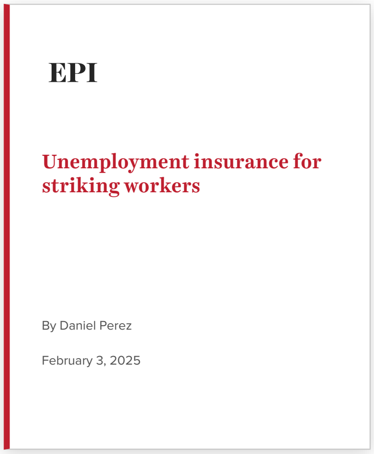
Unemployment insurance for striking workers

A low-cost policy that's good for workers and state economies

Summary: Lawmakers across the country are increasingly recognizing that making striking workers eligible for unemployment insurance (UI) is good for workers and good economics.



EPI

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By Daniel Perez

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Key findings

- Striking workers in most states are disqualified from receiving UI, which opens the door for employers to undermine union negotiations by engaging in bad faith tactics.
- Only two states —New Jersey and New York—currently extend UI to striking workers. Lawmakers in 13 additional states have previously introduced or are actively considering such policies.
- EPI estimates that the cost of extending employment insurance to strikers would represent between 0.04% to 0.96% of a given state's total UI expenditures—an almost negligible share.
- These policies don't only impact striking workers; they also help stabilize the economy by keeping dollars flowing to communities where a strike is taking place.
- While opponents have raised concerns that such policies will encourage more strikes, providing UI protections to striking workers may actually lead to fewer strikes.

Why this matters

The need for states to take decisive steps to protect their workers' rights is particularly urgent in the face of the incoming administration and corporations' brazen attacks on labor rights.

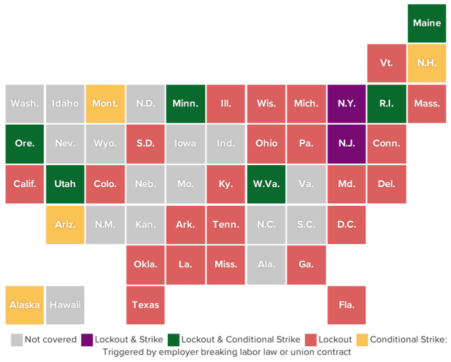
How to fix it

Lawmakers should take a practical, impactful, low-cost step toward protecting workers' collective bargaining rights by making striking workers eligible to receive unemployment insurance.

Charting the problem

There is precedent for ensuring workers can access unemployment insurance when negotiations break down

Unemployment insurance coverage during labor disputes by state, 2023



Source: National Employment Law Project (NELP) analysis of U.S. Department of Labor, Comparison of State UI Laws (2023). Adapted from Figure 1 of *Unemployment Insurance for Striking Workers* (NELP 2024).

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