

# Looking Out For Your Legal Rights®

July-August 2008

Published by Legal Services of New Jersey

Volume 27, Number 6

The federal government recently passed a law that provides Emergency Unemployment Compensation (EUC) to some long-term unemployed workers. *Page 1*

Are you enrolling your child in school this September? If so, there are some important things you should know about school enrollment and your child's right to attend school. *Page 4*

When can employers investigate your criminal record? *Page 5*

As a responsible pet owner, you should spay or neuter your pet and make sure you comply with state and local laws about pet ownership. Learn about low-cost options for spaying, neutering, and vaccinating your pet. *Page 8*

*Cuáles Son Sus  
Derechos Legales*  
La versión en  
español la encontrará  
al reverso.

## Emergency Unemployment Compensation (EUC) Extends Unemployment Benefits for Long-Term Unemployed

THE FEDERAL GOVERNMENT recently passed a law that provides Emergency Unemployment Compensation (EUC) to some long-term unemployed workers. EUC extends unemployment insurance benefits (UI) by a maximum of 13 weeks for unemployed workers who have used all of their regular UI benefits. This article explains the EUC program and the New Jersey Department of Labor and Workforce Development's (DLWD) process for getting these benefits to eligible workers. Additional information on the application process and timing of extension payments will be posted to Legal Services of New Jersey's Web site, [www.lsnjlaw.org](http://www.lsnjlaw.org), as it becomes available.

### *Who is eligible?*

If you filed a claim for UI dated May 7, 2006, or later, you may be eligible for extended benefits if you:

- Exhausted your regular unemployment insurance benefits,
- Are not eligible for a new regular unemployment insurance claim, and
- Were unemployed or working part time on or after July 6, 2008.

*Continued on page 2*



**You must file your claim for EUC within 21 calendar days from the date the application was mailed to you or your EUC claim could be delayed or denied.**

***I am currently receiving unemployment benefits, but they will expire soon. Am I eligible for the extension?***

If you do not find a job, or if you previously had a full-time job and can only find a part-time job, by the time your regular UI benefits expire you should be eligible for EUC.

***How do I apply for extended benefits?***

The DLWD is mailing notices to prior UI claimants who may be eligible for

EUC. The notices are being sent, along with an application form, to the claimant's address of record. In order to be eligible for the extended benefits, you *must* complete the printed form and mail it back to the DLWD. Applications for extended benefits *will not* be accepted over the telephone or through the Internet. Remember to keep a copy of anything you send to DLWD for your own records!

All of the notices about EUC should have been mailed by DLWD by the end of July. If you did not receive a notice and application form, you can print the form from DLWD's Web site at [http://lwd.dol.state.nj.us/labor/forms\\_pdfs/ui/EUC-2-1.pdf](http://lwd.dol.state.nj.us/labor/forms_pdfs/ui/EUC-2-1.pdf). You may also contact your nearest Reemployment Call Center (RCC).

- Freehold: 732-761-2020
- Union City: 201-601-4100
- Cumberland: 856-507-2340

You will be asked to provide your Social Security number and the name and address of each employer that you

## *Looking Out For Your Legal Rights®*

### **About Looking Out**

*Looking Out For Your Legal Rights* is published 10 times a year by Legal Services of New Jersey. If you are a Legal Services client, you can pick up a copy at your local Legal Services office. You may also read *Looking Out* on our Web site at [www.lsnj.org/selfhelp.htm](http://www.lsnj.org/selfhelp.htm).

### **Subscriptions**

Subscriptions are \$10 a year. See order form on page 11.

### **Back Issues**

You can view back issues at [www.lsnj.org/selfhelp.htm](http://www.lsnj.org/selfhelp.htm). Printed copies of back issues, when available, are \$3 each.

### **Change of Address**

If you are moving, please send us your new address and a copy of your *Looking Out* mailing label.

### **Comments**

If you have any suggestions or comments about *Looking Out*, we would like to hear from you. Please send all correspondence to:

Editor, *Looking Out*  
Legal Services of New Jersey  
P.O. Box 1357  
Edison, NJ 08818-1357  
[publications@lsnj.org](mailto:publications@lsnj.org)

**This newsletter is for general information only. If you have a legal problem, you should see a lawyer.**

**A portion of the cost of this publication was supported by funds provided by the IOLTA Fund of the Bar of New Jersey.**

© 2008 Legal Services of New Jersey

*Looking Out For Your Legal Rights* is a federally registered trademark of Legal Services of New Jersey.

worked for over the past 18 months. A representative will then help you file your claim for EUC.

***I received the EUC notice a few weeks ago. How much time do I have to file my claim?***

It is very important that you complete the EUC application and mail it back as soon as possible. *The notice indicates that you must file your claim for EUC within 21 calendar days from the date the application was mailed to you or your EUC claim could be delayed or denied.* No EUC benefits will be paid until you file your claim. If you think you are beyond the 21-calendar-day deadline, you should still mail your claim, but do so immediately.

