

A Guide to Unemployment Insurance for Teachers Undergoing a Reduction in Force



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Indiana
State
Teachers
Association

This guide is intended to assist you in filing for and obtaining the unemployment insurance benefits you are entitled to as a result of losing your teaching position due to a reduction in force. It does not constitute legal advice and does not address every possible situation. Additional information is available in the Indiana Department of Workforce Development's Unemployment Insurance Claimant Handbook at http://www.in.gov/dwd/files/Claimant_Handbook.pdf, from which much of the material in this guide was condensed.

The guide specifically does not address the unemployment claim appeal process. Should you find that you must appeal a decision related to your unemployment insurance claim, adhere to all timelines for appeal noted in your documents and reference the Claimant Handbook linked above.

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Quick Reference

1. If you lose your teaching job as a result of a reduction in force, you should be eligible to receive unemployment insurance benefits in Indiana.
2. File for unemployment as soon as both of the following conditions are true:
 - a. The Board has approved the elimination of your position; and
 - b. You have worked your last day.
3. File online at <http://www.in.gov/dwd/unemployment> or go to your local WorkOne office. Write down and save your username and password.
4. Your reason for separation from your employer is “reduction in force.”
5. Within TEN DAYS of filing, register for work at indianacareerconnect.com.
6. Search for work at a minimum of three places each week and keep an accurate and detailed record of your search activities.
7. File a WEEKLY CLAIM VOUCHER EVERY WEEK. Do this until your hire at another district has been approved by that district’s school board, you have obtained another job, or you have received all of the unemployment benefits to which you are entitled. Do this even if you haven’t yet been approved for benefits. It is the only record the government will have that you didn’t work and were entitled to benefits that week.
8. Carefully review the Wage Transcript and Benefit Computation Form you receive and ensure it is accurate. If it is not accurate, contact DWD immediately to obtain corrections.
9. Watch for your Determination of Eligibility, which should come about three weeks after you file. Look for the “Legal Result of the Case” line. This should say “no penalty” or “no disqualification.”
10. Watch for your debit card to arrive in a plain envelope. Register it right away.
11. Comply with the DWD notice that you must visit the WorkOne office, including completing the skills assessment and exploring the labor market information at Indianacareerconnect.com before the scheduled meeting.

Helpful Reminders

1. Keep copies of all documentation from the school corporation regarding the loss of your teaching position and from the State of Indiana concerning your unemployment insurance claim.
2. Pay careful attention to all deadlines in communications from the Indiana Department of Workforce Development. Failure to meet them could compromise your eligibility to receive benefits.
3. If you speak to DWD staff on the phone or in person, take notes which include the date, time and substance of the conversation, and the name and position of the individual with whom you spoke.
4. Keep a record of all of your work search activities. It should include the what, where, when and how of your search efforts. A sample can be found in the appendix.
5. All information you submit must be truthful.
6. Unemployment Benefits are taxable income. You have the option to choose to have 10% of your benefits withheld for federal taxes and 4% withheld for state taxes when you file your initial claim. You will receive a 1099 form in January for any benefit amounts received in the previous year.
7. You are eligible to convert your active ISTA membership to Reserve Active Membership if you are not re-employed at the start of the following school year.
8. Federal law requires you to maintain health insurance or risk paying a financial penalty. So be sure you understand the last date on which you will have health insurance from the school district. You have two options to ensure you have health insurance coverage after that point: 1) continue your current coverage under COBRA or 2) obtain coverage through the federal health insurance marketplace.
9. If you choose to continue your current coverage under COBRA, you will be responsible for paying the entire premium (the employer and employee cost) plus a small fee. If you decline this option when it is offered, you cannot change your mind later. If you accept the coverage, you would have to wait until the next open enrollment period (typically November) to switch to the federal health insurance marketplace.
10. If you wish to pursue coverage through the federal health insurance marketplace, you have only 60 days from your loss of insurance from the school district to enroll. You may want to explore whether you can find a more affordable one on the federal health insurance marketplace. Depending on your household size and income, you may be eligible for premium subsidies on the exchange.

It's a Social Insurance Program

Unemployment insurance is a social insurance program, much like social security. The system is designed to collect revenues while you are working so that it can pay benefits to you during a period of unemployment you experience through no fault of your own. Absent the system, there would have been more funds available for your local association and the ISTA to negotiate as wages throughout your employment, just as your employer's payments to social security decrease the funds available for wages today.

