

Unemployment Insurance for Non-Instructional Educational Employees

With a strong lobbying effort led by AFSCME, the General Assembly adopted and Governor Pritzker has just signed into law Public Act 101-633 which establishes unemployment insurance eligibility for non-instructional education employees who experience layoff during the summer months and academic breaks in 2020.

► Who is eligible under the new law?

Employees working for public and private schools, colleges or universities in a non-instructional capacity are impacted by the new law establishing temporary unemployment insurance eligibility. The category of non-instructional employees is intended to include teacher aides, building and grounds workers, food service workers, support staff, bus drivers, etc. However, IDES is still writing rules that will comply with federal standards, so it is possible that the final definition for eligibility will be more restrictive. ***Any laid off employee who believes they may fit within the definition of non-instructional employee should file for unemployment benefits.***

There are other monetary and non-monetary eligibility requirements that apply to all workers filing for unemployment benefits. Those requirements can be found in the [IDES pamphlet “What Every Worker Should Know About Unemployment Insurance” \(PDF\)](#).

► When should an employee file for unemployment insurance?

A laid-off employee should file as soon as they are no longer working. IDES does not backdate claims unless a claimant was unable to file due to system or staffing limitations, or because the system did not exist. If you have already worked your last day you should file for unemployment benefits immediately.

► My last day of work was prior to June 5. Will I receive unemployment benefits for the time I was laid off before the Governor signed P.A. 101-633?

Non-instructional education employees who worked their last day prior to the Governor’s signing of PA 101-633 did not have a system in existence that granted them unemployment insurance. IDES will backdate these claims.

IDES strongly encourages everyone to file for unemployment using the online system. Current technology, however, does not allow online applicants the ability to backdate claims. IDES has agreed that AFSCME can collect and provide IDES the names of non-instructional educational employees whose claims require backdating. AFSCME is working on a mechanism for employees to contact the union and submit their names. Claims can also be backdated by calling and applying through the IDES call center.

► How does an employee apply?

Claims for unemployment insurance can be filed online at www.illinois.gov/ides or by calling the IDES Helpline at (800) 244-5631. ***IDES strongly encourages claimants to use the online system to the best of their ability.*** The online system is the easiest and fastest way to file a claim. ***The IDES Helpline is experiencing unprecedented call volumes, wait times are long and callers are finding it difficult to get through. Information needed to file for benefits includes:***

- Your Social Security Number and Name as it appears on your Social Security card;
- Your Driver License / State ID (*this will provide your weight, which is required when filing*);
- If claiming your spouse or child as a dependent, the Social Security Number, date of birth and name(s) of dependent(s);
- Name, mailing address, phone number, employment dates, and separation reason for any employer you worked for in the last 18 months;
- Wage records (W-2 form, check stubs, etc.) from the employer may be necessary.



- You must report all gross wages for any work performed, full or part-time;
 - Gross means the total amount earned before deductions, not “take home pay”, including wages in the form of lodging, meals, merchandise or any other form;
 - **Gross wages must be reported the week in which they are earned, not the week in which you receive the wages;**
 - If you worked since Sunday of the week in which you’re applying, the gross wages earned that week;
 - If your gross wages earned in any week are less than your weekly benefit amount, you still may be eligible to receive a full or partial benefit payment);
- Records of any pension payments you are receiving (not including Social Security);
- If you are not a United States citizen, your Alien Registration Information.

► What happens after an application is filed?

Once a claim is filed, IDES will begin to process the claim. Typically, IDES would process claims and issue “UI findings” within a week or two. UI finding are letters issued by IDES informing claimants regarding their unemployment insurance eligibility, weekly benefit amounts and certification schedule. However, the overwhelming number of applications has created a backlog. In most cases, the backlog is causing claimants to be required to certify before they have received the UI finding letter. IDES will send an email or a letter telling claimants that their case is still being processed and giving them a date to certify.

► How do I calculate my benefits?

Weekly benefit amounts (WBA) are calculated as 47% of a worker’s wages in the highest two quarters of earnings of the “base period,” divided by 26 weeks.