***If I'm eligible, how much will I receive?***

EUC provides for up to 13 weeks of additional UI, or 50% of the maximum benefit allowance on the most recent regular claim, whichever is less. Here's an example of how this might apply:

Sally is a worker who previously met the eligible criteria to qualify for unemployment benefits but only earned enough to get 20 weeks of regular UI benefits (instead of the maximum 26 weeks of benefits). If Sally meets other criteria for EUC, she will receive an additional 10 weeks of benefits (since, in this case, 50% of her maximum benefit allowance of 20 weeks is less than 13 weeks).

The weekly benefits under EUC are

paid at the same weekly rate that a claimant received for his or her regular UI claim. So, using the same example:

If Sally collected \$175 per week for her regular claim, she would be eligible to collect a total of up to \$1,750 in extended benefits (10 weeks of EUC x \$175 = \$1,750).

***When will benefits be paid?***

The DLWD is reprogramming their computer system to process EUC claims and benefits. Please check LSNJ's Web site, [www.lsnjlaw.org](http://www.lsnjlaw.org), or the DLWD Web site, [lwd.dol.state.nj.us](http://lwd.dol.state.nj.us), for updates.

***I'm in a training program and currently receiving Additional Benefits during Training (ABT). Does the extension program affect those benefits?***

Claimants must first use all of their EUC benefits before they can get ABT. If you are currently receiving ABT, the DLWD will mail you an application for the EUC, which you must complete and send back. If you are still in a qualified training program when your EUC ends, you will receive a form and instructions on reopening your ABT claim. *No ABT benefits will be paid after July 6, 2008 until you have exhausted your EUC.* If you have any weeks that were paid as ABT, they will be transferred to EUC. The DLWD will notify you in writing if this transfer is required.

***How long will the EUC be in effect?***

EUC is currently authorized for one year. No EUC benefits will be payable for any week beginning after June 30, 2009. □

---

By Kristin Mateo, Vice President, Legal Services of New Jersey

## School Residency Requirements

Are you enrolling your child in school this September? If so, here are some important things to know about school enrollment and your child's right to attend school.\*

### ***How do I know if my child is eligible to attend school in New Jersey?***

Your child between the ages of 5 and 20 is entitled to a free public education. If your child has special needs or you live in certain low-income school districts, your child may have the right to attend preschool or stay in school until the age of 21.

### ***What if my child does not have legalized immigration status?***

Your child cannot be denied admission to a public school based on his or her immigration status. Schools are not allowed to ask about immigration or citizenship status or require Social Security numbers as a requirement to enroll.

### ***Where should I register my child?***

In most situations, your child will be enrolled and attend school in the school district where you and your child live. There are some exceptions to this, and these exceptions may apply if your child doesn't live with you. For more information, contact Legal Services of New Jersey.\*

### ***How do I enroll my child in school?***

In order to enroll your child in school, you will have to show that you live in the school district. Schools cannot make you submit certain types of documents to prove

where you live. Schools must accept from you a variety and combination of documents to show where you live. Examples of types of documents include deeds, leases, letters from landlords, driver's licenses, and utility bills, but there may be others as well that you can use.

### ***What if I live temporarily in the district?***

Even if your housing situation is temporary, your child has the right to enroll in school. In some situations, your child may be entitled to additional rights and protections due to your housing situation. Examples include if you live in a shelter, motel, or temporarily with friends/family. For more information, contact Legal Services of New Jersey.\*

### ***What if the school doesn't accept what I give them as proof of where I live?***

If the school denies admission, they must do so in writing and explain why your child is not eligible. If you do not agree with the school's decision, you have the right to appeal this decision and must do so within 21 days of the date of the denial notice. If you plan to appeal the decision, you must tell the school that you plan to appeal. The school must allow your child to attend school while the appeal is processed and decided.

\* This article provides a brief summary of the law. For additional information, see the *School Opening Alert: School Residency Requirements and Rights of Homeless Students* previously published in the June 2007 *Looking Out for Your Legal Rights*. This article can be accessed at [www.lsnj.org/PDFs/Looking\\_Out/2007/June07LOWeb.pdf](http://www.lsnj.org/PDFs/Looking_Out/2007/June07LOWeb.pdf). If you have questions or need further legal advice about any of the information in this article or any other matter regarding your child's schooling, contact LSNJ-LAW™, Legal Services of New Jersey's statewide, toll-free legal hotline, at 1-888-576-5529, between 8 a.m. and 5:30 p.m. (Outside of New Jersey, please call 732-572-9100 and ask to be transferred to the hotline.)

## When Can Employers Investigate Your Criminal Record?

**EMPLOYERS HAVE BECOME** increasingly concerned about hiring workers who have criminal records. This is because they have a legal duty to be very careful in the hiring process. That duty may be violated if an employer hires someone considered to be dangerous or unfit. Because of the fear of being held responsible for their employees' actions, many employers conduct criminal background checks.

