

IN SUPPORT OF GIVING ADJUNTS FAIR ACCESS TO UNEMPLOYMENT INSURANCE BENEFITS

WHEREAS, part-time, contingent faculty are rehired each semester, paid per course and have little job security; and

WHEREAS the proportion of part-time contingent faculty has grown dramatically and is now 50 percent of the higher education teaching labor force in the United States;¹ and

WHEREAS, part-time, contingent faculty are denied Unemployment Insurance (UI) benefits based on their employment at colleges, universities and community colleges, which are classified as educational institutions; and

WHEREAS, they are denied UI benefits during periods when they are not working because of outdated language in federal Department of Labor regulations that deny benefits to education workers with “reasonable assurance of being rehired” in a following semester; and

WHEREAS, in 2014, the AFT joined with the New Faculty Majority, National Education Association, Service Employees International Union, United Automobile Workers and other labor allies to call on the Department of Labor to clarify “that contingent members of colleges and universities lack ‘reasonable assurance’ of employment” as discussed in Section 3304(a)(6)(A) of the Federal Unemployment Tax Act”;² and

WHEREAS, in October 2014, representatives of the coalition met with Department of Labor Undersecretary Portia Wu and presented evidence of the need to guarantee access to UI for contingent faculty who lack authentic continuing contracts and sent a follow-up letter in December 2014 refuting arguments made in opposition;³ and

WHEREAS, the AFT has actively campaigned to clarify the “reasonable assurance” rule regarding part-time, contingent faculty through petitions, conferences, meetings and other actions;

WHEREAS, the federal Department of Labor under President Barack Obama recently issued a breakthrough regulatory change, raising the overtime threshold for salaried workers from \$23,660 to \$47,476, which will raise the income and living standards of millions of low- and moderately paid workers;

WHEREAS, clarifying the rule regarding part-time contingent faculty would provide an easier path to qualify for Unemployment Insurance benefits and thus, in a similar way, help to raise the income of part-time contingent faculty who rely solely on their income from teaching:

RESOLVED, that the AFT should make every effort in the final months of the Obama administration to renew pressure on the Department of Labor to clarify the

¹ “Background Facts on Contingent Faculty.” *American Association of University Professors*. Retrieved June 6, 2016, from: <https://www.aaup.org/issues/contingency/background-facts>.

² “Clarification of the ‘Reasonable Assurance’ Clause in Federal Unemployment Compensation Law,” AFT Resolution, July 2014. Retrieved from: <http://www.aft.org/resolution/clarification-reasonable-assurance-clause-federal-unemployment-compensation-law>

³ Maisto, Maria. “Update on NFM-Initiated National Coalition Request for DOL Clarification on ‘Reasonable Assurance,’” *The Steve Street National Unemployment Compensation Initiative*, June 29, 2015. Retrieved June 6 2016, from: <http://www.unemploymentforadjuncts.com/campaign/>.

“reasonable assurance” requirement regarding education workers in the federal Unemployment Insurance regulations and continue such efforts in the next administration until higher education workers have fair access to Unemployment Insurance benefits.

Barbara Bowen
President

Nivedita Majumdar
Secretary