

HOW DO YOU GET UNEMPLOYMENT BENEFITS AND MAINTAIN YOUR HEALTH INSURANCE AND MEMBERSHIP IF YOU ARE LAID OFF?

Unemployment Insurance Benefits.

1. Eligibility.

Employees who are laid off or who are not re-elected are eligible to receive unemployment insurance benefits. In addition, a probationary employee who resigns effective the end of the school year after being given the choice to resign or be non-re-elected, is also eligible to receive unemployment insurance benefits.

2. How to file for a Claim for Unemployment Insurance Benefits.

File for UI benefits immediately after your last day of work. There is a one week, unpaid waiting period. The fastest and most convenient way to file a claim is online at <http://eapply4ui.edd.ca.gov>

Or, print out 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, 1-800-300-5616 (English), 1-800-326-8937 (Spanish)).

Due to the recession and the resulting increase in the number of claims, you may experience a long wait on telephone lines.

3. What information is needed to file a claim?

- Your name, address, phone number and social security number.
- School District Office address and phone number.
- Specific reason you are no longer working. If you were laid off, state you were laid off and have no reasonable assurance of reemployment the

The form will ask for your union number. You don't have one! Some unions use numbers, but we use names. So you are either CVSTA, MBUTA, PVFA or RBTA. The union phone number is 310-921-2500.

following school year. If you resigned in lieu of being non-re-elected, state that you resigned after the employer informed you that you would be dismissed for reasons other than misconduct.

- Last day of work.
- Citizenship status, and if applicable, alien registration number.
- Driver's license number or state ID number.
- Report all wages earned whether or not you have already received them.
- Complete the form fully and accurately. Unanswered questions may delay processing. Use blue or black ink.

4. What happens after the claim is filed?

Within 10 days of filing your claim, you should receive by mail either claim materials or notice that a telephone 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 three (3) weeks after filing.

5. Benefit Amount & the Limited Federal Tax Exemption.

You can receive a regular benefit up to a maximum of \$450 a week depending on your past earnings. If you file in May or June, 2010, your benefit amount will be calculated on the highest quarter in the base period of the twelve months ending December 31, 2009.

The state unemployment benefits can be received for up to 26 weeks. There is a federal subsidy of \$25 additional weekly benefits and up to 33 additional weeks of unemployment benefits for individuals laid off before February 28, 2010.

NOTE – Your first \$2,400 in state unemployment benefits are not subject to federal taxes. Any benefits you receive above \$2,400 are subject to federal taxes.

Maintaining Your Health Insurance

As a general rule, if you are laid off, your health insurance coverage will continue through August 31st if you worked the entire school year. You should check, however, with your CTA chapter to confirm the date that your health insurance coverage will terminate. After that date, if your school district has more than 20 employees, you can choose to continue your health insurance coverage for up to 18 months under the federal COBRA Act. If your school district has fewer than 20 employees, you may be able to continue your health insurance under California's mini-COBRA Act.

1. Notice of, and Nature of, COBRA Rights.

Within 90 days of your termination from employment or of a reduction in hours of employment resulting in you losing employer paid health coverage, the District must notify you of your right to continue your health coverage under COBRA. Your right is to continue the same health insurance coverage that you had as an employee, including any coverage you carried for your spouse or dependents. You are obligated, however, to pay for some (in the case of involuntary terminations) or all (in the case of voluntary terminations) of the premiums to maintain coverage. Even if you choose not to continue your health coverage, you may elect to continue health care coverage for your children and/or your spouse may elect to continue coverage.

2. Premium Amounts following Involuntary Terminations.

Employees who are involuntarily terminated between September 1, 2008 and February 28, 2010 and who are not eligible for health insurance through another plan (e.g., through your spouse's plan), may maintain their health insurance coverage for up to 15 months by paying 35% of the applicable premium. The remaining 65% of the premium must be paid by the district, which can seek reimbursement of that amount from the federal government. The applicable premium is set forth in your health plan's summary documents and cannot exceed 102% of the premium the plan pays for non-COBRA participants.

If you are involuntarily terminated after February 28, 2010, or your federal COBRA subsidy ends, you can continue to maintain your health insurance coverage by paying the full premium set forth in your health plan's summary documents. Again, that premium cannot exceed 102% of the premium the plan pays for non-COBRA participants.

Important NOTE – CTA worked with NEA to ensure that employees who are forced to resign in lieu of non-reelection or termination are eligible for the federal subsidy, which covers 65% of your premium costs for the first 9 months of COBRA coverage for employees laid off before February 28, 2010. On March 31, 2009, the federal Internal Revenue Service issued guidance confirming that employees remain eligible for the subsidy even though they resign so long as they do so in lieu of termination. Accordingly, teachers who resign in lieu of non-reelection are eligible to receive the federal COBRA subsidy.

3. Premium Amounts following Voluntary Terminations.

If you are voluntarily terminated, you may choose to maintain your health insurance coverage for up to 18 months by paying the full premium due (which may be no more than 102% of the premium the plan pays for non-COBRA participants).

4. When, and to Whom, Must the Premium Be Paid?

You must pay the premium to the plan. Check with your CTA chapter to find out where the premium must be sent. Your first premium payment must be received by the plan within 45 days of your election of COBRA benefits. Your subsequent payments must be received within 30 days of the due dates set by the plan for premium payments. Make sure to make your premium payments on time. A plan can terminate your COBRA coverage if your payments are not received before the end of the 30 day grace period.

Maintaining Your CTA Membership

CTA members who are laid off can maintain their membership, and thereby continue to enjoy all the benefits of CTA representation including legal representation through the Group Legal Services program and the benefits you receive through the CTA endorsed credit union, insurance and discount programs, by paying Category 3A dues, which are approximately one quarter of the dues paid by full time members. In 2009-10, for example, Category 3A dues for teachers are \$170.25 for CTA, \$48.25 for NEA, and the amount of local dues determined by your local.

To maintain your membership, contact your CTA Chapter to find out the local dues amount and how, and when, you should pay your dues. You can also contact CTA Membership for information at 650-552-5278 or membership@cta.org. As a general rule, dues are paid for the full year and must be received by your chapter by October 31st. You may maintain your membership in CTA for the entire duration of your rehire rights or three years time, whichever is longer. Please note that if you work 25% or more as a substitute or temporary, your dues status will change and you should contact your local and/or CTA to make any necessary adjustments in your dues payments.