If you are applying for a job, it is important to get a copy of your criminal record to know what information it contains and what you can do so that your criminal record will not prevent you from getting a job.

### ***What questions may employers ask about my criminal record?***

There is no New Jersey law preventing employers from asking about a job applicant's history of convictions and arrests, including arrests that did not lead to conviction.

### ***How do employers get a copy of my criminal history?***

An employer can get information about you by doing a search on the Internet, searching for your name in court or government records, or asking you to be fingerprinted for a background check to be conducted by the New Jersey State Police or the Federal Bureau of Investigation (FBI).

Many employers hire a consumer reporting agency to conduct the background check. To do this, the employer must get your authorization in writing

before starting the investigation process. When conducting your background check, the consumer reporting agencies must follow the rules outlined by the Fair Credit Reporting Act (FCRA). The FCRA is a federal law that provides protections for consumers who are the subject of background checks.

### ***Do I have a right to see my criminal background check?***

The FCRA protects consumers only when consumer reporting agencies are used. Under the FCRA, if you are denied employment because of your background check, you must be given a copy of your report along with a denial notice. If the employer did not use a consumer reporting agency, the FCRA does not apply and you do not have right to a copy of your report. In fact, depending upon the method of investigation used by the employer, there may not be an actual report available.

Under the FCRA, before an employer uses the information from the consumer reporting agency to deny you employment, terminate your employment, withdraw a job offer, or deny a promotion, the employer must give you a copy of the report.

The FCRA also requires the employer to provide the following:

- The name, address, and telephone number of the consumer reporting agency that furnished the consumer report;
- A statement that the employer, not the agency, made the adverse decision; and

- A notice that you have the right to dispute the accuracy or completeness of any of the information in the report.

If the employer refuses to provide you with a copy of the report, you can request a copy directly from the consumer reporting agency.

***What can I do if the background check from the screening agency contains incorrect information?***

If the background check contains inaccurate information, you should file a dispute with the consumer reporting agency that prepared the report. The agency has 30 days to investigate the dispute. Written notice of the results should be sent to you no later than five business days after the investigation is completed.

There are many different consumer reporting agencies, and fixing the inaccuracy with one agency will not necessarily prevent another agency from finding the same inaccurate information the next time. To correct the error, you need to go to the source of the inaccuracy whenever possible. To find the

source of the error, ask the consumer reporting agency to tell you where they received their information. Contact that source directly to ask about the steps you must take to correct the error.

***If I have a criminal record, how do I answer questions about it?***

If you have a criminal record, and you are asked a question about it, you must be truthful. Giving an honest explanation during an interview is better than hiding your record and having an employer discover it later. If an employer discovers that you were dishonest, the denial of a job could be based upon a lack of honesty, not your criminal record.

***Are there any protections for a person with a criminal record?***

There are no New Jersey or federal laws that specifically protect people with criminal records from employment discrimination. (Some states, such as New York, do have such laws.) However, federal law, while not explicitly protecting people from employment discrimination based on arrest or criminal convictions, offers some protections.

The Equal Employment Opportunity Commission (EEOC), a federal agency, has taken the position that employers who, by policy or practice, automatically exclude people from employment on the basis of an arrest or criminal record are in violation of Title VII of the Civil Rights Act of 1964. Denying employment on the basis of an arrest or conviction record has an adverse impact on Blacks and Hispanics, because they are convicted in greater numbers than Whites and other nationalities.



**If you have a criminal record, and you are asked a question about it, you must be truthful.**

## An employer who disqualifies you based on your arrest record must give you an opportunity to explain the circumstances surrounding the arrest.



The EEOC has developed guidelines that employers must follow when denying a job to an applicant because of his or her criminal background.

### ***Can an employer refuse to hire me if I have an arrest record?***

Employers cannot use arrest records to exclude people from employment. Arrests alone are not considered reliable evidence that a person has actually committed a crime. An employer who disqualifies you based on your arrest record must give you an opportunity to explain the circumstances surrounding the arrest. Also, the employer must consider whether (1) the arrest relates to conduct that is unsuitable for the job; (2) you actually engaged in the conduct for which you were arrested; and (3) the conduct is relatively recent.

### ***To what extent will a conviction record be used in making employment decisions?***

If the employer discovers that you have a criminal history, the employer may not deny you employment because of your criminal history unless the employer conducts some type of investigation in order to gather more information. The employer must consider (1) the nature and gravity of the of-


fense or offenses; (2) how much time has passed since your offense and/or the completion of the sentence; and (3) the nature of the job for which you are applying.

After considering these factors, if the employer still feels that your criminal background makes you an unacceptable applicant, he or she may deny you the position.

If the employer does not investigate your background, or if you disagree with the employer's decision, and less than 300 days have passed since you were denied the position, you can ask the EEOC to decide if the employer had a good reason to deny you the job.

