

LBUSD LAYOFFS
TALB FAQ — UNEMPLOYMENT, HEALTH CARE, AND REHIRE RIGHTS
June 1, 2010

WHEN WILL THE JUDGE ISSUE HIS DECISION ON THE LAYOFFS? The Administrative Law Judge has indicated he will issue his recommendation on July 9, 2010.

WILL THE SCHOOL BOARD FOLLOW HIS DECISION? We expect the LBUSD School Board will meet around mid-July to make their final decision. Indications from the District lawyer are that the LBUSD plans to adhere to the Judge's decision in this matter. If they do not, TALB will need to consider further legal action.

WHEN WILL FINAL LAYOFF NOTICES GET SENT OUT? Final layoff notices will likely go out late in the week of July 12 or the week of July 19, depending on when the LBUSD School Board takes final action. We expect the notices to be sent via US (certificated) mail.

WHEN WILL THE 200 JOBS RESULTING FROM THE CONTRACT GET REINSTATED? The LBUSD School Board has 30 days after they issue final notices to restore 200 jobs from their final layoff list. We don't expect they will use the entire 30 days and will act soon after they issue their final layoff list: probably no later than July 19.

WHEN WILL DISPLACEMENTS OCCUR? Displacements (a.k.a., employer initiated transfers) caused by program reduction will occur after the final layoff decisions are made by the LBUSD School Board (exceptions are library services, nursing services, and special education). This is because most of the displacements are dependent upon the final layoff decisions made by the LBUSD School Board. We expect displacement notifications to be made between July 21 - 26. The Transfer Committee will then meet in early August and attempt to have most transfer assignments completed by mid-August. This will cause much chaos and confusion as the District will be informing teachers of displacements in the middle of summer.

AM I ELIGIBLE FOR UNEMPLOYMENT BEFORE I GET THE FINAL LAYOFF NOTICE? Laid off employees are eligible to receive unemployment insurance benefits (UI). An FAQ on unemployment can be found at <http://www.edd.ca.gov/unemployment/FAQ>. We are providing summary information, however, the EDD makes final determinations regarding eligibility for UI and their resources should be used as the official resource for guidance and advice.

HOW DO I APPLY FOR UNEMPLOYMENT INSURANCE BENEFITS? You can file for UI benefits after your last day of work. There is a one week, unpaid waiting period. The fastest and most convenient way to file is online at <http://eapply4ui.edd.ca.gov>. Or, print the online application, hand write your answers, and fax or mail to the California Employment Development Department (at EDD, 800 Capitol Mall, MIC 83, Sacramento, California, 95814. The EDD telephone number is 1-800-300-5616.

WHAT INFORMATION IS NEEDED TO FILE A CLAIM? You will need the following:

- ✓ Your name, address, phone number, and social security number.
- ✓ School District Office address and phone number (Long Beach Unified School District, 1515 Hughes Way, Long Beach, CA 90810, Tel. 562-997-8000.
- ✓ Specific reason you are no longer working. State you were laid off and have "no reasonable expectation of reemployment" the following school year.
- ✓ Last day of work.
- ✓ Citizenship status, and if applicable, alien registration number.
- ✓ Driver's license or state ID number.
- ✓ Report all wages earned whether or not you have already earned them.
- ✓ Complete the form fully and accurately. Unanswered questions may delay processing.

WHAT HAPPENS AFTER THE CLAIM IS FILED? Within 10 days of filing your claim, you should receive claim materials or notice that a phone interview has been scheduled, if further information is needed. If you do not receive notification in the mail after 10 days, contact EDD. Your first UI benefit check should arrive within about 3 weeks after filing.

WHAT IS THE BENEFIT AMOUNT? You can receive a benefit of up to \$450 per week depending on your past earnings. If you file in June, 2010, your benefit amount will be calculated on the highest quarter in the base period of the twelve months ending December 31, 2009. State UI benefits run for up to 26 weeks. The first \$2,400 in state UI benefits are not subject to federal taxes. Go to www.edd.ca.gov/unemployment for the most up-to-date information and detailed information.

IN THE EVENT I GET A FINAL NOTICE, HOW LONG DO MY HEALTH BENEFITS CONTINUE? If you are laid off effective at the end of the school year your health benefits continue through September 30. After that date, you become eligible for optional federal COBRA coverage. The District is required to provide you with notice of your COBRA rights. Pending federal legislation may provide a subsidy for the costs of the benefits, but at this time eligible employees pay the full cost of the benefits plus a 2% administrative charge.

WHAT ARE MY REHIRE RIGHTS? Permanent employees have the right to be rehired in order of seniority if, at any time within 39 months of the layoff, the number of employees is increased or the service that was discontinued is re-established. Probationary employees have the same rehire rights, except within a 24 month period. Details on this topic can be found in the Layoff Survival Guide, page 11 ([click here](#)).

IF I DO NOT WANT THE JOB CAN I TAKE A PASS AND WAIT FOR ANOTHER JOB? Permanent employees can waive an offer of re-employment for up to one year (meaning that you can ask to be passed over when the district makes a rehire offer) without losing the right to a subsequent offer of rehire. This right to pass does not apply to probationary employees.

DO I HAVE THE RIGHT TO SUBSTITUTE? Permanent and probationary employees have the right to temporary and substitute positions, again in order of seniority, while waiting to be rehired into a permanent position. Permanent teachers who substitute for 21 days or more in a 60 day period are paid at their regular rate of pay.

CAN I MAINTAIN MY TALB, CTA/NEA MEMBERSHIP IF I AM LAID OFF? Yes. It is a good idea to maintain your membership so you are eligible for legal services that may be necessary related to your rehire rights. Maintenance of membership also allows you to continue in any other union membership programs such as auto or disability insurance. You can maintain your union benefit if you are not teaching by joining in the "3A" category. You will pay approximately one quarter of the amount paid by full time members. You will need to do this by August 31. Contact Ingrid at TALB if you would like to sign up to maintain your membership. She can be reached at 562-426-6433 or at Ingrid@talb.org.

WILL TALB SCHEDULE INFORMATIONAL MEETINGS TO HELP ME WITH THESE ISSUES? Yes. We have scheduled five small group informational meetings, as follows:

June 18, July 1, July 19, August 4, August 25

All meetings will be from 4pm - 5pm, and are at the TALB Office. These meetings are limited to 25 attendees so you must RSVP in advance to reserve a spot. We will schedule additional meetings as necessary. To RSVP, email Eric at eric@talb.org.

WHERE CAN I GO TO GET MORE INFORMATION? We recommend that you read the Layoff Survival Guide ([click here](#)) and the EDD FAQ's ([click here](#)) as they provide a more detailed explanation of unemployment, rehire rights, substitute rights, and COBRA. You can RSVP and attend a TALB informational meeting (see dates/times above); and, of course, call Chris or Joe at the TALB office.