

MODULE 8

Unemployment Insurance

Module Overview

Time:	50 minutes
Objectives:	<ul style="list-style-type: none"> to review and discuss how unemployment insurance works to practice applying this law through examples
Preparation	<ul style="list-style-type: none"> Read: Schwartz, <i>Your Rights on the Job</i>, Chapter 12. Read and copy handouts: <i>Participant Outline</i>; <i>The Massachusetts Unemployment Insurance System In Brief</i>; <i>Who is Excluded from Unemployment Insurance</i>; <i>Who Can Collect</i>. Prepare flipcharts.
Materials	flipchart, markers, masking tape

Module Outline

Module Detail

Welcome and Introductions

Time: 5 minutes

Flipchart: *Objectives and Agenda*

Welcome and Introductions

Welcome participants, introduce yourself and review workshop objectives and agenda. It is helpful to put the Objectives and Agenda on flipcharts to post.

What's Our Experience?

Time: 10 minutes

Icebreaker: What is Our Experience?

Ask participants to introduce themselves, giving their name, and union or organizational affiliation. Ask for a show of hands of all who have had experience with unemployment insurance—either personally or a member of their family. Ask some participants to briefly describe the experience.

Unemployment Insurance In a Nutshell

Time: 15 minutes

Handout: *The Mass.*

Unemployment Insurance System In Brief

Flipchart: *Who qualifies?*

Who is Excluded from Unemployment Insurance?

Time: 15 mins.

Handout: *Who is Excluded from Unemployment Insurance?*

Flipchart: *Who Can Collect?*

What if I am Denied Unemployment Benefits?

Time: 5 minutes

Flipchart: *Denied Unemployment Benefits*

Activity 1: Unemployment Insurance In a Nutshell

Ask participants to listen to the following mini-rap on Unemployment Insurance:

Mini-rap:

“In 1935 Unemployment Insurance was created as part of the New Deal programs working people fought for coming out of the Depression. The program provides half of your wages, up to a maximum, for thirty weeks after you have lost a job through no fault of your own. Sometimes there are extensions to how long you are able to collect. Many people are left out of this protection, especially undocumented workers. To get unemployment insurance you must prove you are eligible and looking for work.”

Ask a volunteer to read aloud or ask group to read silently *The Mass. Unemployment Insurance System In Brief*, down as far as Enforcement Agency.

Point out corresponding statements on the flipchart as the volunteer reads, or go over them afterwards if the group read silently. Note that 30 weeks of benefits at half the person's pay rate equals 15 weeks of work.

Ask participants: “What questions do you have?”

Activity 2: Who is excluded from Unemployment Insurance?

Distribute and review handout *Who is Excluded from Unemployment Insurance?*

Break participants into groups and hand out unemployment case studies. Ask groups to discuss the case studies, answering the question at the end of each case. Bring the whole group back together and ask each group to report their answers, posting responses on flipchart: *Who Can Collect?* Discuss any disagreements.

Activity 3: Remedies: What if I am Denied Unemployment Benefits?

Review the flipchart: *Denied Unemployment Benefits?*

Undocumented workers do not have the legal right to receive Unemployment Compensation. A social security number is needed to apply. Undocumented workers should check with an advocacy organization about problems with unemployment insurance.

Summary

See handout: *Partial List of Advocacy Organizations* in appendix.

Ask participants “What questions do you have

Summary

“The right to unemployment has been hard fought, however many people are still excluded from receiving these benefits. It is important to know if you are covered so that you can advocate for yourself.”

MODULE 8

Unemployment Insurance

50 min

Participant Outline

Objectives:

- to review and discuss how unemployment insurance works
- to practice applying this law through examples

Welcome and introductions

Icebreaker: What's Our Experience?

Discuss what participants already know about unemployment

Activity 1: The Mass. Unemployment Insurance System

Listen to mini-rap about the law

Activity 2: Who is excluded from Unemployment Insurance?

Small group discussion practicing what's been learned about Unemployment exclusions

Activity 3: Remedies for Violation of your Right to Unemployment Insurance

Learn what can be done if your benefits are denied

Summary

Wrap up what we have learned about Unemployment Insurance

Who is Excluded from Unemployment Insurance?

Main Exclusions Include:

- Workers who are fired for cause (lying, theft, absenteeism, etc.)
- Workers who resign without good reason (change in hours, harassment, etc.)
- Workers who have not earned at least \$5,400.00 and worked at least 15 weeks
- Non-citizen workers without social security numbers
- Independent contractors
- Real estate brokers or insurance agents working on commission
- Camp counselors
- Railway workers
- Student nurses and interns
- Work-study job holders at colleges and universities
- Elected officials
- Employees of churches and religious organizations, including parochial schools
- Business owners

Who Can Collect? Case Studies

- 1) Maria has worked at K & K Distribution for two months and is laid off due to lack of work.

Is she eligible?

- 2) John was working 35 hours a week for two years at Burger Brothers until he was told his shift had to start at 2:00 instead of 3:00. Due to childcare responsibilities he can't start at 2:00 unless he pays for a babysitter every day he works. He can't afford to pay a babysitter on his Burger Brothers pay. His manager won't budge on the new schedule.

Can he collect unemployment?

- 3) Anne does administrative work for Happy Kids Summer Camp. She has held this part time job for fifteen years. She was fired because she has called in sick ten times in one year.

Can Anne collect?

Who Can Collect? Case Studies

Facilitator Notes

- 1) Maria has worked at K & K Distribution for two months and is laid off due to lack of work.

Maria is not eligible as she has not worked long enough at this employer. (In most cases, you must work 15 weeks to make the required amount of 30 times the weekly benefit you would receive. The weekly benefit amount is $\frac{1}{2}$ of your normal pay.)

- 2) John was working 35 hours a week for two years at Burger Brothers until he was told his shift had to start at 2:00 instead of 3:00. Due to childcare responsibilities he can't start at 2:00 unless he pays for a babysitter every day he works. He can't afford to pay a babysitter on his Burger Brothers pay. His manager won't budge on the new schedule.

John is eligible because he quit for a "justifiable work reason".

- 3) Anne does administrative work for Happy Kids Summer Camp. She has held this part time job for fifteen years. She was fired because she has called in sick ten times in one year.

Anne may be eligible as she is a camp administrator and not counselor. Her employer would probably challenge her application for unemployment because she was fired for cause. However she could challenge this and might possibly win if she can convince the hearing officer that ten absences do not warrant a firing.

Flipcharts for MODULE 8: Unemployment Insurance

Flipcharts for Welcome and Introduction

Objectives

- to review and discuss how unemployment insurance works
- to practice applying this law through examples

Agenda

- Introductions
- What's Our Experience
- Unemployment Insurance Basics
- Who is Excluded from Unemployment
- What if I am denied Unemployment Benefits?

Flipchart for Activity 1

Who Qualifies?

To qualify for UI benefits you must:

1. Be unemployed (or working fewer hours) through no fault of your own
2. Have earned at least \$5,400 over the last year
3. Have worked at least 15 weeks (in most cases)
4. Be legally authorized to work in the U.S.
5. Be actively seeking work

Flipchart for Activity 2

Who Can Collect?

- 1) Maria
- 2) John
- 3) Anne

Flipchart for Activity 3

Denied Unemployment Benefits?

Request a hearing from the DUA WITHIN TEN DAYS of the date your denial notice was mailed.

Call (617) 626-5200 or apply online at www.mass.gov/dua

It is important to have someone to help advocate with you. This could be:

- your union representative
- a representative from a worker center or advocacy organization
- if you qualify under income guidelines, you may be able to get help from your local legal aid office
- a friend or family member