### ***Where can I get more information?***

For more information, contact the Prisoner Reentry Project at Legal Services of New Jersey by calling LSNJ-LAW™, Legal Services of New Jersey's statewide, toll-free legal hotline, at 1-888-LSNJ-LAW (1-888-576-5529). (Outside of New Jersey, please call 732-572-9100 and ask to be transferred to the hotline.) You can also write to:

Legal Services of New Jersey  
Prisoner Reentry Project  
P.O. Box 1357  
Edison, New Jersey 08818-1357 

---

*By Elizabeth Jiménez, Senior Paralegal, Legal Services of New Jersey's Prisoner Reentry Project*

# Be a Responsible Pet Owner: It's the Law!

## Low-Cost Spay and Neuter Programs for Your Pet

**MANY NEW JERSEY RESIDENTS** living on fixed or low incomes don't have their pets spayed or neutered because they think they can't afford the costs. Some people have the mistaken belief that spaying or neutering their pet will make the pet fat or lazy. People also falsely believe that a pet needs to have one litter in order to be healthy. Many people put off fixing their pet because they are unaware that a dog or cat can have its first litter when it is still just a kitten or puppy itself. Finally, some people don't fix their pets because they want their children to witness the "miracle of birth." This is a huge mistake, because unwanted and homeless pets live short, harsh lives. The American Humane Society estimates that 9.6 million unwanted pets are put to sleep each year in shelters across the United States—a preventable tragedy!

As a responsible pet owner, you should spay or neuter your pet. You must also make sure you comply with state and local laws about pet ownership. If you don't comply with these laws, you may be fined or even lose your pet. New Jersey state and local laws require dog licensing and rabies vaccinations. Some towns also require licensing for cats, and others prohibit the feeding of stray animals. More and more towns

are adopting anti-chaining laws and anti-roaming laws. Check with your local authorities and make sure you understand what they require of pet owners. The Web site of the Office of Animal Welfare in the New Jersey Department of Health and Senior Services is also a good place to learn more about these laws.

New Jersey Department of Health  
and Senior Services  
P.O. Box 360  
Trenton, NJ 08625-0360  
Phone: 609-292-7837  
Toll-free in NJ: 1-800-367-6543  
[www.state.nj.us/health/animalwelfare](http://www.state.nj.us/health/animalwelfare)

This article will give you some information about low-cost options for spaying, neutering, and vaccinating your pet. In the box on page 10, you can find a list of Web sites where you can read more about animal welfare.

### ***What are the benefits of spaying or neutering my pet?***

Having your pet spayed or neutered offers many benefits for your pet, your family, and your community. A fixed pet is less aggressive, more affectionate and healthier, so you will have fewer veterinarian bills. A spayed or neutered pet is less likely to roam, get lost, or breed and add to the



millions of lost or abandoned pets that end up starving, injured, or killed. Spaying and neutering your pet is one of the most important and responsible things that you can do to keep your pet healthy.

***Are there any low-cost options for having my pet spayed, neutered, or vaccinated?***

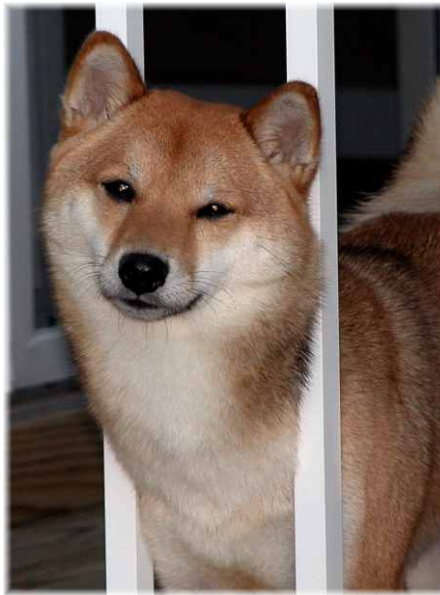
Yes. If you are on any of the public assistance programs listed below, spaying or neutering your dog or cat costs only \$10. You must show the vet your public assistance program ID card. Some fees may be waived for seniors.

- Food Stamps
- Medicaid
- General Public Assistance
- Rental Assistance
- Aid to Families with Dependent Children
- Lifeline Utility Credit
- Tenants Lifeline Assistance
- Supplemental Security Income
- Pharmaceutical Assistance to Aged & Disabled

Also, most municipalities (towns, cities) offer free rabies vaccination clinics.

***I'm not on public assistance, but I adopted my dog from a shelter. Can I have him neutered for a reduced fee?***

If you are a New Jersey resident and have adopted a pet from one of the facilities listed below, you may have your adopted pet dog or cat spayed or neutered for \$20.



- An eligible licensed New Jersey shelter;
- A municipal, county, or regional pound;
- A facility that contracts with NJ municipalities; or
- A nonprofit NJ animal adoption referral agency.

See the Web Links box on page 10 for sources of more information about

low-cost spay and neuter options and veterinary hospitals offering low-cost procedures and vaccinations.

