

## QUICK REFERENCE GUIDE FOR MEMBERS

### Rehire Rights

#### PERMANENT TEACHERS

You 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 leading to your layoff is reestablished.

#### PROBATIONARY TEACHERS

You have the right to be rehired in order of seniority if, at any time within **24 months** of the layoff, the number of employees is increased or the service that was discontinued leading to your layoff is reestablished.

### Seniority

#### PERMANENT AND PROBATIONARY TEACHERS

The district may refuse to rehire in seniority order if it demonstrates a specific need for personnel to teach a specific course or course of study, and it shows that the more junior employee has special training and experience necessary to teach that course or course of study, which the more senior employee does not possess.

### STRS

#### PERMANENT AND PROBATIONARY TEACHERS

If you are rehired the period of the layoff will not be considered a break in service, but neither shall it count towards STRS credit. At any time prior to the completion of your first year of service after rehire you can continue, or make up, the district's and your contributions to STRS for the period during which you were laid off.

### Substituting

#### PERMANENT TEACHERS

You have the right to temporary and substitute positions, again in order of seniority, while you are waiting to be rehired into a permanent position. If you substitute teach 21 days or more in a 60-day period your pay shall be no less than if you had been reappointed to a permanent position.

#### PROBATIONARY TEACHERS

You have the right to temporary and substitute positions, again in order of seniority, while you are waiting to be rehired into a permanent position.

### Leave Transfer Right

If you obtain employment in another school district you can transfer your accrued sick leave from your prior district by providing your current district with written notice that you would like to transfer your accrued sick leave together with the name and address of your former district.

## Unemployment Insurance Benefits

### ELIGIBILITY

Employees who are laid off or who are not reelected 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-reelected is also eligible to receive unemployment insurance benefits.

### HOW TO FILE A CLAIM

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 [eapply4ui.edd.ca.gov](http://eapply4ui.edd.ca.gov). You may also print out the online application, hand-write your answers, then mail or fax it to the EDD at:

California Employment Development Department  
800 Capitol Mall, MIC 83  
Sacramento, California 95814  
English: 1-800-300-5616  
Spanish: 1-800-326-8937

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

### WHAT INFORMATION IS NEEDED TO FILE A CLAIM?

- Your name, address, phone number and social security number.
- Your school district office's address and phone number.
- The specific reason you are no longer working:
  - ✦ If you were laid off, state that you were laid off and that you have no reasonable assurance of reemployment the following school year.
  - ✦ If you resigned in lieu of being non-reelected, state that you resigned after the employer informed you that you would be dismissed for reasons other than misconduct.
- Your last day of work.
- Your citizenship status and alien registration number, if applicable.
- Your driver's license number or state ID number.
- Report all wages earned whether or not you have already received them.
- Complete the form completely and accurately in blue or black ink only—unanswered questions may delay processing.

### WHAT HAPPENS AFTER THE CLAIM IS FILED?

Within ten (10) days of filing your claim, you should receive by mail either (1) your claim materials or (2) a notice that a telephone interview has been scheduled, if further information is needed. If you do not receive any notification in the mail after ten (10) days, contact EDD. Your first UI benefit check should arrive within approximately three (3) weeks after filing.

### BENEFIT AMOUNT AND 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 of 2010 your benefit amount will be calculated on the highest quarter in the base period of the twelve months ending December 31, 2009.

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

### HOW TO CONTINUE YOUR HEALTH INSURANCE

As a general rule, if you are laid off, your health insurance coverage will continue through August 31 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.

### NOTICE AND NATURE OF COBRA RIGHTS

Within **90 days** of your termination from employment or of a reduction in hours of employment resulting in your 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 and/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 healthcare coverage for your dependents and/or your spouse may elect to continue coverage.

### 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 may 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 received 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, plus the amount of local dues determined by each local.

To maintain your membership, contact your CTA Chapter to find out the amount for local dues, as well as how and when you should pay your dues. You may also contact CTA Membership (650) 552-5278 or [membership@cta.org](mailto:membership@cta.org). As a general rule, **Category 3A dues are paid for a full year** and must be received by your chapter by October 31. 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 percent 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.