



Re: Part Time Faculty Unemployment Insurance

Part time faculty may be entitled to state unemployment insurance (UI) between academic semesters.

The federal Department of Labor recently issued guidance to state labor agencies that clarifies how to understand adjunct employment: the DOL guidance document affirms adjuncts' lawful right to unemployment insurance between academic terms, and it acknowledges that adjuncts may receive appointments for "subsequent years or terms that are contingent on factors such as funding, enrollment, and program changes."

The New York State Department of Labor determines eligibility for UI. In general, if there is reasonable assurance of continued employment in the following semester in the same, or similar, capacity and economic conditions, you may not qualify. The federal Department of Labor, which mandates state UI through the Federal Unemployment Tax Act, has recently provided additional guidance to the states regarding UI applicability to part time faculty in higher education institutions.

However, the UI law is very complex and is determined by the state on a case-by-case basis based on the totality of circumstances. Rather than attempting to provide a comprehensive summary, the links below provide further information:

Guidance from the federal DOL to state labor departments regarding part time faculty:
https://wdr.doleta.gov/directives/corr_doc.cfm?DOCN=8999

PSC-CUNY statement regarding the new DOL guidance letter: <http://www.psc-cuny.org/clarion/januaryfebruary-2017/new-rule-adjuncts-unemployment-comp>

New York State DOL UI rules for teachers:
<https://labor.ny.gov/ui/claimantinfo/unemployment-guidance-for-teachers-and-other-school-employees.shtm>

New York State DOL – How to file for UI:
https://labor.ny.gov/ui/how_to_file_claim.shtm

Don't wait to file, since there is a waiting period before benefits begin. And if your claim is denied, you can appeal. If you have any questions, please contact NY State Department of Labor at 888 209.8124.