***I often see stray cats in back of my apartment building. Is there anything that can be done to help these homeless cats?***

Every year, thousands of stray cats are euthanized when they are brought into shelters because they prove to be too wild to be adopted or because there aren't enough homes for these animals. The process of Trap-Neuter-Return (TNR) helps prevent the killing of these homeless cats. TNR requires that the feral cats be trapped (often by a caretaker), fixed, and vaccinated at a local medical facility. After recovery, they are returned to the spot where they were first trapped and caretakers feed them and monitor their health.

In New Jersey, some animal welfare organizations have been able to work with municipalities to address the problem of feral cats. See the Web Links box on page 10 for links to more information about feral cats and TNR.

Remember, we all have a responsibility to care for animals. Always adopt a pet from a pound or rescue group instead of buying one at a pet shop. By

adopting from a pound or rescue group, you not only provide an abandoned pet with a home, you may also be saving its life! □

---

*By Donna Hildreth, Director of Training, Legal Services of New Jersey.  
Thanks to Stacey Bussel for her suggestions for this article.*

## Web Links

### Animal welfare

- New Jersey Department of Health and Senior Services Office of Animal Welfare: [www.state.nj.us/health/animalwelfare](http://www.state.nj.us/health/animalwelfare)
- The American Humane Society [www.americanhumane.org](http://www.americanhumane.org)
- The American Society of the Prevention of Cruelty to Animals (ASPCA): [www.asPCA.org](http://www.asPCA.org)
- The Humane Society of the United States: [www.hsus.org](http://www.hsus.org)

### Spaying and neutering

- Low-cost spay and neuter options: [www.state.nj.us/health/cd/spayneut.htm](http://www.state.nj.us/health/cd/spayneut.htm).
- Participating veterinary hospitals: [www.state.nj.us/health/cd/documents/apc\\_vet\\_list.pdf](http://www.state.nj.us/health/cd/documents/apc_vet_list.pdf)
- Camden County Animal Shelter, Blackwood: [www.ccasnj.org](http://www.ccasnj.org)
- SpayUSA: [www.spayusa.org](http://www.spayusa.org)

### New Jersey mobile spay and neuter clinics

- The Animal Welfare Association—mobile spay/neuter clinic serving the City of Camden: [www.awanj.org/site/PageServer?pagename=mobile\\_clinic](http://www.awanj.org/site/PageServer?pagename=mobile_clinic)
- The Neuter Commuter, serving Northern New Jersey and other communities, offers a range of services, including those for feral cat caretakers and some rescue groups: [www.neutercommuter.com](http://www.neutercommuter.com)
- People for Animals in Hillside: [www.secondchanceforanimals.org/neuterscooter.htm](http://www.secondchanceforanimals.org/neuterscooter.htm). Provides low-cost spay/neuter for cats at \$35-40, including rabies and distemper vaccinations with a further discount for seniors, those with outside cats, and those on public assistance. For more information, call the Neuter School (973-259-1398) or the Franklin Township Animal Shelter (732-873-2500, ext. 255).

### Services to prevent the killing of feral cats

- Alley Cat Allies, Atlantic City: [www.alleycat.org/atlanticcity/index.html](http://www.alleycat.org/atlanticcity/index.html)
- Burlington County Feral Cat Initiative, Burlington County: [www.njferals.org](http://www.njferals.org)
- Position statement of the Humane Society of the United States about TNR [www.hsus.org/web-files/PDF/HSUS-TNR-Statement.pdf](http://www.hsus.org/web-files/PDF/HSUS-TNR-Statement.pdf)

## New Jersey Legal Services Programs

### State Coordinating Program

Legal Services of New Jersey

(732) 572-9100

*www.LSNJ.org*

LSNJ-LAW™ toll-free, statewide legal hotline:

1-888-LSNJ-LAW (1-888-576-5529)

*www.LSNJLAW.org*

### Regional Legal Services Programs

#### Central Jersey Legal Services

Mercer County . . . . . (609) 695-6249

Middlesex County—New Brunswick. . . . . (732) 249-7600

Middlesex County—Perth Amboy . . . . . (732) 324-1613

Union County. . . . . (908) 354-4340

**Essex-Newark Legal Services** . . . . . (973) 624-4500

#### Legal Services of Northwest Jersey

Hunterdon County . . . . . (908) 782-7979

Morris County. . . . . (973) 285-6911

Somerset County . . . . . (908) 231-0840

Sussex County. . . . . (973) 383-7400

Warren County . . . . . (908) 475-2010

#### Northeast New Jersey Legal Services

Bergen County . . . . . (201) 487-2166

Hudson County . . . . . (201) 792-6363

Passaic County . . . . . (973) 523-2900

#### Ocean-Monmouth Legal Services

Monmouth County—Freehold. . . . . (732) 866-0020

Ocean County—Long Branch . . . . . (732) 222-3338

Ocean County . . . . . (732) 341-2727

#### South Jersey Legal Services

Atlantic County . . . . . (609) 348-4200

Burlington County . . . . . (609) 261-1088

Camden County. . . . . (856) 964-2010

Cape May County. . . . . (609) 465-3001

Centralized Intake . . . . . 1-800-496-4570

Consumer Law Unit . . . . . (856) 429-8291

Cumberland County Workers Rights Project . . . . . (856) 691-0494

Gloucester County . . . . . (856) 848-5360

Salem County . . . . . (856) 678-6492

### Order Form

Yes, I want to subscribe to *Looking Out For Your Legal Rights*®. Enclosed is a check/money order for \$10.00 for a one-year subscription (10 issues).

