



AFT GUILD, LOCAL 1931 UNEMPLOYMENT BENEFITS: GENERAL INFORMATION & FAQs FOR AFT GUILD MEMBERS

What are Unemployment Benefits?

Unemployment benefits are payments made through the California Unemployment Insurance program which pays benefits to workers who meet eligibility requirement and who are out of work or who have become partially unemployed (FTEF/hours reduced). As of January 1, 2005, the minimum weekly benefit amount is \$40 and the maximum weekly benefit amount is \$450.

Who is Eligible?

Adjunct faculty are commonly eligible between semesters. You may also be eligible for partial unemployment benefits if your workload/FTEF has been reduced for the semester. Below are some common eligibility situations/concerns that may apply to you:

- **Other Employment:**
 - If you have other employment you may still be eligible for partial unemployment, however, if you are receiving more than \$450/week in pay it is likely your claim will be denied.
 - If you have a full-time contract assignment in the college district or another school district that you will be returning to in the next semester your claim will be denied.
- **Summer/Intersession Assignments:** If you will have a summer or intersession assignment and you will receive more than \$450/week it is likely your claim will be denied. However, you can and should file a claim for the period between the date of your last class meeting and the date of your first class meeting in the summer/intersession.

Note: It does not hurt to apply even if you will have a summer or intersession assignment, not only to cover the period between classes ending and starting, but to keep your claim active in case you do not go over the earnings limit during your assignment (e.g.; you are only teaching one class).
- **Retirement/Pension:** If you are receiving a pension, you may be denied, depending on the amount and the source of the pension.
- **College & Continuing Education Differences:** College adjunct faculty are eligible to file a claim for unemployment insurance during the winter break. However, Continuing Education faculty are not eligible to file during the winter break since it is a recess of the fall semester, and the Continuing Education semester has not officially concluded. All adjunct faculty are eligible to file a claim during the summer.

When Should I File a Claim?

You should file your claim in the first week when you are out of work or had your course load reduced. Your claim will be considered filed the Sunday of the week your application is submitted. For adjunct faculty, to ensure speedy processing (and payment) you will want to file the day after your last class meeting of the semester as this will be your last day of work. A delay in filing your claim may result in a delay of payment of your benefits.

Note: All claims have a one-week, unpaid waiting period. Your waiting period cannot begin until your claim is filed. To serve the waiting period, you must certify for benefits and meet all other eligibility requirements for the week of your waiting period.

How Do I File a Claim?

You can apply online or by phone. To apply online visit: <http://edd.ca.gov/unemployment/> to apply by phone using their self-service phoneline, call **1-866-333-4606**.

Information to Help File a Claim

Below is information and tips to assist you in answering the questions on the application.

- **Length** – You will need to supply information on all employers you worked for in the last 18 months.
- **Last Employer Information** – This will be the last community college district you taught at, not the individual campus you taught at. For example, if you worked at San Diego City College, you will put San Diego Community College District as the employer. If you taught at more than one district, enter the district with the latest ending date.
 - Note: If you are working for more than one district and are applying for “total unemployment” benefits you will need to wait to file a claim until after the last class meeting for the district with the latest ending date.
- **Supervisor Information** – Enter your department chair's contact info. Inform your chair that if they are contacted by EDD they should tell EDD that you do not have a “reasonable assurance” of continued employment because your class could be canceled due to low enrollment.
 - Note: There is a California court case that supports this: *Cervisi vs. Unemployment Insurance Appeals Board* (1989) 208 Cal. App. 3d 635. You may need to educate your chair on this information.
- **Last Date Worked** – Enter the date of the last class meeting. If you taught at more than one district and they had different end dates, enter the latest ending date.
- **Gross Wages** – Add up your gross wages for all employment during the course of the semester and then divide that total by the number of weeks in the semester. If you worked in more than one district with varying lengths of semesters, determine the amount for each district separately and then take the average of these amounts.
- **Occupational Information** – An adjunct faculty is considered a “temporary hourly instructor.”
- **Educational Institution & Reasonable Assurances** – You will be asked questions regarding working or planning to work for an educational institution. Community college districts are considered educational institutions. If you have been given a written or formal offer of employment for the next semester or intersession at the time you file your claim you should inform EDD that you plan to return to work during the next session and give the date of the upcoming first class meeting. However, as an adjunct faculty unit member, you do not have a reasonable assurance of employment for the next school session, regardless of what has been given to you (i.e. TAO, hire letter, email offer) or said to you. If asked whether you have a “reasonable assurance” of employment, you must answer NO because even with the formal offer of employment the District may cancel the assignment since it is contingent upon enrollment, funding, and program changes.
- **Reason for Unemployment** – Even though you may return for the next semester or session, you will want to indicate that you were laid off and/or there was a lack of work (i.e. lack of or reduction in class assignments) even if it is between semesters or sessions. However, in order to collect benefits, you must be available, able, and willing to work. They will likely ask you what your work-related skills are, so list all that apply to you (i.e. instruction, computer programming, violinist, writing, etc.)
- **Union Information** – The AFT Guild does not offer assistance in looking for work nor do they track whether you are out of work. We do not have the ability to control your hiring or termination either. You will be asked these questions on the application. Simply answer them in the negative.

Questions?

Contact the AFT Guild Office at [619-640-1155](tel:619-640-1155) or one of your AFT Guild site representatives. If you need to appeal a denial of benefits, please contact us as soon as possible so we can assist you. AFT Guild members will be assisted free of charge, including being represented by our attorney in any appeal hearing if necessary.

Disclaimer: The information above is for informational purposes only and not for the purpose of providing legal advice. The AFT Guild, Local 1931 has no association or affiliation with the State of California Employment Development Department (EDD).