

UNEMPLOYMENT BENEFITS FOR ADJUNCT FACULTY

If you will not be working (or working at a much reduced level) after this semester you have a right to apply for unemployment insurance benefits. The state budget crisis has resulted in colleges cutting class sections. Part-time faculty who lose some or all of their assignments may be eligible to collect unemployment benefits. You can apply online at www.edd.ca.gov or by phone at (800) 300-5616.

Adjuncts are considered “temporary” employees who work without long-term contracts and are therefore not guaranteed continued employment. If you were not offered an assignment OR if your workload is reduced, you can file for unemployment benefits. The EDD will determine whether you qualify.

Claims may be filed with the EDD on or right after the last day of the semester (including final exam week). This is also the last day of the week that you are considered by the district to have “worked”. Do not delay filing as one cannot recapture benefit payments for weeks not worked if one doesn’t file immediately. Yes, you may have a paycheck coming from the Glendale College District sometime later, but when the semester ends you are unemployed! Since the district must report your unemployment to the EDD they will use the last date of final exams for clarity’s sake so your application must corroborate the above date, even if your last exam was earlier in the week. You will be asked why you are no longer working and the correct response is: “I am a temporary community college instructor and my contract ended.”

You will be asked for the gross amount you were paid for your last week of work. All EDD info at GCC is responded to by Jean Antonitis. She takes the entire semester’s pay and divides it by 15.5 weeks to tell EDD what our weekly payrate is. You may calculate your weekly pay by taking your monthly paycheck multiplying it by five (for the five monthly payments per semester) and dividing the total pay for the semester by 15.5 (weeks). Since a semester may end mid-week (such as one with only a two-day work week on the last week), divide this weekly rate by five for a daily rate and use two days of pay for your last week’s salary. Keep in mind that you must include any other source of work income in your report of gross earnings for that last week of teaching.

You also need to keep in mind that the EDD is way behind right now in the processing of claims since so many Californians are out of work. It might take awhile before you receive your first check. If this is the first time you are opening a claim or haven’t opened a claim within the last year, your first week of unemployment there is no benefit payment. When you call, have ready your social security number, and the name, address, and phone number of the college. When asked as to list “your usual occupation” I would use the word “instructor” as opposed to “teacher” so as not to be confused with K-12 teachers who are not eligible for EDD benefits over the summer. Be aware that some of the questions that are asked (#29-31B) are meant to trick you into saying that you will be back again teaching for the next semester or they will ask if this is a break period. You have to let the EDD know, either in a phone interview (which may be a followup requirement) or on any forms, that you have been laid off because your contract ended and just keep repeating the phrase “I have no reasonable assurance of work with this employer in the future.”

Sometimes EDD personnel are not aware that, unlike K-12 teachers, community college instructors, who have little or no other employment, are entitled to unemployment at the end of a semester. Since , even if one's name is in the schedule to teach in a future semester, possible class cancellations mean that adjunct faculty have "no reasonable assurance" of future employment. If there is a question on the phone interview asking if you are a teacher, when responding be sure to cite the **Cervisi decision** which applies directly to "at will" adjunct faculty (help can be found at http://www.faccc.org/part_time/unemployment/edd_cervisi.HTM)

DISCLAIMER:

This information is to aid adjunct faculty in the Glendale College District who are applying for Unemployment Benefits but is not guaranteed to be accurate or complete. The advice contained in this article is not from a labor attorney nor is it meant as legal advice. As EDD procedures and laws change the applicant must become aware of the requirements under the law and follow those rules over any counsel given in this article.