New Subscription

Renewal (please attach mailing label)

Name \_\_\_\_\_

Address \_\_\_\_\_

City, State, ZIP \_\_\_\_\_

7-8/08

Make checks payable to  
Legal Services of New Jersey

Mail coupon and payment to  
Legal Services of New Jersey  
P.O. Box 1357  
Edison, NJ 08818-1357

# Cuáles Son Sus Derechos Legales

Julio-Agosto 2008

Publicado por Los Servicios Legales de Nueva Jersey

Recientemente, el gobierno federal aprobó una ley que les brinda Indemnización por Desempleo en caso de Urgencia a ciertos trabajadores que llevan mucho tiempo desempleados.

*Página 1*

Los requisitos escolares para demostrar domicilio.

*Página 4*

*Looking Out  
For Your Legal Rights*

Flip issue over for the  
English edition of  
*Looking Out for Your  
Legal Rights.*

## El programa para la Indemnización por Desempleo en caso de Urgencia (EUC) extiende las prestaciones para las personas que llevan mucho tiempo desempleadas

Recientemente, el gobierno federal aprobó una ley que les brinda Indemnización por Desempleo en caso de Urgencia a ciertos trabajadores que llevan mucho tiempo desempleados. El EUC extiende las prestaciones del seguro por desempleo (en inglés *Unemployment Insurance*) a un máximo de 13 semanas para las personas desempleadas que ya usaron todas sus prestaciones regulares del UI. Este artículo explica cómo funciona el programa EUC y el proceso que lleva a cabo del Departamento de Trabajo y el Desarrollo de la Fuerza Laboral (DLWD, por sus *continúa en la página 2*

***El boletín de educación jurídica para los habitantes de Nueva Jersey***

Legal Services of New Jersey  
P.O. Box 1357  
Edison, NJ 08818-1357

## EUC

continúa de la página 1

siglas en inglés) para que los trabajadores que cumplan con los requisitos reciban estas prestaciones. Se pondrá información adicional en el sitio Web de los Servicios Legales de Nueva Jersey, [www.lsnjlaw.org/espanol](http://www.lsnjlaw.org/espanol) acerca del proceso de solicitud y el plazo de la extensión de los pagos, según se haga disponible.

### ¿Quién cumple con los requisitos?

Si presentó una petición para recibir el seguro por desempleo después del 7 de mayo de 2006, puede que usted cumpla con los requisitos para recibir las prestaciones extendidas si:

- Utilizó todas las prestaciones regulares del seguro por desempleo,
- No cumple con los requisitos para hacer una nueva petición regular para el seguro por desempleo y
- Estuvo sin empleo o trabajaba a tiempo parcial antes del 6 de julio de 2008.

**Actualmente recibo prestaciones por desempleo, pero pronto se vencerán.**

### ¿Cumpla con los requisitos para recibir una extensión?

Si usted no consigue trabajo, o si antes tenía un trabajo a tiempo completo y sólo consigue un trabajo a tiempo parcial, cuando las prestaciones regulares del UI se le vencan, probablemente cumpla con los requisitos para recibir EUC.

### ¿Cómo solicito para recibir las prestaciones extendidas?

El DLWD está enviando avisos por correo a las personas que hayan solicitado el UI anteriormente que podrían cumplir con los requisitos del EUC. Se están enviando los avisos, junto con la solicitud, a las direcciones de los solicitantes que ellos tengan en sus expedientes. Para poder cumplir con los requisitos para recibir las prestaciones extendidas, usted *tiene* que llenar el formulario impreso y enviárselo por correo al DLWD. *No* se aceptarán solicitudes por teléfono o por

## Cuáles Son Sus Derechos Legales

### Con respecto a *Looking Out*

*Looking Out for Your Legal Rights*® es publicada 10 veces al año por los Servicios Legales de Nueva Jersey. Si usted es un cliente de los Servicios Legales, puede obtener una copia en la oficina de Servicios Legales de su localidad. También puede leer *Looking Out* en nuestro sitio Web [www.lsnj.org/espanol/selfhelp.htm](http://www.lsnj.org/espanol/selfhelp.htm).

### Suscripciones

La suscripción cuesta \$10 dólares por año.

### Números atrasados

Puede ver números atrasados en [www.lsnj.org/espanol/selfhelp.htm](http://www.lsnj.org/espanol/selfhelp.htm). Los números atrasados impresos, en caso de estar disponibles, cuestan \$3 dólares cada uno.

