

Unemployment Insurance Information for WEA members

WEA has connected with representatives from the Employment Security Department (ESD) in Olympia to get updated information relating to various issues unique to educational employees facing unemployment. Below is the information provided by the Employment Security Division.

- Individuals should advise the agent taking their claim that they are an educational employee and have received a RIF notice informing them that their contract for fall has not been renewed.
- Laid off school employees should call to apply for unemployment the week after the last day of school if they are laid off at the end of the school year. If they apply prior to then, or if they have already applied, and they are still employed full time, their claim will be put on hold until school ends. At that time, they will need to call to reopen their claim. The 52 week benefits eligibility period starts with receipt of their claim, regardless if they claim any weeks. For most school employees, the difference in the timing of the submission of the initial application should not matter, as people are only eligible to receive up to 26 weeks of benefits.

For those employees who work nine months (i.e. a regular school year) but receive payments in 12 monthly installments (i.e. "summer impounds/deferred compensation") the installments they receive in the summer will not affect their eligibility for Unemployment Insurance benefits over the summer. When they file their weekly reports, they should respond to the question: "Did you work?" "NO" and report "No Earnings." If school employees are filing during the school year, they should report their work and earnings they receive.

- If laid-off employees are later recalled by their employer, they will not have to pay back benefits they have already received. However, they need to notify the department as soon as reasonable assurance is given by the employer for employment for the next academic term. State law provides that benefits cannot be paid for any week that commences during a break between two successive academic terms when the individual has reasonable assurance to return to work. Once reasonable assurance has been given, benefits are stopped from that point forward.

Individuals are expected to look for suitable work, which means work that is consistent with their experience, education and training. An individual who was a professional full-time instructor would not normally be expected to apply for or accept substitute teaching. If they do so, there may be some impact on future unemployment benefits.

First year teachers who may have had very low earnings in the year prior to their first year of teaching should ask the agent when they call if they are better off applying after July 1st, as that might result in a higher weekly

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benefit amount due to the way weekly benefits are calculated. Similarly, employees who recently came from out of state should call in to make sure their out of state earnings are included in the base year.

- Laid off educators may be able to benefit from retraining and dislocated worker benefits, specifically if they get certifications for Special Education (preschool through elementary) or ELL (classes for non-English speakers). If attending school while claiming benefits, your availability for work will need to be addressed.
- All laid off classified (ESD-identified “non-professional”) employees should claim benefits all summer even if they have reasonable assurance, because if it turns out that they don’t get hired after all in the fall, they will get a retroactive lump sum Unemployment Insurance benefit, so long as they met the requirements over the summer (e.g. sufficient weekly job searches, etc.)
- Those classified “non-professional” employees who traditionally do not get a layoff notice until 30 days prior to start of the school year may still apply for Unemployment Insurance benefits when they have their last day worked. Because of the uncertainty of rehire they may receive benefits if all available evidence indicates that they do not have reasonable assurance. When they receive a notice of rehire, they must stop their weekly claims or risk having an overpayment. If they do not receive a rehire notice, they would continue to make weekly claims.