If you have been subjected to a reduction in force, you are experiencing unemployment through no fault of your own. It is part and parcel of the reduction in force process that BUT FOR the school corporation's need to reduce staff for financial or other reasons, you would have been returning to your position during the next school year.

At one point, the Mitch Daniels administration tried to deny these benefits to teachers in your situation and ISTA fought to ensure your eligibility. Don't be hesitant to utilize the unemployment insurance benefits for which you are eligible.

How to File

All unemployment applications in Indiana must be made online. You can do this at home by going to <http://www.in.gov/dwd/unemployment> and clicking on Uplink Claimant Self-Service or you can visit your nearest WorkOne office and utilize the computers there. Turn-off the pop-up blocker on your computer first.

Before you start completing the application, you may want to view the video tutorial link on that page so that you are familiar with the system. In addition, a step-by-step guide utilizing screenshots of each step is available on that webpage.

Your reason for separation from your employer is "reduction in force."

Information you need to have with you when you file your claim includes:

- Your complete name, address and zip code
- Your Social Security number (your claim will not be processed without it)
- Personal identification (i.e., driver's license, photo ID, alien card)
- Name, address and telephone number of your last employer
- Dates worked at your last place of employment
- The reason you are unemployed (Reduction in Force for you)

TIP: Have your most recent pay stub with you.

When to File

You should file as soon as both of the following conditions have been met:

- 1) The school board has approved the reduction in force for your position; and
- 2) You have worked your last day for the school corporation.

Don't wait. It may take the agency a few weeks to make a determination and begin making the payments you are owed. In addition, the system builds in one "waiting week" for which you will not receive benefits. So you should file your claim as soon as both of the above conditions have been met.

NOTE: You are eligible for benefits as soon as you are no longer working and the reduction in force for your position has been approved by the school board. This is true even if you are on a 24 or 26 pay system and will continue receiving paychecks from the corporation for a few weeks.

You are eligible for benefits when you are no longer working, even if you continue to receive paychecks throughout the summer.¹ The test for unemployment is whether you are currently earning wages. Your summer paychecks are actually earned during the school year, but the time of payment is delayed. So those paychecks do not delay your eligibility for unemployment insurance benefits.

Work Registration

You must also register with Indiana's job matching service **within ten days** of filing your claim for unemployment insurance benefits. You do this at indianacareerconnect.com.

There will already be an account started there for you based on the UpLink account you utilized to file your claim. However, if you do not complete your registration, you will be denied unemployment benefits until you do. Uploading a complete resume will increase the productivity of the career connect system for you by allowing potential employers to search for you.

¹ This assumes you are not teaching summer school or working at another job during the summer months.

Work Search Requirements

You are required to search for full-time work every week in order to receive unemployment insurance benefits. At a minimum, you must search for work at three locations. **A suitable work search is one that is customary for your field of work and ordinarily leads to full-time employment for someone like you in your field.**

Keep a record of your work search efforts so that you can specify them on your weekly claim voucher and so that you can produce that record when the Department of Workforce Development requests it. (Acceptable records include printing the UpLink page on which you submit your weekly work search each week when you file your benefit claim, utilizing the form attached to this guide as Appendix A, or a similarly detailed record compiled each week.)

The Department of Workforce Development has identified that appropriate work search activities include, but are not limited to, the following:

- Registering for work and applying for jobs through IndianaCAREERconnect.com, the state's largest source of available jobs.
- Completing a job application in person or online with employers who may reasonably be expected to have openings for suitable work.
- Mailing a job application and/or a resume, as instructed in a public job notice.
- Making in-person visits with employers who may reasonably be expected to have openings for suitable work.
- Sending job applications to employers who may reasonably be expected to have openings for suitable work.
- Interviewing with potential employers, in person or by telephone.
- Registering for work with private employment agencies or placement services.
- Using the employment resources available at WorkOne Centers that may lead directly to obtaining employment, such as:
 - o Participating in skills assessments for occupation matching
 - o Participating in instructional workshops
 - o Obtaining and following up on job referrals from the WorkOne Center.
- Attending job search seminars, job club meetings, job fairs, or employment related workshops that offer instruction in improving individuals' skills for obtaining employment.
- Registering with a placement facility of a school, college, or university, if one is available to you in your occupation or profession.
- Using online career sites, such as DWD's IndianaCAREERconnect.com, to submit applications/resumes, search for matches or request referrals, and/or apply for jobs.
- Contacting an employer a second time only if 5 weeks have passed since the previous contact OR the employer specifically requested you make a second contact before 5 weeks have passed.**

You likely want to include checking the Indiana Department of Education's Job Bank at <http://www.doe.in.gov/idoe/jobs/indiana-school-personnel-job-bank> as well as checking directly with school corporations in reasonable proximity to you.

