

June 17, 1983

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TO: All Adjunct Members
of the Professional Staff Congress

FROM: Susan B. Prager, ~~VP~~
Vice President for Part-Time Personnel

RE: Unemployment Compensation

A proposed consent award to New York State United Teachers by the Unemployment Insurance Appeal Board may have implications for all adjuncts at The City University.

The award, which has not yet become final, deals with the denial of unemployment compensation eligibility. It provides that all individuals who lost their appeals for such eligibility at the Administrative Law Judge level since 1978 are entitled to have their cases reopened.

The reopening is based on procedural rather than substantive violations. Under the proposed agreement the employer will have the burden of proving that the employee has "reasonable assurance" of continued employment as the basis for denying a claim for unemployment compensation, and the employee will have the right to rebut any evidence presented by the employer. The reopening does not mean that you will automatically receive compensation; it does mean that you will receive a fairer hearing.

Because of the proposed consent award, I urge you to do two things:

1. Return your claimant address verification form when you receive it. If you fail to do so, your claim will be dropped.

2. If you believe that you did not receive "reasonable assurance" of a position next fall, you may apply for unemployment compensation this summer. Please understand that what constitutes "reasonable assurance" under the applicable statute continues to be difficult to define, and, undoubtedly, it will be a subject for further interpretation.

Finally, please keep me apprised of the progress of your prior and current claims for unemployment compensation. Coordination of our individual efforts will make it possible for the union to advance as much as possible the interests of CUNY adjuncts in this matter.