

Unemployment Insurance: Guide for School Workers



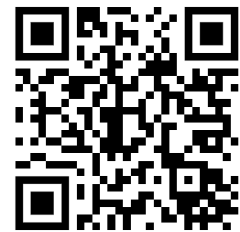
If you have worked for an educational employer, federal and state rules affect your eligibility for benefits during school breaks. When you file a weekly claim during a school break, we will send you a questionnaire to learn more about your situation and decide if you are eligible.

- If you are actively filing weekly claims, we will send you a questionnaire for every school break.
- We will ask your educational employer the same questions about your work.
- The sooner you respond to the questionnaire, the sooner we can decide if you are eligible.
- We must review claims from school workers at the start of every school break. Because most breaks occur at the same time and we need information from workers and employers, these may take longer to process.
- Please be patient and check your Frances Online account regularly for updates.

Defining school breaks

A school break is when education stops for students for a full calendar week (Sunday through Saturday) or more. Examples include winter break, spring break, or summer vacation. We contact educational employers each year to gather the dates of each school's break periods.

Learn more at our
school workers page:



Key eligibility questions

In general, we ask two key questions to decide eligibility during school breaks.

Each situation is unique and many are complex. We ask questions about these issues so that we can fully understand your work history, current situation, and eligibility. Please read the full explanation for both.

Do you have reasonable assurance?

This means having a contract or an offer to return to work after the break.

When returning to work after a break involves a new contract, like with summer break, reasonable assurance means you have an offer of work in the same or similar capacity and with the same rate of pay (or within 10%). It can be with the same or a different educational employer.

NO

You are generally eligible for benefits during school breaks regardless of the type of work you did.

YES

The type of work you did will affect your eligibility -- see page 2.

Please tell us if your situation changes. For example, if you are offered a contract with the same or a different employer, or your employer cancels your contract.

What type of work did you do for the educational employer?

We cannot learn what kind of work you did from a job title alone. Many jobs involve different kinds of duties. We need to know what duties you performed and how much of your time each took. We will ask you to estimate this for each educational employer during the past 18 months, including if your position changed.

In general, you are ineligible for benefits during breaks if you spent at least half of your time (50% or more):

- Directly instructing students
- Conducting research
- Working as a principal, administrator, or similar managerial position

School employees who spend more than half their time in other roles are generally eligible for benefits during school breaks. For example, janitors, assistants, accountants, and receptionists do not directly teach, conduct research, or manage others, and are generally eligible during breaks.

Direct Instruction: Not all work with students is considered direct instruction. According to federal rules, the services provided by educational assistants, teachers' assistants, paraeducators, and preschool teachers are not considered direct instruction.

Example

A licensed nurse works at a school providing health care for students and teaching classes. After applying for benefits, we would ask the nurse to look at the past 18 months and estimate how much time was spent directly instructing students compared to other duties.

- If the nurse did not have reasonable assurance, they would generally be eligible for benefits during a break no matter what kind of work they performed – but we still need to ask.
 - If it was summer break and the nurse had an offer to return in a different role or for less than 90% of their salary, they would not have reasonable assurance.
- If the nurse had reasonable assurance and taught classes for at least half their time, they would not be eligible during the break.
- If the nurse had reasonable assurance and provided care to students for more than half their time, they would generally be eligible during the break.

Looking for work during a break

For breaks that are four weeks or less, you generally do not need to look for work. In that case, you must maintain contact with your employer instead of otherwise seeking work.

If a break is more than four weeks, you need to look for work to be eligible. This includes most summer breaks.

To learn more, visit unemployment.oregon.gov/school-workers (or use the QR code on the front page) and look for “temporarily unemployed.”

The topics covered here apply to school workers, but you still must meet the general requirements to be eligible. Learn more, including how to use Frances Online, at unemployment.oregon.gov.