

Labor and Public Employees Committee

JOINT FAVORABLE REPORT

Bill No.: HB-6791

AN ACT CONCERNING UNEMPLOYMENT BENEFITS FOR ADJUNCT HIGHER
Title: EDUCATION FACULTY.

Vote Date: 3/23/2023

Vote Action: Joint Favorable Substitute

PH Date: 3/2/2023

File No.: 502

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SPONSORS OF BILL:

Labor and Public Employees Committee

REASONS FOR BILL:

This proposal outlines regulations for the payment of unemployment benefits for adjunct faculty in higher education. Additionally, it outlines requirements for determining reasonable assurance of future employment for individuals who are employed in services of higher education.

The JFS language ensures that adjunct faculty do not receive unemployment pay while actively employed and removes the rebuttable presumption of reasonable assurance of employment.

RESPONSE FROM ADMINISTRATION/AGENCY:

Dante Bartolomeo, Commissioner, CT Department of Labor: They offered testimony in opposition of this proposal. They stated that section 1, subsection (3) of this proposal is not in conformity with federal law, according to the US Department of Labor. Additionally, they emphasized that the CTDOL new system does not have the current capacity to process a list, as outlined in this legislation. They also noted that the list would not constitute employer participation as required by CT Unemployment Compensation Act. Lastly, they noted that the phrase "if otherwise eligible" should be added in subdivision (5) of subsection (d) to address when benefits would be able to be paid retroactively.

NATURE AND SOURCES OF SUPPORT:

Carolyn Alling, CSU- AAUP: She offered testimony supporting this legislation. She spoke on her experience as an adjunct faculty member and highlighted the challenges faced such as lack of job security and uncertainty over course schedules, which make it difficult to plan finances and save for retirement. She also noted that adjuncts must work without pay to prepare for classes that may be canceled, and go without pay for several months during summer break. She emphasized that adjunct faculty make up half of all faculty in the CT State University system, and that the unemployment system should be more equitable to include this hardworking group of people.

Paul Filson, Director of Union Organization, CSU AAUP: They provided testimony in strong support of this legislation. They emphasized that this proposal attempts to fix an inequitable historic injustice that has singled out educational employees, making it almost impossible to get unemployment compensation for summers in between terms. They noted that requiring higher learning institutions to document if there is "reasonable assurance" of reemployment could be easily implemented and would allow faculty to collect needed unemployment compensation.

Michelle McCarthy, CSU – AAUP: She offered testimony in support of HB 06791. She emphasized that adjunct faculty aren't paid during winter and summer breaks and don't have reasonable assurance of employment, which makes it incredibly difficult to save money. She shared her families own experiences struggling to save money and needing to take out loans in the summer to finance them until the start of the next semester. She noted the importance of adjunct faculty in the CT higher education system and ask that they are treated with the respect they deserve. Lastly, they noted that California, Washington, and New Jersey have already passed legislation changing the reasonable assurance standards.

Andrew Richmond, Assistant Professor, Southern Connecticut State Univ: He offered comments in support of this proposal. He highlighted that adjunct faculty devote a lot of time and effort supporting students, often at the expense of other employment opportunities, leaving them financially vulnerable between semesters. They argued that unemployment compensation is necessary to address the longstanding injustice faced by adjunct faculty that make significant contributions to the success of students and the state as a whole.

Michael Dirschel, Adjunct Professor: He offered comments in support of this proposal. He spoke of his own experience as an adjunct professor struggling to make ends meet due to low pay and uncertainty around future employment. He specified that he was "reasonably assured" that he would have four courses between two different university's only to have two of them cancelled with either no explanation or days before the course was set to take place. He emphasized that he spent plenty of time preparing for these courses without compensation, and that after his classes were taken away couldn't pay his bills and applied for SNAP benefits, which had a long delay to be approved. He urges passage of this legislation.

Kevin Kean, Instructor, CCSU: He offered testimony in support of this legislation. He noted that on campus food service workers work identical schedules as part time faculty but can receive unemployment compensation during the months they are laid off between semesters. Additionally, he noted that the nature of contingent employment is unclear in this proposal as well as present law and should be addressed.

Kenneth McGill, Professor, SCSU: He offered comments in support of this proposal. He stated that adjunct faculty are often the very best teachers that the universities has but despite that receive much less pay and no benefits. He urged passing of this bill so that they can receive the equitable treatment they deserve.

NATURE AND SOURCES OF OPPOSITION:

Jennifer Widness, President, CT Conference of Independent Colleges: They offered testimony in opposition to this proposal. They argued that adjunct faculty are intended to be temporary and part time, and that many adjuncts are employed elsewhere or retired from full-time work. They also noted that this legislation is impractical as institutions cannot commit to fall course schedules as early as April. Lastly, they highlighted that this bill would be costly for institutions already facing financial stress and would lead to costs being passed on to students and families.

Christopher Delello, Chief Human Resources Officer, UConn: They offered testimony in opposition to this proposal, and raised concerns about cost and implementation issues. They stated that this legislation would raise UConn's administrative costs, as it would create the need to hire several additional human resource positions. These additional costs would be passed onto the students and families. Secondly, they noted that UConn's unemployment costs are self-insured and likely will be more costly, although they empathized that by how much is difficult to estimate as hiring is driven by demand for course offerings. Thirdly, they questioned how dual employment would be viewed, if a person is no longer employed with one institution but still employed with another would they be considered "unemployed". Lastly, they argued that the "reasonable assurance" requirement in this legislation would be extremely challenging given the volume and timing of typical adjunct hiring practices.

Reported by: Sebastian Musante, Assistant Clerk Date: 4/10/2023