

Dear Senator,
Thursday, August 27, 2020

RE: Substitute Teachers Have Been Paid Unemployment in Other States, Why Not Here?

Dear Senator or Representative,

I am a substitute teacher and I was forced off work due to COVID-19. After months of battles with Oregon State Unemployment, I received a few weeks of UI checks, then I had it taken away because of school recess laws.

Clearly we are in a pandemic the likes of which we have not seen since 1918. We know it is not possible to start up schools unless it is online, and when that is done, there will be little or no work for substitutes!

Schools have just pushed back their start dates to mid-September, with schools an online-only option. I don't have money to pay my rent and utility bills.

Other states have ruled that the **Reasonable Assurance** letters that districts send out are null and void because the districts cannot give a reasonable assurance when they will start. Why can't Oregon do the same?

Please read this article about what Hawaii is doing.

"Last week, the Department of Labor and Industrial Relations ruled that the state's more than 4,700 substitute teachers don't have a "reasonable assurance" of work in the coming school year, given all the uncertainty caused by the COVID-19 pandemic.

The ruling makes them eligible to continue receiving unemployment insurance payments through the summer. The Department of Education, which has to cover those unemployment insurance payments, says it won't appeal DLIR's blanket decision favoring the substitutes and other school employees who are typically on break during the summer."

<https://www.civilbeat.org/2020/07/substitute-teachers-still-facing-hurdles-to-summer-unemployment-checks/>

Schools will need us when they can open, but many will leave the profession. I have looked daily for other work for months, there are very few jobs.

I have tried to call OED many times and just get a busy signal. I have no resorted to faxing, it is the only way i can get through.

The following statement is in the Schools Recess Laws and You Letter from State of Oregon Employment Department:

If you work in a "Professional" role and lose reasonable assurance in the middle of a break, contact the department immediately to have your eligibility reviewed. You may qualify for benefits at the point you lost reasonable assurance, if you filed claims for unemployment insurance benefits at the same time.

If you work in a "Nonprofessional" role, you can be paid retroactive unemployment insurance benefits if you lose reasonable assurance and you:

- 1) Filed a new unemployment insurance claim before you found out you do not have reasonable assurance;**
- 2) Filed weekly unemployment insurance claims for every week you wished to claim unemployment insurance benefits and met the standard eligibility requirements for unemployment insurance benefits; and**
- 3) Let the department know when you receive confirmation you will not be returning to work.**

We lost reasonable assurance when the schools moved the start date back and declared that all schools would be online, with no firm date attached for returning to school in a physical context.

Please help us, we are unable to pay for rent and bills.

Yours,

Janet Canning

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