

UNEMPLOYMENT BENEFITS

For
Part Time Faculty

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Faculty Rep

UNEMPLOYMENT BENEFITS

This is a benefit you and the employer pay for through payroll taxes.



UNEMPLOYMENT BENEFITS

- ◉ Part-time faculty members are temporary, at-will employees.
- ◉ Part-time faculty members are not guaranteed continuing employment.
- ◉ Receiving a Load Sheet for the following semester is not a guarantee of continuing employment.
- ◉ Receiving a verbal or written agreement for classes is not a guarantee of continuing employment.



The Scream by Edvard Munch

UNEMPLOYMENT BENEFITS



Who has applied
for Unemployment
Insurance in the
past 12 months?

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Eligibility



Unemployment

- ◉ If employment ends for the semester, does not continue, or is of a lesser amount of work, the good news is you get to apply for unemployment compensation!
- ◉ Apply on the last day of the semester even if you haven't received your final paycheck.
- ◉ There is a one-week waiting period after you apply (an EDD week is Sunday - Saturday).
- ◉ Apply online at www.edd.ca.gov/eapply4ui
- ◉ Or call EDD at 1-800-300-5616 (be prepared to wait . . . and wait . . . and wait . . .)

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School Employee?

Ignore the
information on the
EDD website; it
doesn't apply to
Part time faculty

THE APPLICATION, IT TURNED OUT, WAS EASY, BUT OH SO TRICKY!

Some sample questions:

- ◉ Do you expect to return to work for a former employer?
- ◉ Do you have a date to start work?
- ◉ Are you returning to work the next school session?
- ◉ Has your employer given you **reasonable assurance**, either verbal, written, or implied, of returning to work for the next school session?

Suggested answers: no, no, no, and no!



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Application Process

Before you Start



THE NIGHT PASSED SLOWLY AS SHE CLICKED AND RECLICKED THE BEADS ON THE ABACUS.

- ◉ You must provide 18 months of employment/salary history. EDD will base your claim on the highest quarter earnings.
- ◉ The college's payroll department should have this information.
- ◉ Dates of employment mean the first day the semester began and the last day you step foot in a class (final date of your last class).
- ◉ Do not use the dates you received your paychecks.

UNEMPLOYMENT BENEFITS



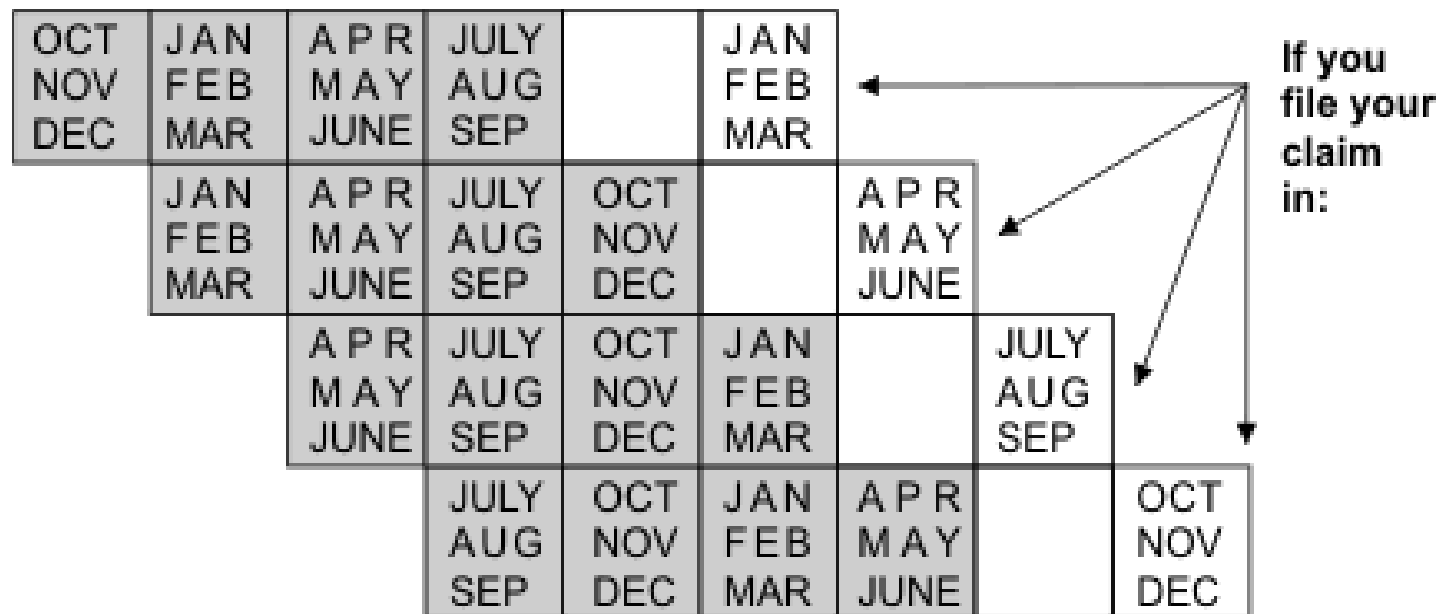
What
determines your
benefit?

