

LECTURER HANDBOOK MODULE #3: LECTURER UNEMPLOYMENT RIGHTS

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This is a guide prepared by the CFA Lecturers Council, which we hope provides information and resources for Lecturers who are applying for unemployment benefits between terms as well as for those who are denied benefits.

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I. If you have not already done so, apply for Unemployment Insurance (UI) Benefits as soon as the term officially ends:

All part-time Lecturers on contingent appointments and all Lecturers on 1-year full-time appointments in a single department are eligible for UI benefits during all semester/quarter breaks. The best day to apply for UI benefits is the day **after** the last official day of your most recent academic term. If this end date is not on your most recent appointment letter, then refer to the academic calendar for your campus. Even if you have filed your grades before this date, it is important to know that we are term rather than hourly employees, and our academic term wages are earned until the last official day of that term. The flip side of this is that even if you haven't finished grading by the official end date of the term, you can nonetheless file for UI benefits as your employment has legally ended and you are no longer earning wages. Please see the information on the Lecturer pages of the CFA web site, including: <http://www.calfac.org/post/information-lecturers-unemployment-benefits>

as well as the: **Unemployment Quick Notes** and the **Quick Guide: What Every Lecturer Needs to Know about Job Security, Benefits, and Unemployment** found at the bottom of the Information Update page at: <http://www.calfac.org/lecturers-council-information-updates>

Obviously, even if you are a full-time Lecturer on a 3-year non-contingent appointment, if you are told there is no work available you should also apply for UI benefits as soon as possible. You are also eligible for UI benefits at the end of each 3-year appointment and before you sign a subsequent full-time unconditional 3-year appointment letter. New in this CBA, now 1-year full-time Lecturers are eligible for UI benefits at the end of every academic term, just as are part-time Lecturers.

A. The easiest way to apply is to go to: <http://www.edd.ca.gov>

- On the EDD homepage, under "File and Manage a Claim" click on "File for Unemployment"
- On the next page: "Ways to File or Reopen Your UI Claim", under "File or Reopen Online (Recommended)", click on: [eApply4UI](#).
- Read the page that comes up and click: **Continue**
- Read the long informational page that comes up - especially the information about the Standard Base Period and the new "Alternate Base Period", then check the box at the bottom indicating you read the page, and click: **Continue**
- Answer questions 1-3 honestly (#3 is always "NO") and click: **Continue**
- Answer questions 4-6 honestly and click: **Continue**
- For question #5: If you work as a temporary census worker that is considered working for the Federal Government.
- Even though EDD no longer asks this question: You do not have to be present in California or ever have lived in California in order to be eligible for CA UI benefits; you only need to have performed work for which you were paid that is based in California. Therefore, if you teach online classes for the CSU but live in another state, you are eligible for CA UI benefits between academic terms if on a contingent appointment.
- For question #6: UI claims last 12 months. So if you either opened up a new 12-month claim in the last 12 months, or you reopened an existing claim in the last 12 months, answer YES to this question. Otherwise answer NO.
- Click "Continue" and you will now be at the online application for UI benefits:

Screen #1 of 9: Applicant Information:

- Answer questions 1-9 that ask for personal information.

Screen #2 of 9: Contact Information:

- Answer questions 1-4, and if you have a cell phone it's best to enter that number and pull down the menu to "cell phone". That way if you are scheduled for a phone interview in a 2-hour block, you don't have to sit at home, waiting. Be sure to provide an address where you actually receive mail.

Screen #3 of 9: Citizenship, Education & Statistical Information:

- Answer questions 1-5. For questions 4 & 5 you can choose not to answer. Note that you don't have to be a U.S. citizen to collect UI benefits; you only have to be legally able to work in the U.S.