Weekly Claim Voucher

You must submit a weekly claim voucher each week after you file your initial claim for benefits until you have been hired by another school corporation and the school board has approved your hire, you are working again or your benefits are exhausted.

File your weekly claim voucher even during your "waiting week" for which benefits will not be paid. File your weekly claim voucher even if some issue is delaying your unemployment benefit payments. **You will not receive benefits for any week in which you do not file a weekly claim voucher.**

CLAIM VOUCHER TEXT FROM INDIANA DEPT. OF WORKFORCE DEVELOPMENT:

Listed below are the questions you will be asked when filing your claims voucher and some guidelines to help you answer them completely. Answer "yes" to a question ONLY if it applies to the week you are claiming.

Remember - the vouchers ask about employment for the week you are claiming. Your claim week always begins on Sunday and ends on Saturday.

1. Did you start a job and permanently leave that job during the week ending (the date you left your job)?
2. Did you look for full-time work?

HINT: Be sure to answer yes to this question if you have been laid-off and you have a return to work date; or if you are a member of a union with a hiring hall; or if you have completed work search for full-time employment.

3. Could you have worked this week ending Saturday (current date) if work was offered to you?

HINT: Be sure to answer yes to this question if you are ready, willing and able to accept full-time work and start that job when offered. Also answer Yes if you have been laid-off and have a return to work date; or if you are a member of a union with a hiring hall.

4. Did you work?
5. Did you refuse an offer of work?
6. Did you take time off from work?
7. Did you/will you receive holiday pay?
8. Did you/will you receive severance or vacation pay?
9. If you are receiving a pension or 401K payment, has the amount of the payment or distribution changed since you filed your initial claim or last weekly claim? If you answered yes to any of the questions, you will need to provide fact-finding information. The online system will guide you through this process.

During the week for which you are filing the claim in order for you to receive benefits for that week, your weekly claim voucher must reflect:

- You have completed a work search; and
- You were ready, willing and able to accept full-time work.

For example, if you were hospitalized for the week you cannot certify that you were able to work that week. You still file a weekly claim voucher, but you will answer question 3 “NO” for the period of time you were unable to work.

Special Notes:

- **You do not belong to a union with a hiring hall so you must complete a work search. (This is basically a reference to building trades unions where the industry’s history is for employers to hire trained workers through a union office).**
 - **You should answer “NO” to the question “Did you work?” (This assumes you have not obtained a new job yet and are not working at another employer).**
 - **You should answer “NO” to the questions “Did you/will you receive holiday pay?” and “Did you/will you receive severance or vacation pay?” Your ordinary summer paychecks are not holiday, severance or vacation pay. They are ordinary wages you earned during the school year but that the school corporation is permitted to pay you later due to a special statutory provision that applies only to schools. They are not relevant to your claim for unemployment insurance benefits in any way.**
-

When to Expect Your Benefits

Your first communication from DWD should arrive within ten days. This is a wage transcript and benefits computation form. You should carefully examine this document for errors as it will be used to determine your eligibility for benefits and **you have only ten days to request any necessary corrections.**

SEE REVERSE SIDE FOR OPENING INSTRUCTIONS

INDIANA DEPARTMENT OF WORKFORCE DEVELOPMENT
 BENEFIT DETERMINATIONS
 10 NORTH SENATE AVENUE
 INDIANAPOLIS INDIANA, 46204-2277

PRESORTED
 FIRST CLASS MAIL
 U.S. POSTAGE PAID
 INDIANAPOLIS IN
 PERMIT NO. 9647

FORWARDING SERVICE REQUESTED

Thomas J Jefferson
 100 N Capitol
 Monticello IN 40000-0000

1) Is your name and address correct?

(BACK) ▲ (FRONT) ▼

INDIANA DEPARTMENT OF WORKFORCE DEVELOPMENT
WAGE TRANSCRIPT AND BENEFIT COMPUTATION
 CONFIDENTIAL RECORD PURSUANT TO IC 22-4-19-6 IC 22-4-1-6

2) Is your social security number correct?

