

Unemployment Workshop



By Natalie Simmons
AFT Part-Time Faculty President

Why draw UI benefits?



This is money that you are entitled to receive.

If unclaimed, those funds revert back to the District's General Fund.

This is our way to show our strength in numbers and in fiscal power. With part-time faculty making up 75-80% of the college's faculty, it is important that we exercise our rights in this regard.

This is added income that can certainly help with the ever rising cost of living in the Puget Sound region.

Reasonable Assurance

[50.44.053](#)

Position employees—Determination of "contract" or "reasonable assurance."

The following prerequisite requirements must be met before making a determination about whether there is a "contract," under RCW [50.44.050](#), or "reasonable assurance," under [50.44.050](#) and [50.44.055](#):

The offer of employment may be written, verbal, or implied, and must be made by an individual with actual authority to offer employment;

The offer of employment provides that the employee will perform services in the same capacity during the ensuing academic year or term (or remainder of the current academic year or term) as in the prior academic year or term; and

The economic conditions of the offer of employment may not be considerably less in the following academic year or term (or portion thereof) than in the first academic year or term (or portion thereof). "Considerably less" includes the condition that the individual will not earn at least ninety percent of the wages earned in the prior academic year or term.

If all prerequisite requirements in subsection (1) of this section are satisfied, the department must determine if a contract exists. If any prerequisite in subsection (1) of this section is not satisfied, the department may not deny the claimant unemployment compensation based on the between and within term denial provisions. The term "contract," as that term is used in this section and RCW [50.44.050](#), means an enforceable, noncontingent agreement that provides for compensation for an entire academic year or on an annual basis. If a contract exists, the claimant may be subject to a denial of benefits.

If no contract exists, the department must determine if the claimant has "reasonable assurance." The following factors will be considered in determining if an individual has "reasonable assurance," as that term is used in this section, RCW [50.44.050](#), and [50.44.055](#). For reasonable assurance to exist, each factor must be satisfied.

Contingencies in the employment offer are within the employer's control the claimant will not be considered to have reasonable assurance of employment. Contingencies within the employer's control, but are not limited to:

Course programming;

Funding allocation decisions;

Final course offerings; and

Facility availability.

If contingencies are not within the employer's control, the department must determine whether it is highly probable the contingencies contained within the offer will be satisfied. Primary weight will be given to the contingent nature of an offer of employment.

Reasonable assurance must be determined on a case-by-case basis considering the totality of circumstances rather than on the existence of any one factor. For an individual to have reasonable assurance of employment, the totality of the circumstances must show that it is highly probable that employment will be available in the next academic year or term, and that the contingencies of that employment will be satisfied.

An individual who is tenured or holds tenure track status is considered to have reasonable assurance, unless advised otherwise by the college. For the purposes of this section, tenure track status means a probationary faculty employee having an opportunity to be reviewed for tenure.

Who may be eligible?



All non-seniority status part-time faculty.

All seniority status part-time faculty (PHL, Associate Faculty, etc.), if you receive a Notice of Cancellation of Guaranteed Workload Memorandum or an email stating that the viability of one or more of your classes is in jeopardy.

Your eligibility is determined by the number of hours you've worked. This includes all jobs that you work, not just your work for Seattle Colleges.

Documentation to Provide to Employment Services Division (ESD)


Copies of language from your
Faculty Contract.

- ▶ Assignment Letter
- ▶ Notice of Cancellation of
Guaranteed Workload
- ▶ Any emails that you've received
about course cancellation
meetings.