Screen #4 of 9: Employment Information (Part 1 of 2): Answer questions 1-6:

- **Question 1A:** The complete name of your CSU campus; **not** your department.
- **Questions 1B through 1E:** The mailing address of your CSU campus.
- **Question 1F: Very Important!** The general phone number of your campus **Human Resources (HR) office**; do **not** use your department phone number!
- **Question 1G:** Provide the first and last name of your department chair or supervisor if you aren't in an academic department. Note that they don't ask for any contact information for this person.
- **Question 2:** bullet "YES".
- **Question 3:** For last date worked, use the last official day of the last academic term you were employed. If this end date is not on your most recent appointment letter - which is typical on quarter campuses - then use the official academic calendar from your campus web site. Do not use the day you filed grades; once we have met our classes the 3rd time, we become term employees and we legally earn our wages until the last official day of the term. On most but not all campuses, this date is the first official day that grades are due from faculty. If you teach at Chico or Fullerton, and despite your campus being closed between Christmas and New Years, if your appointment letter indicates the Fall semester ends after Jan. 1 then use 12/23 as your last day of employment - especially if you are able to file your grades by this date.
- **Question 4:** Pull down menu to: "Laid Off/Lack of Work"
- **Question 4A:** If you are part-time, in the box provided write: "My temporary, part-time, contingent appointment ended, and as per EDD statute 1253.3(g), I lack reasonable assurance of future work".
- If you are a 3-year full-time, unconditional Lecturer, there are two reasons you might be eligible for UI benefits. You can either 1) explain that due to

state budget cuts you were laid off or not reappointed, or 2) if your 3-year full-time, unconditional appointment ended and you have not yet signed a roll-over FT, unconditional appointment letter, you can explain "My temporary appointment ended and as per EDD statute 1253.3g, I lack reasonable assurance of future work"

- **Questions 5A-F:** Leave these blank as they don't apply to Lecturers. Click "Next".

Screen #5 of 9: Employment Information (Part 2 of 2): Answer questions 1-4:

- **Box 1-1: Employer Information**
- **Question 1-1A through 1-1E** will now be filled in automatically, based on your answers on the previous screen.
- **Question 1-1F:** Because this question asks about your employment for the past 18 months, if you teach on a semester campus you should have your last 3 semester appointment letters handy, and if you teach on a quarter campus 18 months covers the last 4 quarters. So for "First day you worked for this employer" you should use the first official day of the third semester ago or the 4th quarter ago if you've been teaching that long. For example, if you are applying for UI benefits at the end of S'15, use the start date for the S'14 semester or the S'14 quarter. If you have been employed in the CSU for fewer than the last 3 semesters or 4 quarters, then use the official start date of the earliest term you worked in the CSU during the past 18 months.
- **Question 1-1G: Last day you worked for this employer:** Use the end date on your most recent appointment letter, i.e., the term that just ended. If you weren't given a single-term appointment letter with a start date and end date of that term (on quarter campuses it is common to receive a yearly appointment letter), then use the end of term date found on the official campus academic calendar found on your campus web site. On many campuses, this date is the first date grades are due from faculty. The only exception to the above is if you are on a semester campus that has the official end of the Fall semester in early January - despite the fact that the last day of finals is around December 17 and the campus is closed between 12/24 and 1/2. In this case, use the "end of term" date for students on the official academic calendar; this date shouldn't be later than Dec. 23.
- **Question 1-1H:** Indicate if you were on a 3-year full-time, unconditional appointment (a 15- unit entitlement and timebase for ALL of the terms covered), a 1-year full-time contingent appointment or on a part-time, contingent appointment - meaning that your entitlement was less than

1.0 - even if you taught 15 units in one or more of the last three semesters or four quarters.