### Cambio de Dirección

Si se muda, envíenos su nueva dirección y una copia de la etiqueta pegada al último ejemplar de *Looking Out*.

### Comentarios

Si tiene alguna sugerencia o comentario con respecto a *Looking Out*, nos gustaría oírlo. Envíe toda correspondencia a:

Editor, *Looking Out*  
Legal Services of New Jersey  
P.O. Box 1357  
Edison, NJ 08818-1357  
[publicaciones@lsnj.org](mailto:publicaciones@lsnj.org)

**Este boletín de noticias es sólo una información general. Si tiene un problema jurídico, usted debería ver a un abogado.**

**Una parte del costo de esta publicación se cubrió con la ayuda proporcionada por el fondo IOLTA del colegio de abogados de Nueva Jersey.**

© 2008 Legal Services of New Jersey

**Usted debe presentar su *petición dentro de 21 días a partir de la fecha en que se le envió la solicitud o se le podría negar o demorar su petición.***



el Internet. ¡Recuerde guardar una copia de cualquier cosa que le mande al DLWD!

El DLWD debió haber enviado todos los avisos sobre el EUC para finales de julio. Si usted no recibió un aviso y una solicitud, puede imprimir el formulario del sitio Web del DLWD, en [http://lwd.dol.state.nj.us/labor/forms\\_pdfs/ui/EUC-2-1.pdf](http://lwd.dol.state.nj.us/labor/forms_pdfs/ui/EUC-2-1.pdf). También puede comunicarse con el *Reemployment Call Center* (RCC) más cercano.

- Freehold 732-761-2020
- Union City 201-601-4100
- Cumberland 856-507-2340

Se le pedirá que dé su número de seguro social y el nombre y la dirección de cada empleador con el cual usted trabajó durante los últimos 18 meses. Un representante entonces le ayudará a presentar una petición en EUC.

***Recibí el aviso del EUC hace varias semanas, ¿cuánto tiempo tengo para presentar mi petición?***

Es muy importante que llene la solicitud del EUC y la envíe de vuelta lo más pronto posible. *El aviso indica que usted debe presentar su petición dentro de 21 días a partir de la fecha en que se le envió la solicitud o se le podría negar o demorar su petición.* No se le pagará ninguna prestación hasta que presente su petición. Aunque usted crea que se le pasó la fecha de vencimiento de los 21 días, de todas maneras debe enviar su

petición, pero hágalo de inmediato.

***Si cumpla con los requisitos, ¿cuánto recibiré?***

El EUC ofrece hasta 13 semanas adicionales o el 50% del máximo permitido en su petición regular más reciente, la cantidad que sea menor. Aquí hay un ejemplo de cómo funciona esto:

Sally es una trabajadora que anteriormente cumplió con los criterios para recibir las prestaciones del desempleo pero sólo ganaba suficiente para recibir 20 semanas de prestaciones regulares del UI (en vez de las 26 semanas máximas). Si Sally cumple con los demás criterios del EUC, recibirá 10 semanas adicionales (ya que, en este caso, el 50% de la cantidad máxima de 20 semanas es menor de la de las 13 semanas).

Bajo el EUC se le paga la misma cantidad semanal que recibía por su petición regular de UI. Por lo tanto, utilizando el mismo ejemplo:

Si Sally cobraba \$175 semanales por medio de su petición regular, ella cumpliría con los requisitos para cobrar un total de hasta \$1.750 en prestaciones extendidas (10 semanas de EUC x \$175 = \$1.750).

### **¿Cuándo se pagarán las prestaciones?**

El DLWD está reprogramando su sistema de computadoras para procesar las peticiones y prestaciones del EUC. Por favor verifique el sitio Web de LSNJ, [www.lsnjlaw.org/espanol](http://www.lsnjlaw.org/espanol), o el sitio Web de DLWD, [lwd.dol.state.nj.us](http://lwd.dol.state.nj.us) si se hace algún cambio.

### **Estoy en un programa de adiestramiento y actualmente recibo prestaciones adicionales mientras asisto al programa de capacitación (ABT en inglés). ¿El plan de extensión afecta esas prestaciones?**

Los solicitantes primero tienen que utilizar todas sus prestaciones del EUC antes de que reciban ABT. Si usted actualmente recibe ABT, el DLWD le enviará por correo una solicitud para

el EUC que debe llenar y enviar de vuelta. Si aún asiste a un programa aprobado cuando se le termine el EUC, usted recibirá un formulario e instrucciones para volver a abrir su caso con el ABT. *Después del 6 de julio, no se le pagará ninguna prestación de ABT hasta que no se le haya agotado todo el EUC.* Si durante algunas semanas se le pagó bajo el ABT, se le transferirán los fondos al EUC. El DLWD le notificará por escrito si esta transferencia es necesaria.

### **¿Por cuánto tiempo estará en vigencia el EUC?**

El EUC actualmente tiene autorización por un año. Después del 30 de junio de 2009, no se le pagará ninguna prestación del EUC.

