

F.A.Q. on Unemployment Benefits

1. Q: How much can I expect to receive in EDD weekly benefits?

A: The amount of benefits available is based on the claimant's earnings in the base period. To qualify for benefits in California, a claimant must have (1) earned at least \$1,300 in the highest quarter of the base period. You can receive a minimum of \$40 to a maximum of \$450 a week up to 26 weeks depending on your past quarterly earnings. The "base period" is 12 months long, but it is important to think of it as 4 quarters of 3 months each. The quarter in which the highest wages were received determines the weekly benefit amount. When an individual's base period begins depends on when the UI claim is filed. The most recent 3-5 months before the claim is filed are omitted; therefore, the base period is the 12 months beginning some 15 to 17 months before the claim was filed.

2. Q: If I lose some of my employment and am earning less than I was previously can I still apply and receive EDD benefits?

A: You may be able to work part-time and receive reduced UI benefits, even if your earnings are higher than your weekly benefit amount. You report your total earnings before deductions and EDD will figure the amount to deduct.

- If your weekly earnings are \$100 or less, the first \$25 dollars does not count. The amount of earnings over \$25 is subtracted from your weekly benefit amount and you are paid the difference, if any.
- If your weekly earnings are \$101 or more, the first 25% does not count. The amount of earnings remaining is subtracted from your weekly benefit amount and you are paid the difference, if any.
- If you receive Temporary Total Disability, or Vocational Rehabilitation Maintenance Allowance, EDD deducts the amount, dollar-for-dollar, from your weekly benefit amount.
- If you receive a pension that the Department determines is deductible, the EDD deducts the amount dollar for dollar from your weekly benefit amount (WBA).

NOTE: The EDD has a fraud detection system. If you do not report all earnings for a week that you worked, and you received benefits, you will be investigated. If EDD determines that you were at fault for not reporting your earnings, you will be required to repay any benefits overpaid and you could face administrative and/or **criminal penalties** and interest.

3. Q: How does receiving disability, social security and/or a pension (including STRS) affect one's eligibility for EDD benefits?

A: If you receive Temporary Total Disability, or Vocational Rehabilitation Maintenance Allowance, EDD deducts the amount, dollar-for-dollar, from your weekly benefit amount. If you receive a pension that the Department determines is deductible, the EDD deducts the amount dollar for dollar from your weekly benefit amount (WBA).

4. Q: How long will I have to wait to receive my first check for EDD Benefits and subsequent checks during my claim period?

A: Your first check may take awhile because of processing time and because a newly opened claim (good for one year) requires a one week waiting period in which no money will be paid. After you receive your first EDD payment you should expect to wait 10-days to two weeks for subsequent payments, but that is only if you send in your claim forms in a timely manner. For re-opened claim within that same claim year you will not have the one week waiting period and so your check should arrive within two weeks.

5. Q: What date should I use for my last day worked?

A: Use the last day that you are scheduled to work during the final exam week.

6. Q: Who is my last employer if the last day of finals falls on the same day in the two districts where I teach?

A: Choose either one

7. Q: How do I figure out my gross wages for my last week of work ?

A: If each paystub shows the same amount for your monthly gross salary multiply one month's salary by five (since you receive five monthly payments for the semester) and divide by 16 weeks to obtain the salary for the final week.

8. Q: What if I am subbing, doing a short-term course or have extra pay during the semester or for that last week that I worked? This kind of calculation would fall outside the flat rate paystub that most adjunct faculty receive.

A: If each month's salary is completely different then you will need to call the district payroll office (213)891-2303 to obtain a calculation for your last week's pay. Make sure to do this in advance so that you have the dollar amount ready for the day on which you will be applying for benefits.

9. Q: What happens if I pick up some extra work during the period that I am receiving EDD benefits?

A: You must report any wages on your claim forms for the week in which you earned the wages, even if you weren't paid for that work until later. Your gross wages are required (total without the payroll deductions) and the EDD will figure the amount of wages to deduct from your weekly benefit amount. A total of \$25 or 25 percent of those earnings, whichever is higher, is not considered deductible from your benefits. Any wages beyond that will be deducted from your weekly benefit amount and you will be paid the difference, if any. If you earn too much money in a week to receive any UI benefits, the UI benefits remain in your claim to collect at a later time during the benefit year of your claim as long as you remain unemployed, underemployed and/or eligible. If you accept full-time work for two weeks or longer, your claim will become inactive and no additional claim forms will be mailed. If you become unemployed again, you must submit a new application for benefits.

10. Can I still receive EDD benefits if I am performing jury duty?

Yes, jury duty is considered work so you should still be able to receive partial benefits while performing jury duty. In your bi-weekly reports include the payment that you received for jury duty and list the court for which you performed the duty. You should receive the difference in benefit amount once your jury duty pay is deducted.

11. Q: How do I stop receiving benefits once I start working again?

A: If you do not want to claim benefits for the week(s) on the claim form, do not complete or mail the form to EDD or if you are earning less money than your EDD benefit and you want to receive partial benefits, enter the last day worked and employment information or "source" of earnings. Look at the date each week begins and ends. Be careful that your answers in 6b apply only to the weeks shown on the form. If you are still working, write "still working full-time" or "still working part-time." When you report, "still working full-time" you will **not** be mailed a subsequent claim form. If you become unemployed or your hours are reduced, you will need to reopen your claim

12. Q: How do I reopen my claim during the one year period that it is in effect?

A: The easiest way to reopen your claim if you become unemployed or your hours are reduced is on-line. Claims are reopened the Sunday of the week that you contact the department to file or reopen your claim. **DO NOT** delay reopening your claim. Your claim will not be reopened effective the date you last worked; the claim will be reopened the Sunday of the week you contact the EDD to reopen the claim. (DE 1275A)

13. Q: On what basis can I be turned down for benefits?

- Quit your job.
- Were fired from your job.
- Are out of work due to a strike or lockout.
- Do not have child care.
- Do not have transportation.
- On vacation.
- Taking care of personal business (jury duty, medical appts., etc).
- Do not look for work as instructed.
- File your claim late.
- Mail your claim forms late.
- Refuse a job.
- Give incorrect information or withhold information.
- Fail to participate in re-employment activities.
- Are a school employee filing a claim during a recess period.*
- Are a professional athlete filing a claim during the off-season.
- Are/were not in satisfactory immigration status or legally authorized to work.
- Are attending school during normal working hours for your occupation.
- Are not physically or mentally able to work during normal working hours for your occupation.

***This does not apply to community college adjunct faculty because of the Cervisi decision which asserts that temporary faculty have no “reasonable assurance” of a teaching position in the future due to changes in funding, class enrollment or bumping by full-time faculty.**