- **Question 1-1i:** "How much did you earn per hour?" First, compute your average weekly salary by dividing your average term gross salary (from your last 3 semester/last 4 quarter appointment letters) by 17 weeks (for a semester campus) or 11 weeks (for a quarter campus); this will yield your average weekly gross wages. Second, then take your weekly gross wages and divide it by the number of hours you work in a week. To compute the number of hours you technically work each week, you need to convert your timebase into hours/week by dividing your average academic term units (over that 3 semester or 4 quarter period) by 15 units, and then multiplying it times 40 hrs/week. For example: 15 units = $15/15 = 1.0 \times 40 = 40$ hrs/week; a .8 timebase of 12 units = $12/15 = .8 \times 40 = 32$ hrs/week; a .5 timebase = 7.5 units = $7.5/15 = .5 \times 40 = 20$ hrs/week, a .6 timebase = 9 units = $9/15 = .6 \times 40 = 24$ hrs/week, and so on.
- Example: if a semester gross salary was \$20,000: \$20K divided by 17 weeks in a semester = \$1,176.48/week. If this was based on a 12 unit timebase, $12/15 = .8 \times 40 = 32$ hours/week. So the hourly wages would be \$1,176.48 divided by 32 = \$36.76/hour. If your timebase varied across the 18 months, just add the 3 semester or 4 quarter gross weekly salaries together and divide by 3 or 4, depending; this will yield your average gross weekly salary. Then divide this average weekly salary by the average # of hours you worked per week over that 18 month period; this will yield your average hourly salary.
- **Question 1-1J:** "How many hours did you work per week?" Figure out the number of hours you work per week, using the rubric above. If a 15 unit full-time appointment is 40 hours/week, a 12 unit (.8) appointment would be $.8 \times 40 = 32$ hours/week, a 9 unit (.6) appointment would be $.6 \times 40 = 24$ hours/week, a 6 unit (.4) appointment would be 16 hrs/week, a 3 unit (.2) appointment would be 8 hrs/week, and so on. If your time base varied over the past 18 months, find your average timebase by adding each of them together and then divide by either 3 (semesters) or 4 (quarters).
- **Question 1-1K:** "Provide wages earned from the employer listed above for the following quarters" For this question you're going to have to figure out not only what your weekly gross wages were for each of the six 3-month quarters listed in this question, but also how many weeks in the 3- month quarters they ask about overlapped with weeks that you were employed within your academic semester or quarter. You can do this by using the start and end dates of your term employment taken off of your last 3 (semester) or 4 (quarter) appointment letters, or, lacking this, you can refer to the dates in the official academic calendar for your campus, paying attention to the start and end dates of the term. Simply figure out the

number of weeks you were within an academic semester or quarter - in each of the six 3-month periods asked about, and then multiply that number of weeks times the weekly gross wages for the term(s) involved. But be sure to not count the week of Spring break as a week you earned wages in this question; this means that you will need to not count one week in either March of both years or April of both years when you're multiplying the number of weeks you were actually employed times the weekly gross salary for the 3-month quarters in question. So for most **semester** campuses, any 3-month calendar quarter that runs from 1/1 to 3/30, there is 1 week in January that is within the Spring semester, all 4 weeks of February, and 3 or 4 weeks in March - depending on whether your Spring break was the last week of March or the first week of April. This means you'll multiply your weekly gross earnings from that Spring semester by either 8 or 9, depending on the timing of your Spring break. For any 3-month calendar quarter that begins on 4/1 and ends on 6/30, you're earning wages either 3 or 4 weeks in April depending on Spring break, and either 3 or 4 weeks of May depending on when your Spring semesters ends, so multiply your weekly gross wages by 6, 7 or 8, depending. For any calendar 3-month calendar quarter that begins on 7/1 and ends on 9/30, we're not earning CSU wages during July, and the Fall semester usually begins the 3rd week of August, so that's 3 weeks for August and 4 weeks for September for a total of 7 weeks. Lastly, for 3-month calendar quarters that begin on 10/1 and end on 12/30, we're employed 4 weeks in October and November and 3 weeks in December, for a total of 11 weeks. Use your own campus's academic terms if you're on a quarter campus and compute your gross wages accordingly.

- **Question 1-2:** Only answer "YES" if you had more than one employer in the last 18 months. Answering "YES" will open a duplicate 16-cell box for another 18-month period of employment for another employer. You are able to open up a total of 8 such boxes. Be sure to also include all non-CSU employers you had during the past 18 months. When EDD asks you to indicate all employers in the past 18 months, they mean ALL your employers in the past 18 months. You receive a W2 from an employer; if you receive a 1099, then you are an outside consultant and not an employee. If your only employment is at the CSU campus listed in Question 1-1, then answer "No" to this question.
- **Question 2:** Only answer YES if you had more than 8 employers/periods of academic employment in the past 18 months. This will open up a few more boxes. Otherwise answer NO.
- **Question 3:** Of the employers you listed above, indicate the one you worked for the longest.

