

SHUT-DOWN OF FEDERAL OPERATIONS— AM I ELIGIBLE FOR UNEMPLOYMENT BENEFITS?

Federal employees may be eligible for Unemployment Compensation for Federal Employees (UCFE) during a Federal government shutdown. The UCFE program is administered by state unemployment insurance (UI) agencies acting as agents of the Federal government. The program is operated under the same terms and conditions that apply to regular state UI. In general, the law of the state in which an individual's last official duty station in Federal civilian service is located will be the state law under which an individual's eligibility for benefits is determined

Am I eligible for UCFE?

State UI laws regarding eligibility vary. You may apply on or after the first day you are furloughed and placed in a non-pay status. The state where you file your claim will determine your eligibility. In general, furloughed employees should be eligible as long as all other state eligibility factors are met.

Are “excepted” employees eligible for UCFE?

Excepted full-time employees who remain on their jobs on a full-time basis are generally not eligible for unemployment benefits because states may determine that they are still fully employed. Individuals classified as “Excepted Intermittent” employees are generally working less than full-time and may be eligible for partial benefits depending on the hours of work, the amount of wages, and the laws of the state in which an employee files. Such employees who have filed for UCFE are required to report earnings for excepted work to their State UI office, even if they have not yet been paid due to the lapse in funding.

Are “exempt” employees eligible for UCFE?

No, since such employees are “exempt” from furlough if they are not affected by a lapse in appropriations. This includes employees who are not funded by annually appropriated funds.

How do I file a UCFE claim?

You need to contact the state where you worked to file a claim. To find contact information for your state, please visit the following website: <http://www.servicelocator.org/>. Employees may be asked to provide a Form SF-8 to verify agency mailing address and/or a Form SF-50 to verify wages. If these documents are not available, the state may request proof of wages such as earnings and leave statements or last year's W-2. The state may also request you complete an affidavit certifying that you are unemployed due to the furlough and that the wages you present are correct.

What is the weekly amount of UCFE benefits paid, and how long will benefits last?

The maximum weekly benefit amount of UCFE is based on the state law; the amounts paid will vary based on prior earnings. Most states pay a maximum of 26 weeks of regular benefits. However, once the shutdown ends, and you return to work full-time, regardless of whether you have received a paycheck, you are no longer eligible for benefits.

How soon will benefits be paid?

Some states require individuals to serve a waiting week, which means that after a claim is approved, the first week for which the individual is entitled to benefits is an unpaid week. In general, most states will issue payments to eligible individuals within 14-21 days after the claim is approved.

What will happen if Federal employees are paid for time during the shutdown period?

If Congress passes legislation that retroactively provides for the payment of salary, states will generally require repayment of any unemployment benefits received. States will advise affected claimants if benefits are overpaid and if so, provide repayment options.