*Le agradecemos a los traductores de los Servicios Legales de Nueva Jersey por traducir los artículos en esta publicación: Beatriz Viera y Alfonso Moreno.*

[www.LSNJLAW.org/espanol](http://www.LSNJLAW.org/espanol)

**Para información acerca  
de las leyes y asuntos relacionados con la ley**

### **Formulario para hacer el pedido**

- Sí, quiero suscribirme a *Looking Out for Your Legal Rights® / Cuáles Son Sus Derechos Legales*. Adjunto encontrará un cheque/giro postal por \$10.00 dólares para una suscripción por un año (10 ejemplares).

Nueva suscripción

Renovación de la suscripción

Nombre \_\_\_\_\_

Dirección \_\_\_\_\_

Ciudad \_\_\_\_\_

Estado, Código postal \_\_\_\_\_

Haga el cheque a nombre de  
Legal Services of New Jersey

Envíe el formulario y el pago a  
Legal Services of New Jersey  
P.O. Box 1357  
Edison, NJ 08818-1357

7-8/08

# Los requisitos escolares para demostrar domicilio

¿Piensa usted matricular a su hijo o hija en la escuela este septiembre? De ser así, aquí hay algunas de las cosas importantes que debe saber sobre la inscripción escolar y el derecho que el menor tiene a asistir a la escuela.\*

## **¿Cómo sé si mi hijo llena los requisitos para asistir a la escuela en Nueva Jersey?**

Todo niño entre los 5 y 20 años tiene derecho a recibir una educación pública gratuita. Si su hijo tiene necesidades especiales o si usted vive en un distrito de bajos ingresos, el menor puede tener el derecho a asistir a un jardín infantil o continuar asistiendo a la escuela hasta que cumpla los 21 años de edad.

## **¿Qué sucede si mi hijo no tiene un estatus migratorio legalizado?**

A ningún menor se le puede negar admisión a una escuela pública debido a su estatus migratorio. Las escuelas no pueden preguntar sobre el estatus migratorio ni pedir un número de Seguridad Social como un requisito para la matrícula.

## **¿Dónde debo inscribir a mi hijo para que asista a la escuela?**

En muchos casos, su hijo será matriculado y asistirá a la escuela en el distrito donde usted y su hijo vivan. Hay algunas excepciones, y éstas pueden emplearse en su caso si su hijo no vive con usted. Para obtener más información, póngase en contacto con los Servicios Legales de Nueva Jersey, LSNJ.\*

## **¿Cómo matriculo a mi hijo en una escuela?**

A fin de matricular a su hijo en una escuela, usted tendrá que mostrar que vive en el distrito escolar. La escuela no puede hacer que

presente un tipo específico de documento para demostrar donde vive. Para demostrar dónde vive usted, la escuela tiene que aceptar una variedad y combinación de documentos. Por ejemplo, el tipo de documentos incluye escrituras, contratos de arrendamiento, cartas del propietario de la vivienda, licencia de conductor, y cuentas de servicios públicos, pero también puede haber otros documentos que usted puede presentar.

## **¿Qué sucede si vivo temporalmente en el distrito escolar?**

Incluso si su situación habitacional es temporal, su hijo tiene el derecho a matricularse. En algunas situaciones, su hijo podría tener derechos y protecciones adicionales debidas su vivienda. Por ejemplo: si vive en un refugio, motel, o temporalmente con amigos/familiares. Para obtener más información, póngase en contacto con LSNJ.\*

## **¿Qué sucede si la escuela no acepta mis documentos como prueba de dónde vivo?**

Si la escuela le niega la admisión, lo tiene que hacer por escrito y explicarle por qué su hijo no llena los requisitos. Si no está de acuerdo con la decisión, usted tiene derecho de apelar y tiene que hacerlo 21 días después de la negativa. Si planea apelar, le tiene que informar a la escuela. La escuela tiene que permitir que su hijo asista a clases mientras se evalúa y determina la apelación. □

\* Este artículo proporciona un resumen de las leyes. Encontrará más información los artículos: Alerta para la apertura escolar; Los requisitos escolares para demostrar domicilio y, Los derechos de los estudiantes desamparados, publicados en junio de 2007 en *Looking Out for Your Legal Rights/Cuáles Son Sus Derechos Legales*. Vea dicha edición en [www.lsnj.org/espanol/pdf/2007/Junio07LOSspanishWeb.pdf](http://www.lsnj.org/espanol/pdf/2007/Junio07LOSspanishWeb.pdf). Si tiene preguntas o necesita algún consejo jurídico adicional sobre la educación de su hijo, llame a LSNJ-LAW™, la línea directa gratuita de asistencia jurídica de LSNJ para todo el estado, en el 1-888-576-5529, entre las 8 a.m. y las 5:30 p.m. (Si está fuera de NJ, llame al 732-572-9100 y pida que le transfieran a la línea directa, Hotline).