- **Question 3A:** Answer this question based on the employer you worked for the longest. To compute the total time you were employed at your campus, multiply the number of terms you taught by the number of weeks in the official term; use either 17 for semester campuses or 11 for quarter campuses. Add any summer and/or winter inter-sessions taught using the same rubric, then divide the total number of weeks by 52. This will give you the number of years and decimal fraction of years you taught at that campus. An answer such as 7.2 years can be translated to 7 years 3 months (12 months in a year, so .5 years = 6 months, .25 years = 3 months, etc.).
- **Question 3B:** University Education, if your longest employer was the CSU; College Education, if your longest employer was at a Community College.
- **Question 3C:** University Teaching or College teaching or Librarian Science or Coaching or Counseling, depending on your position.
- **Question 4:** " Are you currently working for or do you expect to work for any school or educational institution or a public or nonprofit employer performing school-related work?" **NO** ! If you're applying for UI benefits then you must not still be employed, right? And because your appointment is contingent on budget and enrollment, you have no legal or contractual basis of expecting to return. So answer NO.

Screen #6 of 9: Availability Information:

- **Question 1:** Your usual occupation. If it was at the CSU, then: "University Teaching", "Librarian Science", "Coaching" or "Counseling". If it is at a Community College, then: "College Teaching".
- **Question 2:** List any other work-related skills you possess.
- **Question 3:** NO. Academics are not considered to be seasonal workers.
- **Question 4:** NO!!! You hope to return, but you have no contractual basis of expecting to return due to the contingent nature of your appointment.
- **Question 5:** NO!!! You may know the first date of the next term, but because your last appointment letter has a start date and an end date, and provides "no guarantee of future appointment" the answer is NO. See also CBA Article 12.4. Even if you have signed your contingent appointment letter for the next term, you can still be bumped from all of your classes before you meet them the 3rd time and you'll only be paid for the prorated days since the start of the term. So the answer to this question is NO. And think about it: if you're applying for UI benefits then you're no longer employed, right?
- **Question 6:** YES; you have to be available for full-time work in your usual occupation in order to receive UI benefits while unemployed. (This is true regardless of whether you are self-employed or pursuing a Ph.D. - both of which will trigger a phone interview).

- **Question 7:** Answer honestly. If you are self-employed, a 150-character box will open and you will be given an opportunity to explain the nature of this work. Even if you write that the work is intermittent and rarely provides income, answering YES to this question will most likely lead to a phone interview with EDD, where you'll have to explain the nature of your self employment But answer honestly.
- **Question 8:** If you are a CFA member answer YES; this will open up additional questions:
 - **Question 8a:** California Faculty Association
 - **Question 8b:** Our union number is: 1983
 - **Question 8c:** 916-441-4848
 - **Question 9d – g:** NO to all of these questions

Screen #7 of 9:

- **Question 1:** If you have applied for UI benefits in the past 2 years, click "YES"; this will open up a pull-down menu on which you should pull down "Type of Claim" to "Unemployment Insurance". For "month" and "year" use the date of the very last time in the past 2 years you went online and opened up either a new UI claim or re-opened an existing 12-month UI claim.
- **Question 2:** If you are receiving a pension or have applied for retirement from CalPERS, answer YES and then answer questions 2a-2e that will open up. If you paid into the pension, which we do with CalPERS, your pension income will not be deducted from your weekly UI benefit, so no worries.
- **Question 3:** If you're receiving or expecting to receive workers compensation then answer YES and then answer questions 3a-3d that will open up. If not, answer NO.
- **Question 4:** Answer honestly. If you are enrolled in a school such that you are not available for immediate full-time work, this will reduce your chances of receiving UI benefits. If you have finished coursework doctoral research and are writing your dissertation, you can answer NO as this will not impede you from accepting full-time work in your usual occupation.
- **Question 5:** Answer honestly, but if you are a chapter or statewide CFA officer still answer "NO" as this is **not** paid work.
- **Question 6:** Answer honestly; which will be NO for most Lecturers.
- **Question 7:** Why would anyone ever answer anything but YES to this question?

Screen #8 of 9:

- Answer **NO**. EDD doesn't consider economic disasters to be disasters in this context.

Screen #9 of 9: Review of your UI Application

- After you check the accuracy of your answers you will be given an opportunity to print your form before clicking “submit application”. You should **always** print a copy for your records, as it will make filing the next time more straightforward, and allow you to verify your answers if you have a phone interview. Also, always print out the confirmation page that follows, as this will be your proof that you applied on the day you did in case EDD loses your application (which happens occasionally). Staple them together, place them in a folder labeled "UI Claim, XX/XX/2015 to XX/XX/2016" or whatever years it is, and file it in a file cabinet or somewhere you'll be able to find it the next time you apply for UI benefits.

