



New York
State
Department of
Labor
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STATE LABOR COMMISSIONER REARDON ANNOUNCES SENTENCING OF FORMER FEDERAL CORRECTIONAL OFFICER IN UNEMPLOYMENT INSURANCE FRAUD CASE

Used a U.S. Department of Justice Computer to Illegally Claim Benefits

New York State Labor Commissioner Roberta Reardon announced today that Andrew Kessler of Woodside, Queens was sentenced to six months in federal prison with three years of supervised release after being convicted of fraudulently obtaining unemployment insurance benefits.

“New York state has a zero-tolerance policy when it comes to the theft of unemployment insurance benefits and the Governor has made it a priority to pursue those who willingly violate the law,” **said Commissioner Reardon.** “These funds are meant for those in need, and for someone tasked with upholding the law to have stolen from the system is inexcusable. I’m pleased with the resolution of this case, and I thank both the Department of Labor investigators who discovered the

Between September 2012 and August 2013, Mr. Kessler certified for and received \$13,961 in unemployment insurance benefits. After an investigation by the Department of Labor’s Major Case Unit, it was discovered that Mr. Kessler was, in fact, employed full-time as a federal correctional officer at the Metropolitan Correctional Center in Manhattan. What’s more, he was found to have used a Department of Justice computer while working at the jail to file weekly claims for benefits.

The investigation was conducted with the assistance and cooperation of the U.S. Attorney’s Office for the Southern District of New York, the U.S. Department of Labor Office of the Inspector General, and the U.S. Department of Justice Office of the Inspector General.

“Public servants like Mr. Kessler have a duty to conduct themselves with integrity. While at work as a federal correctional officer, Mr. Kessler defrauded the unemployment insurance program designed to help those who are out of work, and stole money from the very taxpayers who funded his salary. We will continue to work with our law enforcement partners to protect the integrity of the UI system and vigorously pursue those that engage in fraud involving programs administered by the U.S. Department of Labor,” **said Michael C. Mikulka, Special Agent in Charge, New York Region, U.S. Department of Labor, Office of Inspector General.**

The New York State Department of Labor operates one of the largest unemployment insurance systems in the country. In addition to administering the entire system, the Department of Labor is responsible for preventing and stopping fraud and protecting the integrity of the Unemployment Insurance Trust Fund. When the Trust Fund is forced to pay out because of a fraudulent claim, employers have to pay more -- and that means consumers will pay more as well. It is in everyone's best interest to stop unemployment insurance fraud.

New York State is a national leader in the prevention and investigation of unemployment insurance fraud. The Department's Office of Special Investigations monitors several data sources and utilizes various analytical techniques to determine when fraud occurs. On the whole, only a very small percentage of individuals who collect benefits do so illegally. Those who do attempt to defraud the system are generally detected quickly. Once suspected fraud is detected, cases are referred to local law enforcement.

Anyone with information about possible unemployment insurance fraud should call the Department of Labor's anonymous toll-free fraud hotline at (888) 598-2077 or visit www.labor.ny.gov/fraud.

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