



Unemployment Guidance

Can an employee file for unemployment during the teacher walk out?

If your school has been closed with some or no employees reporting to work, week two is when unemployment can become a reality. There is a one-week waiting period for all claims, but if your school district is now past that point, employees can file a claim for unemployment. Even teachers and other employees who are being paid while school is out could still file for unemployment. You may share with employees who file that there's a cost to the school district, but you **may not** ask them not to file. Doing so is illegal and could result in a fine.

Would unemployment apply only to support employees?

Depending on a district's and employee's specific circumstances, this could include not just support employees but also teachers and substitute employees.

What is the financial risk for schools if employees file for unemployment?

The Oklahoma Employment Security Commission will likely decide the work stoppage is a lack of work and allow benefits which are paid one week at a time up to \$506 per week per employee. Benefits paid are billed to the school each quarter with this quarterly statement expected mid-July.

For districts that are members of OSSBA's unemployment program, we may have defenses depending upon your district's circumstances. OSSBA's unemployment legal team (OPSUCA) will be ready to defend each claim.

What if the work stoppage ends soon?

We have 10 days to gather information to protest. If within that time, school resumes, then we consider how many hours of work were performed each week. Thirty-two hours is considered full-time employment and would disqualify that week from the claim. Anything fewer could result in partial unemployment benefits with each week's wages over \$100 being deducted from weekly benefit.

Questions?

Please contact the OPSUCA legal team or OSSBA's unemployment attorneys at 405.528.3571.

About OPSUCA (OSSBA's unemployment program)

OPSUCA assists its member school districts with employment and unemployment matters, saving the district time and money. Want to learn more? Contact Jessica Sherrill at 405.528.3571 or jessicas@ossba.org.