

LBUSD LAYOFFS

TALB UPDATE -- UNEMPLOYMENT, DISPLACEMENT, HEALTH CARE, AND REHIRE RIGHTS MAY 2011

This FAQ addresses some basic questions regarding the rights of laid off teachers. As noted below, TALB has also scheduled several small group meetings to assist our members. After reading this FAQ, if you would like to attend a small group meeting, please sign up by emailing Eric at eric@talb.org or calling 562-426-6433, as space is limited to 25 participants.

WHEN WILL DISPLACEMENTS OCCUR? *Displacements (a.k.a., employer initiated transfers) caused by program reduction will occur by the end of May (May 20). The Transfer Committee then meets and attempt to make priority placements ahead of voluntary transfer requests and leave returns. Displaced teachers should get written notice, a copy of the contract language, timelines, and transfer forms.*

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>. 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, 2011, your benefit amount will be calculated on the highest quarter in the base period of the twelve months ending December 31, 2010. State UI benefits run for up to 26 weeks. The first \$2,400 in state UI benefits is not subject to federal taxes. Go to www.edd.ca.gov/unemployment for the most up-to-date information and detailed information.*

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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. Eligible employees pay the cost of the benefits plus a 2% administrative charge.*

WHAT RIGHTS DO I HAVE TO GET REHIRED FOR A JOB? *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. For complete details on this topic go to the Layoff Survival Guide, page 11 (click here). Head Start employees have the right to be rehired based on date of hire in the TALB bargaining unit, subject to the agreement (pending) between TALB and the LBUSD.*

WILL THE DISTRICT POST THE REHIRE STATUS IN EACH AREA SO I CAN DETERMINE HOW FAR BACK I AM ON THE REHIRE LIST? *We have asked the District to post such a list. They have agreed to do so, but have not as of this writing. We expect the list to be posted on the District website. We will also attempt to post updated list on the TALB website if they share the list with us.*

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 eight small group informational meetings, as follows:*

June 3, 8, 15, 16, 20, 29 & July 6, 27

All meetings will be from 4pm – 5pm, and are at the TALB Office. These meetings are limited to 25 attendees so please 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 (at www.talb.org or click here if you are reading an electronic version) and the EDD FAQ's (at www.talb.org or click here if you are reading an electronic version) 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.*

TEACHERS ASSOCIATION OF LONG BEACH: 562-426-6433 WWW.TALB.ORG