

DIVISION OF CONTINUING EDUCATION



UNEMPLOYMENT COMPENSATION for DCE Faculty

DCE assignments are tentative in nature. As such, DCE faculty who do not have other employment may be eligible for unemployment compensation between semesters. In general, an unpaid hiatus between teaching terms would not necessarily qualify someone for unemployment benefits if there is reasonable assurance of continued employment. This is the typical basis for the college or the Department of Unemployment Assistance to contest such a claim. Also, individuals must be willing and able to accept an assignment, i.e., they have not stated they are unavailable or not interested in a future assignment.

1. A unit member who is not otherwise employed may file for unemployment compensation through the Massachusetts Division of Unemployment Assistance. There are several helpful links below.

There are income eligibility requirements and each claim is examined on a case-by-case basis. The question of reasonable assurance may arise. It should be pointed out that the collective bargaining agreement provides only that a tentative assignment be given to those on the seniority list. This assignment is enrollment dependent among other factors.

2. The DUA may arrange for the unit member to discuss the matter with a DUA representative. The unit member should have a copy of the DCE contract and any notice from the college of a tentative assignment.

3. DUA will notify the employer of the claim in order to verify the information. Some colleges do not contest claims in regard to reasonable assurance. If contested, the local office may approve or deny the claim.

4. If denied, it is essential for the claimant to file a timely appeal.

5. If an MCCC/MTA/NEA member, you may request MTA legal assistance by contacting the MCCC DCE Grievance Coordinator.

Note: This legal service is not provided to an agency fee payer. Only a dues paying union member is eligible for legal assistance in these matters as it is external to the collective bargaining agreement and is a benefit of MCCC/MTA membership.

6. The claimant must notify the MCCC/MTA of hearing dates. An MTA attorney will accompany and represent the union member throughout the appeals process.

7. Keep in mind that there are a number of factors, in addition to reasonable assurance, that determines eligibility.

Helpful Links

<http://www.mass.gov/?pageID=elwdconstituent&L=2&L0=Home&L1=Claimants&sid=Elwd>

[http://www.mass.gov/?pageID=elwdagencylanding&L=4&L0=Home&L1=Government&L2=Departments+and+Divisions+\(EOLWD\)&L3=Division+of+Unemployment+Assistance&sid=Elwd](http://www.mass.gov/?pageID=elwdagencylanding&L=4&L0=Home&L1=Government&L2=Departments+and+Divisions+(EOLWD)&L3=Division+of+Unemployment+Assistance&sid=Elwd)

http://www.mass.gov/Elwd/docs/dua/P2594_508.pdf

<http://www.massresources.org/pages.cfm?contentID=38&pageID=17&Subpages=yes>

<http://www.masslegalservices.org/unemploymentadvocacyguide>