

File for Unemployment Benefits Between Semesters. It's Your Right

Joe Berry

Joe Berry is a long time contingent teacher who also was a union rep who represented faculty in unemployment appeals in California. He never lost a case.

Based on my experience as a part-time community college teacher in California and Pennsylvania, after I moved to Chicago in 1999 I also applied for unemployment insurance over the summer of 2000 when I had no classes to teach in the City Colleges or the other places I teach. I received it with little problem, but I have learned through talking with many temporary faculty that most of us are unaware that we can claim unemployment benefits during any period we are not teaching. This includes any time between terms, even over winter holiday break (not breaks within terms). Below I list some tips and instructions for collecting this important benefit, which is something we earn and deserve, not charity.

1. Go to your neighborhood Illinois Dept. of Employment Security (IDES) (Find the address in the phone book white pages front section under state government.) as soon as you give your last final exam or meet your last class. Don't wait until you turn in your grades. You can go to any office.
2. Take your pay stubs, assignment or appointment sheet, and your date book so you can say for sure what your first and last days of actual work were, not just the start and end of the semester or pay period. This can result in entire weeks of benefit being received or lost. You will also need the full address and phone number of the college. You will need these records for the last 15 months since benefits are based upon your pay and employment for all wage jobs for the last four full quarters preceding your filing date, not just the immediately previous twelve months. You do not need to include any work as an independent contractor since that is not "covered employment" for unemployment insurance purposes. Only work for wages or salaries is counted and if you do not have any such work, you are unemployed legally.
3. You will have a one week waiting period before you can start collecting. Your amount of benefit will depend on a formula based upon your previous employment and income.
4. When you have your initial interview, note on the form and in the interview that you are unemployed due to lack of work. **It is also essential that you note that you do not have reasonable assurance of re-employment.** If questioned further, point out that all of your temporary assignments are tentative based upon funding, enrollment, bumping by "regular" faculty, or other program needs. If asked directly if you have a job to go

back to next semester, say, "not with reasonable assurance, only tentatively" if you do have a tentative assignment. This is crucial to being eligible for benefits. Do not, under any circumstances, lie in your application or interview. It can result in having to pay back benefits, money penalties, and even criminal prosecution. Answer the questions you are asked, but do not say anything extra. Many people have lost benefits by accidentally saying too much.

5. Follow all directions you are given. You will be instructed to do a job search and keep the records of it, but you cannot be forced to look for or take a job outside your regular field. You must indicate availability for work. Your job search can comprise phoning colleges and universities that employ faculty. You will also have to periodically phone in to IDES to certify for benefits after you have been approved.

6. If you are denied for any reason, contact your neighborhood office as soon as possible. You may be able to straighten it out without filing a formal appeal. If that is not successful, exercise your appeal right as described on the denial form you received in the mail. Make notes of each contact with DES, including which worker you talk with and when.

7. Do not be discouraged by the fact that some unemployment workers may initially be surprised that a teacher is filing for benefits and they may initially just say you are not eligible due to a concept that we are like public school teachers or regular college faculty on semester break. If this happens just quickly say that you are temporary, like most college teachers these days, and do not have reasonable assurance of a job to go back to at any school. You are not on paid vacation, but on indefinite layoff.

8. Treat the unemployment workers well. They have a tough job, have had their staff cut by layoffs recently, and face unhappy poor people all day, most of whom they can do very little to help. They are also unionized and many of them are quite pro-union so treat them like the brother and sister fellow public employees they are.

9. Finally, once you qualify for benefits your claim is good for a year. If you have a poor income period and you are working but making less than your established benefit amount, you can collect the difference, based upon a formula. When in doubt, file.

If you are denied and want some help or advice about what to do next, call CCCLOC at 312-407-0075 or email us at from our web page at www.CCCLOC.org. This is the sort of service we can provide each other through having a real union of part-time faculty. If you have not yet signed a CCCLOC authorization card, please do. Contact us at the above number or website or through your college CCCLOC rep to get involved in the movement to gain real representation for part-time faculty.

CCCLOC -- It's about time!