment benefits. Alternative approaches to approximate this population confirmed our estimate for this category.

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The Center for Popular Democracy works to create equity, opportunity and a dynamic democracy in partnership with high-impact base-building organizations, organizing alliances, and progressive unions. CPD strengthens our collective capacity to envision and win an innovative pro-worker, pro-immigrant, racial and economic justice agenda.