SOCIAL SECURITY NUMBER	LOCAL OFFICE	CLAIM LEVEL	CLAIM TYPE	BASE PERIOD		BENEFIT PERIOD		APPLICATION DATE	DATE COMPUTED
				BEGIN	00/00/00	BEGIN	00/00/00		
123-45-6789	700	REG	UI	END	00/00/00	END	00/00/00	00/00/00	00/00/00

EMPLOYEE	NAME OF EMPLOYER	ACCOUNT NUMBER	QTR/YR	WAGES REPORTED
TJ JEF	ABC COMPANY	0000000 -000	1/01	5,000.00
TJ JEF	ABC COMPANY	0000000 -000	4/00	4,337.00
TJ JEF	ABC COMPANY	0000000 -000	3/00	3,676.00
TJ JEF	ABC COMPANY	0000000 -000	2/00	4,196.00

3) Are the wages listed under your name?

4) Are employers listed correct & complete?

5) Are the wage amounts correct?

If you disagree with the document, notify DWD immediately:

- Call DWD toll-free at 1-800-891-6499 or email at <https://askworkone.in.gov/>
- Residents of Marion County may also dial 317-232-7436
- If you are hearing impaired, please call 317-232-7560.

You may also need to bring proof of your earnings into the local WorkOne office.

The workforce development agency has guidelines in place that anticipate it will make determinations of eligibility and begin making payments within 21 days of a claim. However, this is not a hard and fast rule and some claims take more or less time.

When a determination has been made, you will receive a “Determination of Eligibility” which will notify you of the agency’s decision regarding your eligibility for benefits. **If the “Legal Result of the Case” states that there is “no penalty” or “no disqualification” you will receive benefits.**

INDIANA WORKFORCE DEVELOPMENT
AND THE WorkOne CENTER

DETERMINATION OF ELIGIBILITY
INDIANA DEPARTMENT OF WORKFORCE DEVELOPMENT
State Form 128 (04-06)
10 N. SENATE AVE.
INDIANAPOLIS, IN 46204-2277
CONFIDENTIAL RECORD PURSUANT TO IC 4-1-6, IC 22-4-19-6

10/27/2009

121651320654123 Set: 1313 of 1952
Name and Address of Employer
ABC COMPANY
ABC DRIVE
INDIANAPOLIS, IN 46204

RE: John Doe
SSN: 123-45-6789
BYE: 12-31-2010 Claim Level: UI
Separation Date: 6-13-2009
Employer Acct #: 55555
ID: 123456789

Issue Involved: Discharge for just cause.

Circumstance of Case
The claimant was discharged. The employer has failed to provide sufficient information to establish the discharge was the result of willful misconduct.

Conclusion of Case
The claimant was not discharged for just cause. On a discharge case the employer has the burden of proof to establish that the individual was discharged due to misconduct within their control. Sufficient information has not been provided to sustain the employer’s burden of proof. In accordance with IC 22-4-15-1, no penalty is imposed under these circumstances. No disqualification.

Legal Result of Case
CLAIMANT: NO PENALTY APPLIES AS A RESULT OF THIS ISSUE.

Date Determination Mailed **Department** **Signature of Deputy**
10-27-2009 UI ADJUDICATION CENTER J. Smith

Once you have been determined to be eligible, you will receive a debit card. Watch your mail closely, this will come in an unmarked envelope. When you receive the card, activate it immediately by calling the customer service number shown on your card (1-888-393-5866) and selecting a personal identification number (PIN), as instructed. All benefits will be paid by credit to your debit card.

WorkOne In-Person Visit Required

You will receive a notice to report to your local WorkOne office for an orientation and a review of your work search records. Your orientation visit must be scheduled by the fourth week after you begin receiving benefits and it must be completed before the sixth week. You must comply with this notice or benefits will be denied to you.

To prepare for this visit, you must do the following:

- Complete Skills Assessments:
 - 1). Login on <http://www.indianacareerconnect.com/>
 - 2). Click on “Career Services”
 - 3). Click on “Career Explorer”
 - 4). Click on “Match Your Skills”
 - 5). Complete both skills assessments: “Your Job Skills” and “Your Personal Skills”
- Research and Explore Labor Market Information:
 - 1). Login on <http://www.indianacareerconnect.com/>
 - 2). Click on “Career Services”
 - 3). Click on “Job Market Explorer” and review some of the options
- Bring a photo ID with you to the WorkOne office.
- Bring proof of your work searches for each of the last four weeks.

If you need help with something, this is an excellent opportunity to request it. For example, some WorkOne offices can accommodate requests for assistance mastering job interviews.

If the WorkOne office determines that you are likely to exhaust your unemployment benefits before finding employment, you can be ordered to participate in additional reemployment services. If this happens, you must participate or you will no longer be eligible to receive benefits.

How much \$ should I expect?

