

Focus On: Unemployment information

BY DORRAN NADEAU

Many of you have had questions about unemployment benefit claims and we hope this information will help. Because there are nuances to unemployment that we can't possibly cover in this short summary, and because each case is different, this article will focus on providing you with information on the basics: Resources, when to file, how to file, and appeals. First, you might be eligible for unemployment benefits between semesters or terms, if you have no assignments during a semester or term, or your load is reduced from previous semesters or terms. Even if you are employed elsewhere, you might be eligible for unemployment benefits—it pays to investigate! Be aware, however, that you can file a claim only once a year, so discuss this with someone at the California Employment Development Department (EDD).

Resources

Both Santa Maria and San Luis Obispo have EDD offices that not only have staff who can answer your questions, but also provide:

- helpful brochures
- direct lines to file your claim by phone
- computer terminals to file your claim online (fastest way to file)

In Santa Maria:

1410 South Broadway
805-614-1224

In San Luis Obispo:

4111 Broad Street, #A
805-788-2696

These offices are open from 8 am to 5 pm, Monday through Friday.

EDD also issues *A Guide to Benefits and Employment Services* booklet that you may pick up during your first visit.

When to file

As far as your employment at AHC is concerned, as a part-timer you are eligible for unemployment benefits at the end of your assignment. The day after the end of your assignment, you should file a claim using one of the methods mentioned below. (If you are employed elsewhere,

you might still qualify if your wages from other employment do not exceed a certain amount).

How to file

You can file a claim by phone by calling 800-300-5616, online at www.edd.ca.gov/eapply4ui, or by fax at 866-215-9159 (after filling out a form DE 1101I obtained online or from a local EDD office). The easiest is online, but some of the questions might be confusing. Note that if you call at the beginning of the week, or from home, you will most likely spend a considerable time on hold; the phones at the EDD offices seem to connect you quicker.

To file a claim you will need the following information:

- Your Social Security number
- Name and address of your last employer
- Your last day of employment
- Your union local (Part-Time Faculty Association of AHC, AFT Local 6185)

Among other questions, you will be asked why you were terminated. Tell them that you are no longer employed (and are filing for unemployment insurance) because, as part-time temporary faculty, your job (assignment) has ended. It is crucial that when you are asked if you have a contract that would guarantee your continued employment, you answer “no.” What you have as temporary part-time faculty is a tentative offer based on enrollment and other factors. You do not have a guaranteed contract position. Many temporary part-time faculty 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!”

Appeals

If the EDD denies your application, you should immediately file an appeal—you have **20 calendar days from the date of the EDD decision to file a written appeal**. The appeal may be filed at the office that processed the claim or at any EDD or board office. If you mail the appeal, send it to the address on your Notice of

Determination, and make sure it is post-marked before the end of the 20th day.

Whether you file an appeal at an EDD office or by mail, you can use the following sample language taken from the Community College Part-Time Faculty Unemployment Compensation Handbook by Robert J. Bezemek:

I hereby appeal from the decision denying me benefits. The basis of my appeal is that the decision and its rationale misstates and misapplies the facts, and misstates and misapplies the law. I believe I am entitled to benefits because I am a part-time, temporary community college faculty member. At the conclusion of any given academic term I have no reassurance of continued employment because any future assignments are contingent upon enrollment, funding, being bumped by a full-time or permanent or probationary employee, or because I can be terminated due to lack of funds or because of program changes. As such, I have no legal reassurance of re-employment in accordance with the decision *Cervisi V. Unemployment Insurance Appeals Board*, 208 Cal.App.3d 685, 256 Cal.Rptr. 142 (1989).

Use the following links for a much more detailed explanation of your rights, sample letters of appeal, along with a California Part-time Faculty Association member's experience:

Unemployment Compensation Handbook by Robert J. Bezemek:

<http://www.cpfa.org/bezemek.html>
<http://www.cpfa.org/bezemek.rtf>

Unemployment Entitlements from CPFA:

<http://www.cpfa.org/unemployment.html>

Good luck, and always remember we are here to help, so please contact us if you have any questions.

Note: this information is as accurate as our research would allow, and was current at the time this article was written, but please contact the California Employment Development Department (EDD) to ensure that you receive the most accurate and current information.