To watch an Employment Development Department (EDD) video on how to fill out the online application for UI benefits:

<http://www.youtube.com/watch?v=QSuy5qXcLV8>

B. After you have submitted your application for UI benefits

Within 7-10 days you should receive a one page “Notice of Unemployment Insurance Claim Filed” that you should check for accuracy, and then a “Guide to Benefits and Employment Services” that you should read.

C. Notice of a phone interview:

If you receive a letter advising you that a phone interview is going to be conducted during a two-hour window on a specific day, you need to be available at whatever phone number you provided on the UI application form. If you provided a cell phone number, you will not be tied to your home while waiting for this call. If you cannot be available for this call, you will need to contact EDD as soon as you can **before** the call, although it can be very difficult these days to reach them by phone. The best way to contact EDD is by sending them an email via the "Contact EDD" link on their home page, and then the "Ask EDD" live link in the 2nd paragraph.

On the back side of that letter will be some of the questions EDD will ask you during the phone interview. The most common set of questions consist of the following:

1) "If you will return to work for a school employer at the end of the recess period":

2) "When did you last work for a school employer?"

Answer: "I indicated my last day of employment on my online application for UI benefits that I submitted on (date of most recent

submission)" and then inform the interviewer of the end date of your most recent academic term. [NOTE: It will be useful to have at your fingertips both your most recent appointment letter as well as the print-out of your most recent online application for UI benefits.]

3) "What is the name and address of the employer?"

Answer: " I indicated the name and address of my most recent employer in two sections of my online application for UI benefits, both in Employment Information, part 1 of 2, and again in Employment Information, part 2 of 2. But if you need it again it was [name and address of your CSU campus]"

4) "Are you on a recess period?"

Answer: "No. Tenure-line faculty and other permanent employees of the CSU have recess periods, but temporary, part-time faculty such as myself do not have recess periods. Instead, I have a temporary appointment letter that has a start date and an end date of my term employment, and my employment ended on (read the end date off of your most recent appointment letter). Additionally, my appointment type is contingent on budget, enrollment, and program changes, and as per EDD statute 1253.3g, I have no reasonable assurance of future work. Furthermore, both my appointment letter and my collective bargaining agreement article 12.4 state that at the end of my appointment there is no guarantee of future employment."

NOTE: Sometimes, if you are dealing with an experienced EDD staff person, your answer to the last question will terminate the interview, as they will realize you're neither a K-12 school employee with a permanent position nor a tenured professor with a permanent position. Occasionally you'll get a new EDD staff person who will give you hard time as they are convinced you're on a recess period and won't take no for an answer. Either way, retain your composure, and be polite but firm; you are **not** on a recess period.

5) "When did your recess period begin and when does it end?"

Answer: "As I previously indicated, I am not on a recess period. My employment ended on (end date of most recent term). Because my appointment has no guarantee of future work, and because it is contingent on budget, enrollment, and program changes, I have no reasonable assurance of being reappointed in the next academic term."

6) "What kind of work did you perform for a school employer in the last year/term?"

Answer: "I taught university classes in (name of your discipline" [Note: depending on the tone of the interviewer, you can also list the names of courses you normally teach.]

7) "What was your employment status on our last job with a school employer? Permanent, Temporary, Part-time, Tenured, Substitute, Other? If other, be prepared to explain."

Answer: "My employment status was as a Part-time, temporary, Lecturer and my appointment was contingent on budget, enrollment, and program changes."

8) "Will you return to work for any school employer at the end of the recess period?"

Answer: "As I previously indicated, I'm not on a recess period. I hope to eventually receive an offer of employment for the next academic term, but I have no contractual nor legal basis of expecting to receive one. And even if I receive a new appointment letter and sign it, I can be bumped from all of my classes by tenured full or associate professors, untenured assistant professors, faculty in the Faculty Early Retirement Program (FERP), faculty in the Pre-retirement Reduction of Time Base program (PRTB), volunteer faculty, an administrator who wants to teach my course, a teaching assistant or other student instructor, plus any full-time Lecturers in my department. If any of these faculty or student instructors lose their class due to low enrollment, they all have the contractual right to bump me from my high enrolled classes. And if I lose a class for any reason before I meet it the third time, I will only be paid pro-rata from the start of the academic term until the day I lose my class(es). This is what it means to be a part-time Lecturer on a temporary, contingent appointment in the CSU."

