

# WHAT YOU NEED TO KNOW ABOUT REASONABLE ASSURANCE

## What is Reasonable Assurance?

Reasonable Assurance is a law that prevents educational employees from drawing unemployment during a customary break in the school year if they have an agreement to return to the same or similar job after the break. There does not have to be a written agreement for the reasonable assurance to apply.

## When does reasonable assurance apply to me?

Reasonable assurance applies when your claim is established using wages from a school or educational service agency and there is a scheduled customary break in the school year. Examples of scheduled customary breaks may include Thanksgiving, Christmas, spring, and summer.

## How does reasonable assurance affect my claim?

If it is determined you have reasonable assurance, you will not be able to receive unemployment benefits during the scheduled customary break in the school year.

## Who is an educational employee?

An educational employee is a person who works for an educational institution or educational service agency. Educational employees do not have reasonable assurance if they are not directly employed by the educational institution or educational service agency, such as those who work for a private bus company or food service provider.

## What is the distinction Between a “non-professional” and a “professional” Employee?

Reasonable assurance potentially applies to all educational employees who work in either a non-professional or professional role. For unemployment purposes, these two roles are based on the type of work performed. Non-professional employees include cooks, cafeteria workers, bus drivers, maintenance workers, custodial staff, etc. Professional employees include teachers, substitute teachers, and staff who perform administrative or research work, etc.

## What happens if I was determined to have reasonable assurance, but I’m not given the opportunity to return to work with my educational employer after the scheduled break?

If you are a non-professional employee, you may be retroactively paid for every week claimed if you are not given the opportunity to perform services for the upcoming academic year or term.

Professional employees are not entitled to retroactive payment.

## If I have reasonable assurance, can I qualify for Pandemic Unemployment Assistance (PUA)?

If you have reasonable assurance, you will not be eligible for PUA.

## What if I worked for both a school and a non-school employer?

If you have reasonable assurance of returning to work, you may be able to receive benefits based only on your non-school wages in the base period. All other eligibility requirements have to be met.

## What happens if I am paid unemployment benefits and I am determined to be ineligible for those benefits due to having reasonable assurance?

If you are determined to be ineligible after receiving payment, you will have to pay back the benefits you received. You will receive a notice of the weeks and the amount for which you were overpaid. The overpayment letter will also include instructions on how to repay the amount that was overpaid and how to file an appeal if you believe the determination was made in error.



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