The Wage Transcript and Benefit Computation Form you received about ten days after you filed will also disclose your weekly (WBA) and maximum benefit (MBA) amounts.

INDIANA DEPARTMENT OF WORKFORCE DEVELOPMENT
WAGE TRANSCRIPT AND BENEFIT
COMPUTATION
CONFIDENTIAL RECORD PURSUANT TO IC 22-4-19-6 IC 22-4-1-6

SECURITY NUMBER	LOCAL OFFICE	CLAIM LEVEL	CLAIM TYPE	BASE PERIOD		BENEFIT PERIOD		APPLICATION DATE	DATE COMPUTED
				BEGIN	00/00/00	BEGIN	00/00/00		
123-45-6789	700	REG	UI	END	00/00/00	END	00/00/00	00/00/00	00/00/00
EMPLOYEE	NAME OF EMPLOYER				ACCOUNT NUMBER		QTR/YR	WAGES REPORTED	
TJ JEF	ABC COMPANY				0000000	-000	1/01	5,000.00	
	ABC COMPANY				0000000	-000	4/00	4,337.00	
	ABC COMPANY				0000000	-000	3/00	3,676.00	
	ABC COMPANY				0000000	-000	2/00	4,196.00	
WBA	MBA	FIRST QUARTER WAGES	SECOND QUARTER WAGES	THIRD QUARTER WAGES	FOURTH QUARTER WAGES	TOTAL WAGES			
186.00	4,850.00	4,337.00	3,676.00	4,337.00	5,000.00	17,350.00			

You can draw your weekly benefit amount up to 26 weeks, so long as you remain unemployed, continue to submit your weekly claim vouchers, and have not refused suitable work.

Suitable work is work reasonably similar in type, location and pay to your last teaching position. The longer you have been unemployed, the more likely DWD will be to regard a job offer as suitable despite deviations in pay, location etc.

Using Your Debit Card Smartly

The debit card account into which DWD pays your weekly unemployment benefits charges fees for every transaction, which can quickly erode the value of your benefits. However, you are allowed one fee-free transaction per benefit deposit at either a bank ATM or a VISA member bank teller window. If you wish to avoid paying high fees, utilize your one free transaction to withdraw all of your available funds for each benefit deposit.

You can set up an electronic transfer of your funds from the VISA card to your personal bank account by calling the number provided on the card and keying in the relevant bank routing information. This is much like paying a utility or cell phone bill via electronic fund transfer via telephone. The first time takes a few minutes but subsequent times are easier.

If your bank is a VISA participating bank (and 95% of banks in Indiana are) you can also ask the teller to transfer the funds from your debit card directly into your personal bank account. (The teller may call this a cash advance transaction.)

If your bank is not a VISA participating bank, or you do not maintain a personal checking account, you can still withdraw your entire benefit deposit via ATM machine (although you'll likely be limited to the nearest multiple of ten or twenty) or by using a teller at an VISA participating bank and just making a cash withdrawal.

Other Help

Depending on the length of your unemployment, your family income and the size of your family, you may be eligible for other forms of help. A good summary of those other potential sources of assistance can be found at <http://www.in.gov/dwd/files/Resource-Guide-for-the-Unemployed.pdf>.

Moreover, your township trustee may be able to provide some emergency type assistance to you should the need arise. The income guidelines for this assistance vary by township.

Finally, if you have children in college and do not promptly find other employment, those children may be eligible for additional financial aid. Check with the colleges they are attending.

APPENDIX A

WORK SEARCH LOG



Name: _____

Last 4 Digits of Your Social Security #: _____

Please provide detailed information for your required number of weekly work search activities in the space provided below:

Week of _____ to _____ (Sun. – Sat.)

COMPANY #1

Name of Company:		
Address:		
City:	State:	Zip Code:
Name of Contact Person:		
Phone:	Email:	
Method of Contact (<i>in person, phone, email, fax, etc.</i>):		Date of Contact:

COMPANY #2

Name of Company:		
Address:		
City:	State:	Zip Code:
Name of Contact Person:		
Phone:	Email:	
Method of Contact (<i>in person, phone, email, fax, etc.</i>):		Date of Contact:

COMPANY #3

Name of Company:		
Address:		
City:	State:	Zip Code:
Name of Contact Person:		
Phone:	Email:	
Method of Contact (<i>in person, phone, email, fax, etc.</i>):		Date of Contact:

Keep a copy of this form for your records. You can print additional Work Search Logs at www.in.gov/dwd/files/DWD_WorkSearchLog.pdf