**Part Time Faculty:**

**Claim Your Unemployment Benefits!**

Part time faculty members are temporary, at-will employees. Even if you have been offered a teaching assignment next semester, your assignment is not guaranteed. Since you are not guaranteed continuing employment, you can file for unemployment the day your assignment ends (last day of the semester).

**DO NOT DELAY!**

There is a one-week waiting period (Sunday – Saturday). File on the last day of the semester. Online filing is easiest and fastest. The EDD website is [www.edd.ca.gov/eapply4ui](http://www.edd.ca.gov/eapply4ui). You can also call EDD at 800-300-5616, but due to the number of people filing for and on unemployment, it is nearly impossible to get through.

**APPLY!**

The application is not complicated, but you will need to provide a reason why you are no longer working and a brief explanation. Personally, I use this statement: “laid off due to lack of work. The semester ended and there is no reasonable assurance of continued employment.”

**The following questions are also on the application:**

Do you expect to return to work for a former employer? Answer no.

Do you have a date to start work? Answer no.

Are you an employee of a school, educational institution, or training facility? Answer yes.

Are you returning to work for the next school session? Answer no.

Has your employer given you reasonable assurance, either verbal, written, or implied, of returning to work for the next school session? Answer no.

Are you a member of a union? Answer yes. A “yes” answer will open several boxes which will have “no” answers. Most of these questions reference trade unions.

You will be asked to provide the past 18 months of employment history and salary for each school where you’ve taught. Dates of employment mean **the first day the semester began and last day the semester ended** for each school. Do not use the dates you received your paychecks even if the semester ends before you receive your final paycheck.

Once you complete the application online, you will receive a confirmation number.

**PHONE INTERVIEW**

You will get a notice for the date and time of your phone interview. A list of questions is also provided on the backside of the notice, so you can plan your answers to some of the trickier questions.

Keep the answers short and remember that you have no guarantee of future employment as a part-time faculty member in the community college system. You are a part-time, temporary employee. You are not on “semester break” or recess period. Your employment ended with the end of the semester. You will not be returning to work for any school employer next semester. You do not have a written contract or agreement.

You will receive a **Notice of Unemployment Insurance Claim Filed.** Check that the information is correct. If the information is incorrect, make corrections within 10 days.

You will also receive a **Notice of Unemployment Insurance Award** which gives the beginning and ending dates of the claim, the maximum benefit amount you are entitled to, and the weekly amount you will receive. Notice that your claim is open for a year. When you reopen your claim to receive benefits for the winter break, this is the weekly amount you will receive and the one-week waiting period will not apply.

**RECEIVING BENEFITS**

Your check will come attached to a claim form. The check amount usually covers two weeks. Answer the questions on the claim form and return on the designated date. There is a space to report any earnings you made while on unemployment. EDD will deduct any earnings from your benefits and pay you the difference. Remember that your claim is open for one year. Keep records for each year you claim unemployment.

All earnings must be reported – jury fees, paid sick leave, pensions, piece work, self-employment, severance pay, strike benefits, tips, vacation pay, witness fees, back pay award, bonuses, commissions, holiday pay, idle time pay, in lieu of notice. If you were paid in lodging and meals, or any other payment, you must report that as well.

**DENIED? APPEAL!**

***If you are denied benefits, you have 20 days from the mailing date of the denial notice to appeal. If you are a member of CCA, you are entitled to consult with a CCA representative.***

If EDD believes you have reasonable assurance of continued employment, they will deny your benefits claim. It is possible that the campus where you taught informed EDD that you will be returning. If your claim is denied, you will be informed in writing and given instructions on how to file an appeal.

It is important that you file an appeal and pursue your claim because most claims are won at the first stage of appeal. Your load sheets and appointment letters all indicate the conditional provisions of your employment. If you have difficulty in claiming benefits cite the **Cervisi Decision**:

 In *Cervisi et al v. Unemployment Insurance Appeals Board,* the Superior Court held that an assignment given to an hourly instructor depended on the classes obtaining sufficient enrollment. The Court concluded that “under the statute, an assignment that is contingent on adequate enrollment, funding, program changes and requires the approval of the District’s Board is not a ‘reasonable assurance’ of employment.” On appeal, the Court of Appeals adopted the Superior Court’s findings and held that a contingent assignment is not a “reasonable assurance” of continued employment within the meaning of Section 1253.3

A full copy of the Cervisi Decision can also be found on the CCA website.

Additional help: you will receive *A Guide to Benefits and Employment Services* from EDD. Refer to that booklet if you have any questions.

There is also information on the CCA website. Go to [www.cca4me.org](http://www.cca4me.org). Click on membership, click on part-time faculty issues.

If you have further questions, contact CCA (Community College Association) at (562) 478-1455 or CHI (Certificated Hourly Instructors) member Karen Roberts at (714) 350-2340 or KARENLROBERTS@VERIZON.NET. This information will also be placed on the CHI website: [www.lbccchi.org](http://www.lbccchi.org)