How to File for UI Benefits

www.esd.wa.gov

**Employment Security Department**
WASHINGTON STATE

ALERTS (1) ≡

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- Pay a benefit overpayment
- Report fraud
- Handbook for Unemployed Workers (PDF)

Jobs & training

- Look for a job on WorkSourceWA.com
- Jobs with Employment Security
- Train for a new career
- Learn about an occupation
- Improve your job hunting skills
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Employers

- Quarterly reporting requirements
- Employer taxes
- About EAMS
- About ePay
- Get paper tax forms
- Register your business

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Individuals

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- Apply for unemployment benefits
- Submit a weekly claim
- Manage your unemployment benefits claim
- Restart a current claim
- Pay a benefit overpayment
- Look up past wages

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- Manage your employees' unemployment claims
- View and respond to correspondence about claims
- Apply for the Work Opportunity Tax Credit

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Supporting working families and helping businesses thrive as life happens

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ALERT / ALERTA

ESD will be closed on Thursday and Friday, Nov. 23-24 for Thanksgiving. Online services remain available.

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Example of an Account Page



Employment Security Department
WASHINGTON STATE

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I Want To

Natalie Simmons
natsim43@yahoo.com
Last logged on Sep 24 2017

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Summary

Online activity

Notices/letters

Name/address

1099s

My accounts

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UI claim

Claim ID NM4JCQ-004
Benefit year begin Aug 20 2017
Benefit year ending Aug 18 2018
Weekly benefit amount \$0.00
Status Active

UI claim

Claim ID NM4JCQ-003
Benefit year begin Aug 21 2016
Benefit year ending Aug 19 2017
Weekly benefit amount \$523.00
Status Expired

UI claim

Claim ID NM4JCQ-002
Benefit year begin Aug 23 2015
Benefit year ending Aug 20 2016
Weekly benefit amount \$563.00
Status Expired

UI claim

Claim ID NM4JCQ-001
Benefit year begin Aug 24 2014
Benefit year ending Aug 22 2015
Weekly benefit amount \$637.00
Status Expired

Things to know...

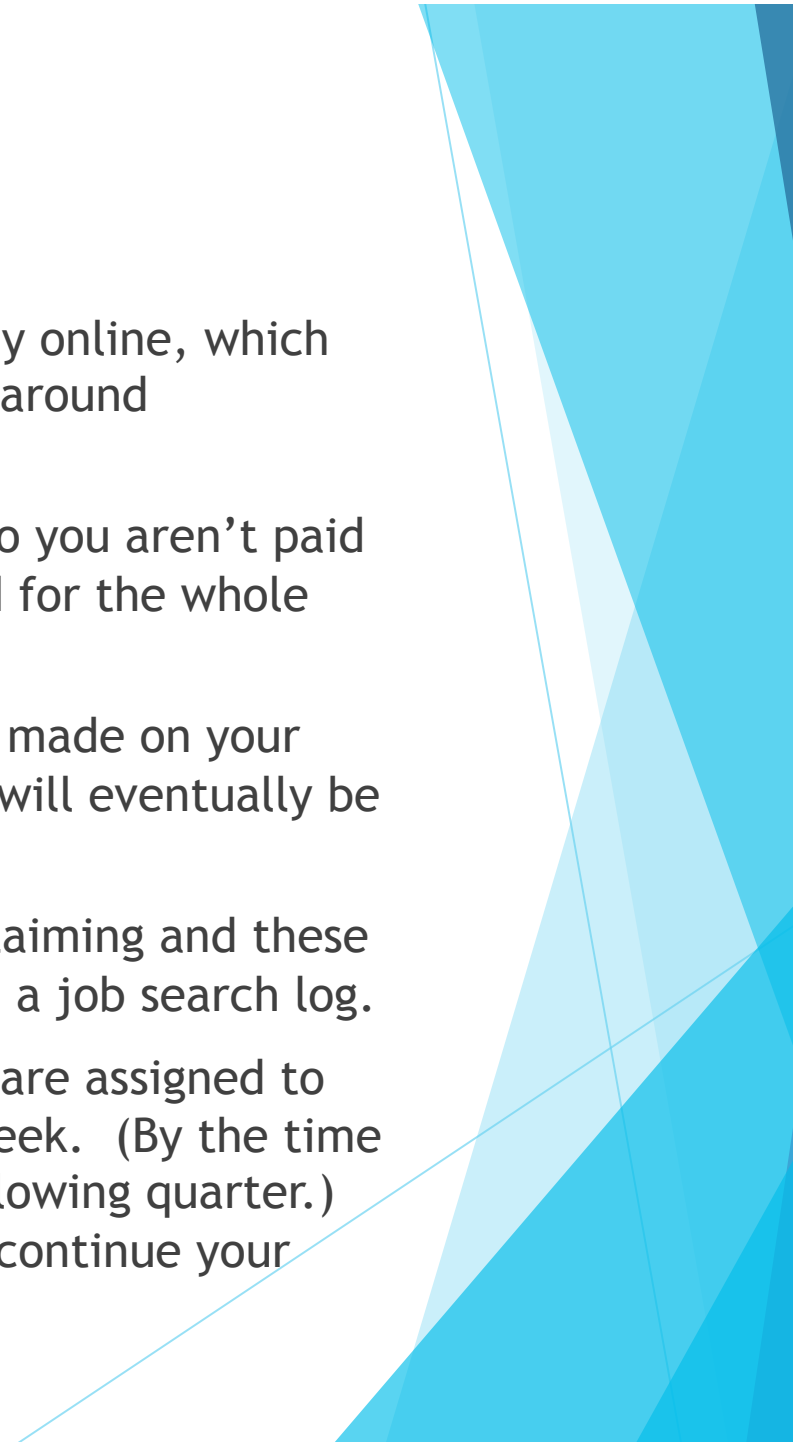
You will receive a School Employee Questionnaire, most likely online, which you must respond to quickly, as all items needed have a turnaround requirement.