The “base period” is the earliest four of the five complete calendar quarters before filing a claim for benefits. For an employee filing in June, the five complete quarters would run from 1/1/19 – 3/31/20 and the earliest four quarters would run from 1/1/19 – 12/31/19, so the benefit amount would be calculated using the two quarters in 2019 with the highest earnings.

The maximum weekly benefit amount is \$484 for a worker with no dependents. Additional allowances may be added for qualifying spouses or dependents. If an employee has a non-working spouse, the weekly benefit is increased by 9%. If an employee has a dependent child, the weekly benefit amount is increased by 17%.

In addition to the above weekly benefit, the Federal Pandemic Unemployment Compensation program provides for an additional \$600 weekly benefit effective through the week ending July 25, 2020.

► What does it mean to certify?

Once a worker files a claim for unemployment insurance and is found eligible, they are required to certify every two weeks that they are, among other things, able, available, and actively seeking work. Barring any ineligibility issue raised by the answers on the certification, a claimant would be paid UI benefits for the weeks certified.

► How do I certify?

Claimants should check the letter or email they received from IDES to find the date and time they should certify for benefits. Claimants can certify online by going to the IDES website and click on the link “Certify for Weekly Benefits” or over the phone using the IDES Helpline. ***IDES strongly encourages claimants to certify online.***

The following information will assist non-instructional education employees when “certifying” for benefits:

Claimants “certify” every two weeks, beginning two weeks after they apply for benefits, by answering a list of questions. Claimants will receive detailed instructions on this process in the mail after they apply.

- One certification question asks if the claimant worked during specific weeks. The appropriate dates will appear automatically based on their situation:

Did you work?	Sun. 09/30 - Sat. 10/06 * <input type="radio"/> Yes <input type="radio"/> No
	Sun. 10/07 - Sat. 10/13 * <input type="radio"/> Yes <input type="radio"/> No

This is asking whether you *actually performed your job*, not if you got a paycheck that week. ***If non-instructional education claimants are receiving wages over a 12-month period but do not perform their job duties during the summer months or vacation breaks, they are not considered to have “worked” during those times, even if they may be receiving a paycheck.***

- Claimants will also be asked, “Were you able to work and available for work each day during your normal work week?”:

Were you able to work and available for work each day during your normal work week? ⓘ

Sun. 09/30 - Sat. 10/06	*	<input type="radio"/> Yes	<input type="radio"/> No
Sun. 10/07 - Sat. 10/13	*	<input type="radio"/> Yes	<input type="radio"/> No

This is asking if the claimants are able and available to accept a job if offered, even if it’s unrelated to their work for the school (working at a fast food restaurant, data entry at home, etc.). It is requirement that you be able and available to work to be eligible to receive unemployment benefits.

► Will I need to search for a new job?

Recipients of unemployment benefits must meet work search requirements.

► What if I cannot log in to the online system?

The claimant must call the IDES Helpline at (800) 244-5631.

► What should a worker do if they apply for unemployment insurance online and the IDES website tells them that their information could not be validated?

The claimant must call the IDES Helpline at (800) 244-5631.

► How do I receive my benefits?

Claimants can receive unemployment benefits either by direct deposit or through the use of an IDES issued debit card. IDES does not issue paper checks.

If the claimant chooses a debit card, an empty card will automatically be mailed to the claimant by KeyBank within a few days. ***Claimants should keep this card in a safe and secure place.*** If they qualify for benefits, money will automatically be put on the card about two days after the claimant certifies every two weeks.

► Are unemployment benefits subject to state and federal taxes?

Yes, unemployment insurance benefits are subject to State and Federal income taxes. You can elect to have deductions taken out at the time you file your claim or after. Deductions are 10% federal income taxes and 4.95% state income taxes. You cannot elect deductions on a payment you have already been paid.

► What happens if a claimant accidentally answered incorrectly on either the application or during any certification process?

Only the IDES Helpline can make corrections.

► Where do I go for more information?

The IDES website includes a lot of helpful information, including how to calculate your benefit amount, and answers for frequently asked questions: www.illinois.gov/IDES.