9) "What are the name(s), address(es) and phone number(s) of the school employer(s)?"

Answer: [If saying no doesn't forestall this set of questions:] "As I indicated, I have no basis of expecting to return to (name of campus). But if you once again want the name and address it's what I indicated earlier in response to your 3rd question. The phone number is as I indicated in response to Part 1 of 2 in the Employment Information section of the online application for UI benefits. It is (general phone

number of your campus HR department; you can read this directly off the copy of your UI application you printed out before clicking "submit").

10) "How were you notified? In writing, verbally, Other (explain)"

Answer: As I indicated previously, I am not on a recess period and have no basis of expecting to return to work on this campus. If I AM notified that my department has classes for me, this typically happens a few days before the start of classes, either by phone or email. And if I do receive a subsequent term appointment, it will be contingent on budge, enrollment, and program changes".

11) "Who notified you? Name?. Title?, Phone No.?"

Answer: "As I indicated previously, I am not on a recess period, have no basis of expecting to return to work on this campus, and have not been notified." Or, if you have been given an appointment letter to sign: "I was given a new temporary, part-time, contingent appointment letter by my department secretary/Chair/College Dean" and provide their phone number.

12) "What date were you notified?"

Answer: "As I indicated previously, I am not on a recess period, have no basis of expecting to return to work on this campus, and have not been notified." Or, if you've signed your appointment letter: "I was given this part-time, temporary, contingent appointment letter of such and such a date, but I won't know until I meet my class(es) for the third class session that I will actually be paid for that academic term".

13) "Is the work you were offered contingent on enrollment, funding, or program changes?"

Answer: "As I indicated previously, I am not on a recess period, have no legal basis of expecting to return to work on this campus, and have not been offered work. But if I'm fortunate enough to be offered work, it will indeed be contingent on enrollment, funding, AND program changes". Or, if you have been given your next appointment letter: " Yes; the appointment letter I was given is contingent on budget, enrollment, and program changes".

14) "Do you have a written contract or agreement?"

Answer: "No." or if you have already signed the next term's appointment letter: "Yes"

15) "What are the terms of the agreement?"

Answer: Either: "It is contingent on budget, enrollment, and program changes" or "If I am fortunate enough to be offered work, it will be contingent on budget, enrollment, and program changes."

16) "Are you on a list to be called back to work by your school employer or another school employer during the recess period?"

Answer: "As I indicated previously, I am not on a recess period. I am also not aware of any such list."

D. If you need to contact the Employment Development Department (EDD) by phone:

The numbers are:

English: 800-300-5616

Spanish: 800-326-8937

Cantonese: 800-547-3506

Vietnamese: 800-547-2058

Outside California but within the United States, Canada, Puerto Rico, or the Virgin Islands: 800-250-3913

TTY (Non Voice): 800-815-9387

If you are unable to get through on the "English" line because it is continually busy, you might be able to reach an EDD representative by calling one of the other numbers.

But it is almost impossible to get through by phone; being patient and persistent, and using speed dial for about 30 minutes straight may be required. If you are unable to get through by phone (which will probably be the case), you should either send an email by using the "contact EDD" function at the EDD web site described above, or visit your nearest EDD office.

E. You will have to register for CalJobs:

After you submit your UI application. The URL is:

<http://www.caljobs.ca.gov>

You will need to create an ID and a password, and then construct a simple resume, and specify the sort of jobs you're looking for. You should check your CalJobs account at least every 2 weeks while receiving UI benefits.

F. Your first continuing claim form should arrive within 2 weeks:

Given the high unemployment rate it may take a bit longer. Each continuing claim form covers two weeks that are specified on the form, with the first day of the EDD week always being a Sunday. Your first week of a new 12-month UI

claim is a waiting period, so the first week on your first continuing claim form will probably be X-ed out, and you only have to bubble in your answers on the 6 questions for the second week.