How much will
your benefit be?

Weekly benefit amounts range from a minimum of \$40 to a maximum of \$450 depending on the claimant's quarterly earnings. To qualify for the maximum amount each week (\$450) an individual must earn at least \$11,674.01 in a calendar quarter during the base period (an individual's earnings during a specific 12 month period).

The *shaded* area is your base period

The *unshaded* area is the month you filed your claim



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Phone Interview

SUDDENLY, THE DRIP, DRIP OF THE RAIN WAS INTERRUPTED BY THE PHONE RINGING . . .

- ◉ You will receive a notice for the date and time of your phone interview.
- ◉ A list of questions is provided on the back of the notice.
- ◉ Keep your answers short!
- ◉ Remember - you are not on semester break or recess. You simply don't have a job ☹



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Denial?

[illegible]

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Appeal
within 20
days

IN HER DARKEST HOUR, SHE WAS DENIED BENEFITS

- ◉ If you are denied benefits, you have 20 days to appeal.
- ◉ Most claims are won at the first stage of appeal.
- ◉ Cite the *Cervisi Decision*. The full text can be found on the CCA website. Go to cca4me.org.



Roy Lichtenstein, *Hopeless*,

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Cervisi Decision

Cervisi v. California Unemployment Insurance Appeals Board (1989) 256 Cal.Rptr.142.

The *Cervisi* decision states, “an assignment that is contingent on enrollment, funding, or program changes is not a ‘reasonable assurance’ of employment.”

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- ◉ "I wish to appeal the determination to deny benefits based on the Cervisi Decision (Cervisi v. Unemployment Insurance Appeals Board-208 Cal. App. 3d 635; Cal. Rptr. 142 Feb. 1989) and the following grounds: I am a temporary hourly employee laid off because of lack of work. When I am employed, I am paid on an hourly basis. Any assignment I receive is contingent on funding, enrollment, and program changes. Consequently, as a temporary employee without an actual or implied contract, I do not have reasonable assurance of continued employment and am eligible for unemployment benefits."
- ◉ Also send a copy of the Cervisi Decision with your appeal.



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The Appeal Hearing:

- ◉ A copy of your appointment letter or load sheet for the present semester
- ◉ Copies of offers of prior employment, which are useful because they demonstrate that appointment letters or load sheets usually go out at a late date and aid in establishing the uncertainty of your reappointment
- ◉ Any documents or letters you might get from the department chair, other faculty, or the campus administration indicating the uncertainty of funding and/or enrollment levels for the coming semester
- ◉ Evidence that you have attempted to secure teaching work during this period of unemployment such as letters or records of phone calls to other departments or colleges.



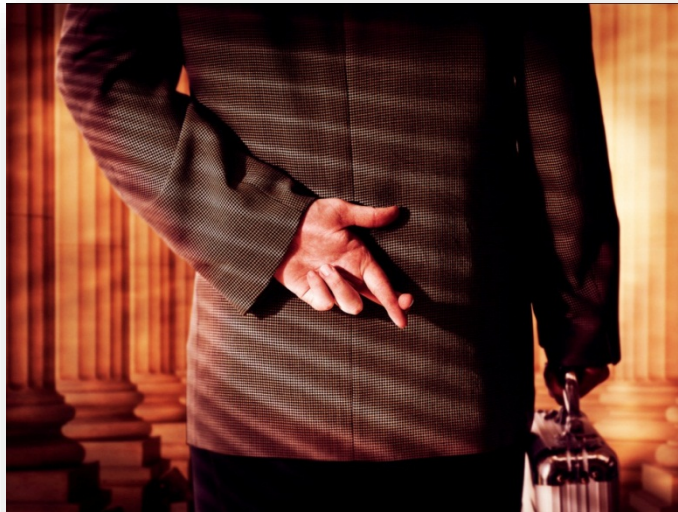
*BUT AS THE STORM
CLOUDS CLEARED,
SHE HAD REASON
TO BE HOPEFUL . . .*



- ◉ Once your claim is opened, it is open for a year. You can reopen it to receive benefits during Winter Break.
- ◉ Go to the EDD website and fill out the application to reopen your benefits.
- ◉ You will receive a booklet titled *A Guide to Benefits and Employment Services* that answers most questions.

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BEWARE...



Do not commit fraud