



Since most adjunct faculty have several weeks "vacation," at the end of each semester, it is very important that everyone takes advantage of the unemployment benefits offered by the State of California which provide you a percentage of your income each week.

# UNEMPLOYMENT BENEFIT INFORMATION FOR ADJUNCT FACULTY

The AFT would like to remind all adjunct faculty members that you are eligible for unemployment insurance benefits during the period between semesters when you are unemployed or underemployed. *Cervisi vs. Unemployment Insurance Appeals Board* (208 Cal. App. 3d 635) decided in February, 1989 by the Court of Appeals, held that a "contingent assignment is not a 'reasonable assurance' of continued employment" within the meaning of the Unemployment Insurance Act and does not disqualify the employee from the receipt of benefits.

Even if you have received a tentative offer of employment for the next semester, you are entitled to apply for unemployment benefits over the semester break immediately upon completion of your last working day of the semester.

In order to file a claim, you must call the Employment Development Department (EDD) at (800) 300-5616. You may also apply on-line at: <http://www.edd.ca.gov/unemployment>. You should have a copy of your Tentative Offer of Assignment from SDCCD at hand which states that your assignment is contingent and implies no rights of continued employment. All claims are now processed electronically and any necessary paperwork is mailed to you. If you have other employment in addition to your teaching assignment, this may affect your claim by making you underemployed or ineligible to receive benefits.

As a school employee, you may be scheduled for a phone interview. It is crucial that when you are asked if you have a contract which would guarantee your continued employment, you answer in the negative. What you have as an adjunct faculty member is a tentative offer based on enrollment and other factors. You do not have a guaranteed contract position. Many adjunct faculty members have been mistakenly denied benefits because they mistook their assignment letter to be a contract and answered this question incorrectly. Remember, when asked if you have a contract, just say "No!". If the EDD denies your application, you should immediately file an appeal. In the appeal hearing, bring the *Cervisi* decision to the attention of the hearing officer.

If such steps are taken, it is our belief that you will receive the benefits to which you are entitled. Please contact the AFT office at 619-640-1155 if you have any questions or if you would like a copy of a statement by our attorney regarding the *Cervisi* decision in the event you need to file an appeal.

- > DID YOU HAVE TROUBLE GETTING AN ASSIGNMENT FOR NEXT SEMESTER?
- > WILL YOU BE UNEMPLOYED AND/OR IN NEED OF FINANCIAL ASSISTANCE?