You should always answer the 6 questions honestly, but if your answers to questions 1, 2 4, 5, and 6 aren't "NO" and question 3 isn't "YES" you won't be eligible for UI benefits for those weeks. You only have to fill out the work search record on the back of the form if the box by question #3 is sent to you with an "X" inside. Note that question #6 asks: "Did you work or earn any money, whether you were paid or not?" and NOT "Did you receive any delayed pay from a previous period of employment?" The fact that you might still be receiving paychecks for work you did during the academic term has no bearing on your eligibility to receive UI benefits. Our academic year salary is divided into 12 equal monthly paychecks to ensure continuation of medical coverage, but the paychecks you receive during semester or quarter breaks is for work you did while you were previously employed during those terms.

If the first week on your first continuing claim form includes any portion of the last official week of the academic term, you should answer YES to question 6 for this week only, which then obligates you to fill out Box A and B below for the first week only. Box A asks for your gross wages for that week, and the maximum you can input is \$999.99. If it includes the bulk of your last official week, then input your weekly gross wages as described previously. If it includes half of the work week or less, adjust accordingly. For Box B, include 1) your last day of work, 2) your total hours of work that week (based on your timebase, as explained earlier; or a fraction of this if less than a full work week is covered), 3) the name of your campus and its address, and 4) write "temporary appointment ended". But for the 2nd week on this form, answer NO to question 6.

Be sure to always sign your claim form, and bubble in the box if you want federal taxes withheld. UI benefits are not subject to state tax, but they are subject to federal tax. There will always be a date on the form that is the earliest date you should mail it back to EDD, and this date will always be a Sunday. Never, ever, put it in the mail before that Sunday. It can be mailed as many as 10 days after that date and it won't be considered too late, but if it is sent to EDD even one day early it will be sent back to you. Always make a **copy of this form** prior to sending it in for your records should you ever be questioned on your answers.

NOTE: If you were sent instructions on how to submit your bi-weekly continuing claim (CC) form electronically via "EDD Web-

Cert" you should follow the instructions on this form to register for Web-Cert". This will allow you to save postage, shorten the processing time, and be able to submit your CC form by computer. To register, go to:
http://www.edd.ca.gov/Unemployment/EDD_Web-Cert.htm or you can also do so by phone at: 1-866-333-4606 by using EDD Tele-Cert.

NOTE: EDD is phasing out Web-Cert and beginning in late Spring 2015 is phasing in UI Online. To submit your continuing claim via UI Online, you will need to have an EDD Customer Account Number (DE 5614) that will be sent to you between late Spring and mid-Summer 2015. You can continue using Web-Cert until it is phased out. Please note that neither "Residual Pay" nor "Wage Continuation Pay" nor any of the other terms listed after Question 6 on the new UI Online apply to the delayed paychecks we receive in the CSU after the end of the academic term in which we earn them. So just answer NO to Question 6 "Did you work or earn any money whether you were paid or not?" as usual if the week does not overlap any days of the official academic term. To register for UI Online go to:
http://www.edd.ca.gov/Unemployment/UI_Online.htm

To watch an EDD video that explains how to fill out the continuing claim form:
<http://www.youtube.com/watch?v=TN9nskoS9PI>

NOTE: Since Spring 2011, EDD has been issuing an Employment Development Department (EDD) Debit Card instead of a check as the way to deliver Unemployment Insurance benefit payments. For more details see:
http://www.edd.ca.gov/About_EDD/The_EDD_Debit_Card.htm

To activate your EDD Debit Card once it arrives, either copy and paste the following URL into your browser: www.bankofamerica.com/eddcard or call: 1-866-692-9374 (voice)/1-866-656-5913 (TTY)

The EDD card is valid for 3 years from date of issue, and you do not have to have an account with BofA to use this card without paying any fees. Once you get your card, read the instructions and go to the web site above to set up an automatic recurring transfer to your checking account. Once you do this, as soon as benefits are disbursed to your EDD card, they are automatically deposited in your checking account, which can be at any bank or credit union.