There is a waiting week when you initially file your claim. So you aren't paid for the first week, but once your claim is approved it is valid for the whole year.

It could take anywhere from 4 - 6 weeks for a decision to be made on your claim, so while you may not receive funds immediately, you will eventually be paid back to the day you applied.

You must make three job searches each week that you are claiming and these are reported in your weekly claim filing. You must also keep a job search log.

You must attend any ESD orientations or workshops that you are assigned to attend and these count as one job search contact for that week. (By the time these are scheduled, we are usually back to work for the following quarter.) Be prompt and on time to these, as failure to attend will discontinue your benefits.



More things to know...

When applying do not say or enter that you have worked for your college for “x number of years”. You are trying to prove the contingent nature of your employment. Therefore, enter the start and end dates for every quarter you have worked. While this takes more time, it is much more accurate and will achieve the aforementioned goal.

Once your claim is open and approved, to claim in future breaks, simply reopen your claim.

Go ahead and apply even if you don't think you have enough hours to qualify. ESD understands that we are only paid for contact hours and that our jobs take much more time than that, i.e. grading, lesson prep, therefore they have a way of calculating hours to adjust for that.

Do not say that you are in Standby status. We are not a Standby industry.

Don't be afraid to appeal if your claim is denied. AFT will do our best to attend your appeal hearing and help to support you through the process.

You can even apply for benefits if you are experiencing a reduced workload. So, if only one of your classes is cancelled, then you can file and claim a loss of income for the cancelled class.

Resources

www.esd.wa.gov

http://wa.aft.org/files/unemployment_toolkit_0.pdf

<http://wa.aft.org/unemployment-benefits-1>



**LOST YOUR JOB?
UNEMPLOYMENT (UI) BENEFITS DENIED?
OWE AN OVERPAYMENT?
NEED ADVICE ON YOUR UPCOMING HEARING?**



**y(UI)r
RIGHTS
HELPLINE
206.441.9178
or toll-free
888.441.9178**

Call today to:

- get help with your appeal;
- speak with an experienced representative about the hearing procedure; and
- get the facts about your right to UI benefits.

**Unemployment
Law Project**



Questions & Answers

Now it is your turn to ask any questions you may have.

Please don't be shy! Speak up!

