

Unemployment Insurance

Under federal law, educational employees are not eligible for unemployment insurance (UI) benefits during traditional break periods (winter break, spring break, summer break) in situations where they have “reasonable assurance” that they will continue working after the break. However, if educational employees do not have “reasonable assurance” that they will continue working after the break, then – depending on the situation – they may be able to use those wages for their UI claim. <https://esd.wa.gov/unemployment/educational-employees>

Closure for the COVID-19 emergency is not a planned break. Therefore, K-12 employees may be eligible for benefits during these school closures if they are not receiving compensation during that time. However, if the regularly scheduled spring break falls within the school closure window, school employees may not be eligible for benefits during that planned closure portion of the shutdown.

To be eligible for unemployment insurance, you must have worked 680 hours or more during four consecutive quarters. This can be for multiple employers.

If you meet the required hours worked, you may be eligible for benefits. Here are a few questions and answers that the Employment Security Department created that are directly related to school employees:

School closures

Governor Inslee announced a statewide closure of schools beginning midnight, March 17, through April 24, unless it is extended beyond that date.

The first and best option for workers affected by school closures is employer-paid time off. When that is not an option, Employment Security may be able to help by providing access to unemployment benefits. Benefits can provide a partial wage replacement as a last resort. Below is information for teachers, school administrative staff, school support staff (i.e., janitors, cafeteria workers, bus drivers), and those with children impacted by school closures.

Q. The school I work at is closed due to the Governor’s order to close. Am I eligible for unemployment benefits?

A. If you are being paid by the school while your school is closed, you can apply for benefits, but you may be considered fully employed and not eligible. If your school is not paying you while it is closed, you may be eligible for benefits. You will have to be able, available and actively seeking work during each week you claim, unless you are approved for standby. Eligibility decisions are made on a case-by-case basis.

Q. My child's school is closed due to the Governor's order to close. Am I eligible for unemployment benefits?

A. It depends. If you cannot go to work because you don't have childcare for your child while school is closed, you should call your employer and let them know why you are absent. If your employer fires you or lays you off while you are absent, you may qualify for benefits. However, you are required to be able, available and actively seeking work each week you collect unemployment benefits. If you do not have childcare so that you can return to your job or accept a work offer, you will not be eligible for unemployment benefits. If your situation changes, let us know. Remember, your first and best option should always be employer-paid time off.

Q. I am a substitute teacher who is no longer able to secure work with a school because of the closures. Am I eligible for unemployment benefits?

A. You may be eligible for unemployment. You will have to be able, available and actively seeking other suitable work during each week you claim. Eligibility decisions are made on a case-by-case basis.

Because unemployment insurance is only a partial wage replacement, it is considered a last resort when other paid leave is not available. For most school employees, we currently do not expect to see large usage of unemployment benefits. But, for some groups, such as substitutes, this may be a needed benefit.

For any substitutes who are retired and receiving a pension, they may still be eligible for unemployment benefits, but their pension will be deducted from the amount that unemployment would pay. This is true for any other form of wages as well.

If you need to access unemployment benefits during the school closure, this website has information on how to apply online or by phone: <https://esd.wa.gov/unemployment>

Wanting to know what types of leave could be used for various scenarios, you may want to review this helpful graphic created by the Employment Security Department:

<https://esdorhardstorage.blob.core.windows.net/esdwa/Default/ESDWAGOV/newsroom/COVID-19/covid-19-scenarios-and-benefits.pdf>