G. If you are notified that a phone interview has been scheduled for you and you still have questions after reading through section C of this document, or if you have any questions about the UI process, including how to file for benefits, fill out the continuing claim form, respond to a denial or are facing penalties:

Please feel free to contact the two CFA Lecturer Unemployment experts:

Dan Bratten, Lecturer Co-Rep at CSU-Stanislaus: H: 209-669-6419, dbratten@charter.net or dbratten@csustan.edu or

Jonathan Karpf, AVP Lecturers-North: C: 408-398-9449, H: 408-286-3342, jkarpf@calfac.org (Do not use Jonathan's campus email.)

H. If you are notified that your UI claim has been denied, do **NOT** attend an appeal hearing with an Administrative Law Judge (ALJ) without first contacting either Dan Bratten or Jonathan Karpf! If your claim is denied, contact one of us as soon as possible (see contact info above).

You will want to bring to that ALJ hearing (minimally) the following documents:

1) a copy of your most recent appointment letter,

2) a copy of Article 12, with 12.4 and 12.5 highlighted,

3) a copy of the Chancellor's Office Technical Letter, found at:

<http://www.calstate.edu/HRAdm/2005pages/2005benmemo.shtml> and click on "2005-10",

4) a copy of EDD statute 1253.3g, found at Chapter IV, F#3 on the bottom of page 27 of:

http://www.edd.ca.gov/pdf_pub_ctr/de3450sef.pdf (you may have to copy and paste this link into your browser, if clicking on it brings up gibberish).

But please always contact Dan or Jonathan before attending an ALJ appeal hearing so that you are best prepared; otherwise, you run the risk of not only disqualification from UI benefits, but possibly a penalty for "misrepresenting" your eligibility. They will either provide you with a "Testimony by Declaration" which is a written testimony that argues your case, or they will attend your ALJ hearing as your representative. In both cases they will also provide the documents 2-3 above, plus all relevant ALJ decisions. No Lecturer who contacted Dan or Jonathan has ever lost an ALJ case.

The way you freeze your UI claim at the start of the next academic term is by not sending in your 2-week Continuing Claim (CC) Form. The ideal situation is when you receive a 2-week Continuing Claim Form towards the end of Winter or Summer break, and the 1st week on the CC Form is the **next to last** week of your break, and the 2nd week on the CC Form is your **last** week of break; i.e., the first **official** day of the next term doesn't fall until the week **after** the 2nd week on your form. In this case, you can answer NO to question 6 for both weeks on that CC Form, send it in or

file via Web-Cert, and then when you receive the next CC Form simply file it away in your folder for this UI "year" and don't send it in. This will stop EDD's sending of CC Forms and will freeze your claim.

We used to be able to wait until our actual first day of class to freeze our UI claims; this was due to the previous language in Article 12.5 that only paid us for the hours we were in class if we lost that class prior to the 3d class meeting, The new language in 12.5 states that "If a class is cancelled prior to the third class meeting, the temporary employee shall be paid for **the portion of the academic term worked prior to the cancellation.**" This means if we lose a class for any reason prior to meeting it the 3rd time - including being bumped by someone higher in preference for work - we will be paid our weekly wages from the official start of the term up until the day we lost the class. So we used to be hourly workers prior to the 3rd class session and term employees after; now we are academic term employees from the outset, albeit on contingent appointments. This pro-rata pay clearly needs to be monitored, and reported to your AVPs for Lecturers if this pro-rata academic term pay is not forthcoming.

The other way freezing a claim works is when the first week on the 2-week CC Form is your last week of break, and the 2nd week on the form overlaps the official start of the academic term. In this case, answer NO to question 6 for the 1st week on the form but you should answer YES for the 2nd week. This will necessitate your also filling out boxes A and B below the 2nd week. The amount of gross wages you indicate in box A (the maximum is \$999.99) will depend on which day the work week the term officially begins. For example, if the term officially begins on a Thursday and you don't meet your first class until the following Monday, you nonetheless need to report that you earned 40% of your weekly gross wages on the two days (Thursday and Friday) in that work week.

We hope that you have found this unemployment guide to be useful. These are very challenging times, and we realize that this may sound like cold comfort if you have been told you have no classes, but we Lecturers are nonetheless better off due to the successive gains hard won by the CFA.

Contact your campus Lecturer Representative or local CFA chapter for additional help. For contact information go to: <http://www.calfac.org/lecturers-council-representatives> or <http://www.calfac.org/campus-cfa-chapters>