

Eligibility Questions

- If you have other employment for which you receive more than \$450/week it is likely your claim will be denied.
- 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* apply for the period between the date of your last class meeting the date of your first class meeting in the summer/intersession.
- If you have a full-time *contract* assignment in the college district or another school district that you will be returning to in the fall your claim will be denied.
- If you are receiving a pension, you *may* be denied, depending on the amount and the source of the pension.
- College faculty *are* eligible to apply for unemployment insurance during the winter break. However, Continuing Education faculty *are not* eligible to apply during the winter break since it is a recess of the fall semester, and the Continuing Education semester has not officially concluded. All faculty are eligible to apply during the summer.

To apply with EDD online go to <https://eapply4ui.edd.ca.gov/>.

Completing the Online Application

Question 22, "Are you a member of a union?" **Answer YES**

- 22a. Union Name **Amer. Fed. Of Teachers**
- 22b. Union Number **1931**
- 22c. Telephone number of Union **619-640-1155**
- 22d. Does your union look for work for you? **No**
- 22e. Does your union control your hiring? **No**
- 22f. Are you registered with your union as out of work? **No**
- 22g. Are you going to receive strike benefits? **No**

Question 24, "Are you receiving or do you expect to receive Workers' Compensation?" **Answer NO, unless you are currently receiving workers' compensation benefits for an on the job injury.**

Question 25, "Information about your very last employer" **This will be the Community College District (not the individual college), unless you will continue to work for another employer. If the latter, you will not be eligible to file until your last day of work for the other employer.**

Question 25g, "What is the full name (first and last) of the person who was your immediate supervisor?" **Put your Department Chair's contact info. Also, tell your chair, if they are contacted by EDD, to tell them that you do not have a reasonable assurance of continued employment because your class could be canceled due to low enrollment. There is case law which supports this [Cervisi vs. Unemployment Insurance Appeals Board (208 Cal. App. 3d 635)].**

Question 27, "Last Date Worked" **Put the last date you were in class. If you worked in two**

Districts or more than one employer with two different end dates, put the latest date.

Question 27a. "What are your gross wages for your last week of work (regular pay only)?" This one will require a little bit of calculation on your part. Sum your gross wages for all employment during the course of the semester, and then divide that answer by the number of weeks of the semester. For example, if you earned \$10,000 for the semester, and the semester was 16 weeks long, the answer is \$10,000 divided by 16 = \$625/week. If you worked in two or more different Districts with different length semesters, compute the amount for each District, and then take an average of these amounts.

Question 28. "Reason No Longer Working:" Answer: "Laid Off/Lack of Work"

Question 28a. "Please provide a brief explanation (Maximum 150 characters):" Assuming you are only filing due to your lack of work in the college district, answer: "I am a part-time, temporary, hourly college instructor who was laid off due to a lack of college assignments."

Question 29. "Do you expect to return to work for a former employer?" Answer YES if you have a written or oral offer of employment at the time you file your claim. Answer NO if you are not sure you will have an assignment in the fall (or summer).

Question 30. "Do you have a date to start work?" Answer YES if you have a written or oral offer of employment at the time you file your claim. Answer NO if you are not sure you will have an assignment in the fall (or summer).

Question 31. "Are you an employee of a school, educational institution, or training facility?"
Answer YES

Question 31a. "Are you returning to work for the next school session?" Answer YES if you have a written or oral offer of employment at the time you file your claim. Answer NO if you are not sure you will have an assignment in the fall (or summer).

Question 31b. "Has your employer given you reasonable assurance, either verbal, written, or implied, of returning to work for the next school session?" **IMPORTANT:** Answer NO in all cases. As an adjunct faculty member, you do not have a reasonable assurance of employment, regardless of what you have been given or told. This has been affirmed in: Cervisi vs. Unemployment Insurance Appeals Board (208 Cal. App. 3d 635).

Question 33. "Provide your employment history for the past 18 months, including your very last employer." Include all gross wages from *all* employers you have had over the last 18 months.

Question 36. "What is your usual occupation?" Answer: Part-time, temporary, hourly college instructor.

Question 37. Is your usual occupation seasonal? Answer NO

Question 41. "Are you available for immediate full-time work in your usual occupation?"

Answer YES

This should answer the majority of your most common questions in this process. If you have other questions about either completing the form or the process, please send them to AFT Guild President Jim Mahler at aftjim@pacbell.net.

More information regarding this process can be found on the Guild's website, www.aftguild.org. Click on "Adjunct Issues," then select "Unemployment Benefits."

Lastly, and most importantly, if you are denied, make sure in your appeal that you mention that you have "no reasonable assurance of employment as affirmed by Cervisi vs. Unemployment Insurance Appeals Board (208 Cal. App. 3d 635)."

If you need to appear in front of an Administrative Law Judge to appeal a *subsequent* denial, please contact the AFT office at 619-640-1155.