

**RULES
OF
GEORGIA DEPARTMENT OF LABOR**

**CHAPTER 300-2-9
EMPLOYMENT SECURITY LAW**

300-2-9-.07 Educational Service Workers. Amended.

(1) Benefits based upon service in employment defined in subsections (h) and (i) of Code Section 34-8-35 and performed for an educational employer, including service in employment for any governmental or non-profit educational institution or any educational service agency, described in subparagraphs (a)(1) and (a)(2) of OCGA Section 34-8-196 performed for, with, or on behalf of an educational employer (including service for an educational institution, educational service agency or an entity providing services to or on behalf of an educational institution) are subject to the benefit payment limitations described in OCGA Section 34-8-196(a) whenever the conditions in subparagraphs (a)(1), (a)(2), or (a)(3) of that Code Section apply with respect to all such service in covered employment under provisions of OCGA 34-8-35, including private employment.

(2) Benefits shall be denied to an individual in accordance with O.C.G.A. Section 34-8-196(a) only if such individual has earned base period wages with an educational employer (as defined above) or the individual's most recent employer in accordance with O.C.G.A. Section 34-8-43 is an educational employer (as defined above).

(3) Retroactive benefits with respect to non-professional educational workers in accordance with O.C.G.A. Section 34-8-196(a)(2) are payable only under the following conditions:

(a) Despite reasonable assurance having been provided to the individual that the same or substantially similar work would be available in the second academic term or year, no such work is available; and

(b) Timely claims for benefits were filed for each week claimed during the break between terms or years; and

(c) All other eligibility conditions of the Employment Security Law including, but not limited to, O.C.G.A. Section 34-8-195 were met for each week claimed; and

(d) The individual reopens the claim within fourteen (14) calendar days after the beginning of the next successive school term or year or after being informed by the educational employer (as defined above) that the expected work would not be available, whichever date occurred first.

Authority O.C.G.A. Secs. 34-8-70, 34-8-190 and 34-8-196.