



ADMINISTRATIVE PROCEDURE

SAN DIEGO UNIFIED SCHOOL DISTRICT

NO: 7120

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CATEGORY: **Instruction, Insurance**

EFFECTIVE: **5-10-73**

SUBJECT: **Unemployment Insurance**

REVISED: **1-21-05**

A. PURPOSE AND SCOPE

1. To outline administrative procedures governing unemployment insurance for employees.

B. LEGAL AND POLICY BASIS

1. **Reference:** Board policy: I-4700, I-4750, I-6700, I-6750; Unemployment Insurance Code; Education Code Section 1330.

C. GENERAL

1. **Originating Office.** Suggestions or questions concerning this procedure should be directed to the Risk Management Department; Business Operations Division; Office of School Site Support (questions by administrators regarding coverage, posting of mandatory information) or to the State of California Employment Development Department (regarding eligibility and covered employment).
2. **Benefit Provisions of the Law**
 - a. Claimant must fulfill each of the following conditions:
 - (1) Totally or partially unemployed or working on a reduced earnings basis
 - (2) Physically able to work
 - (3) Available to accept work
 - (4) Actively seeking work
 - b. Claimant may be ineligible if he/she:
 - (1) Quit voluntarily without good cause.
 - (2) Is discharged for misconduct.
 - (3) Left work because of a trade dispute.
 - (4) Refused suitable work.
 - (5) Failed to apply for a job when referred by a public employment office.
 - (6) Failed to make a reasonable effort to get work.

(7) Made a false statement or withheld information.

(8) Is in a recess period with reasonable assurance to return to work at the end of the recess.

3. District Responsibilities

- a. Verify information supplied to the Employment Development Department (EDD) by the claimant.
- b. Keep records of all notices sent by EDD.
- c. Make timely responses to EDD on all matters.
- d. Appeal adverse determinations and decisions to avoid inappropriate charges against the district's account.

D. IMPLEMENTATION

1. Risk Management Department

- a. Upon receipt of Notice of Claim Filed (DE 1101C/Z) from EDD:
 - (1) Contacts claimant's site supervisor, and/or the Payroll/Employee Benefits Department, Human Resources Division, Office of School Site Support, as appropriate.
 - (2) Reviews all related personnel files.
 - (3) Completes form and returns to indicated local EDD office.
- b. Upon receipt of Notice of Determination (Form DE 1080) from EDD:
 - (1) Reviews whether district account will be charged for payment of benefits.
 - (2) Determines whether or not to appeal adverse determinations to indicated EDD office; represents the district at appeal hearings.
- c. Receives decisions of administrative law judge (EDD Form DE 3200) from local appeals office. Appeals adverse decisions to California Unemployment Insurance Appeals Board in Sacramento.
- d. Upon receipt of Notice of Claim Filed and Computation of Benefit Amount Statement (Form DE 1545):

- (1) Reviews for potential protestable issues and responds accordingly.
 - (2) Maintains record of current potential charges.
 - e. Upon receipt of Statement of Benefit Charges (Form DE 428F):
 - (1) Reviews to confirm accounting accuracy of EDD.
 - (2) Prepares and files written protests to all erroneous charges.
 - f. Provides required materials to district offices and sites for posting and distribution to employees.
2. **Payroll Unit, Payroll/Employee Benefits Department**
- a. Upon receipt of quarterly report Statement of Benefits Paid (Form DE 3558) from EDD:
 - (1) Reviews report; verifies if claimants are certificated or classified employees, and if these employees were specially funded.
 - (2) Returns completed form to EDD in Sacramento.
 - b. Upon receipt of periodic Request for Employee Data (Form DE 6363) from EDD:
 - (1) Reviews periodic request for specific weekly claimant data.
 - (2) Completes weekly dates and hours employee worked and his/her gross earnings; returns form to appropriate EDD office.
 - c. Upon receipt of quarterly report Benefit Audit (Form DE 1296) from EDD, reviews report and declares any wages earned by specific claimant.
3. **Accounting Operations Department**
- a. Upon receipt of quarterly report, Quarterly Contribution Return for School Employers (Form DE 9423) from EDD:
 - (1) Reviews monthly fixed charge reports; computes quarterly classroom and nonclassroom wages subject to unemployment insurance by fund.
 - (2) Completes Quarterly Return Adjustment Form for School Employees (Form DE 938SEF) to make necessary adjustments to quarterly report.

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- (3) Calculates amount of classroom and nonclassroom contributions due by fund; draws warrants payable to State Treasurer.
- (4) Completes Quarterly Contribution Return for School Employers (Form DE 9423); attaches warrant and adjustment form and mails to School Employees Fund, Employment Development Department, by due date.
- (5) Upon receipt of data processing magnetic tape which includes unemployment wages and employee count as well as personal income tax and corresponding wages (form DE 6), mails to Employment Development Department, Magnetic Media Unit.

E. FORMS AND AUXILIARY REFERENCES

1. California Unemployment Insurance Code
2. EDD forms, provided by Employment Development Department, State of California
3. School Employees Claims Management Handbook

F. REPORTS AND RECORDS (Section D.)

1. Records required by law or district audit procedures, retained by affected divisions or departments.

G. APPROVED BY

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For the Superintendent of Public Education