

## **Federal Government Shutdown FAQs**

### **Post-Shutdown Information Regarding Unemployment Compensation**

**Q. Will I be entitled to benefits for the period of time when I was furloughed and the government was shut down?**

A: No. Federal government workers who were furloughed during the 2013 federal government shutdown are considered to have been in pay status during the lapse in appropriations and will receive a retroactive pay award for the period covering the federal government shutdown. Therefore, pursuant to guidance from the Federal Office of Personnel Management and the United States Department of Labor, under 20 CFR 609.3(d) and CFRH.R. 2775 – Continuing Appropriations Act, 2014, Section 115 (A), you are not eligible to receive unemployment compensation for any period during the government shutdown.

**Q. When will I receive my benefit payments for the weeks that I certified and I was unable to work due to the shutdown?**

A: Furloughed federal workers will receive back pay for the period of the furlough as well as earnings from work beginning October 17, 2013. In an effort to avoid overpayments, repayment of unemployment benefits, wage garnishments, deduction of benefits from future claims, the interception of federal and state tax refunds, penalties, loss of future unemployment eligibility and/or legal or civil action, the Department of Employment Services **strongly encourages** previously furloughed workers to request to withdraw or cancel unemployment claims or to immediately discontinue certifying for benefits.

We are unable to stop your claim without your consent and action. If you have already filed and would like to have your claim withdrawn or cancelled, please complete a Withdrawal of Claim form accessible at [www.ui.dc.gov](http://www.ui.dc.gov). Completed Withdrawal of Claim forms can be scanned and emailed to [WOC.DOES@dc.gov](mailto:WOC.DOES@dc.gov). If you are unable to scan this document, please send an email directly to [WOC.DOES@dc.gov](mailto:WOC.DOES@dc.gov) and include all of the information requested in the Withdrawal of Claim form. If you have any additional questions regarding cancelling, withdrawing, or discontinuing your unemployment benefits, please call (202) 724-7000. Any questions regarding overpayments should be directed to (202) 698-5111.

**Q. Why was I told that I was eligible and am now being told that I am not eligible to receive benefits?**

A: Effective October 17, 2013, the Continuing Appropriations Act ended the lapse in appropriations and allowed furloughed Federal workers to return to work. Section 115(a) of the Act requires that Federal employees be compensated “at their standard rate of compensation, for the period of such lapse in appropriations, as soon as practicable after such lapse in appropriations ends.” On October 17, 2013, the United States Office of Personnel Management (OPM) issued a Memorandum that states that “[a]n employee furloughed during the lapse in appropriations that began on October 1, 2013, must now be considered to have been in a pay status from October 1, 2013, until the end of the lapse in appropriations.”

**Q. Will I be responsible for repaying any benefit amounts that I received during the shutdown?**

A: Yes. With minimal exceptions, all unemployment benefits paid to you must be paid back. You will receive retroactive pay (back pay) for the period of the furlough.

**Q. Why do I have to pay back these unemployment benefits?**

A: Federally furloughed employees during the shutdown were eligible for unemployment when the shutdown began. The approved Congressional Continuing Resolution (CR) to fund regular government operations through January 15, 2014 includes a provision that provides back pay for federally furloughed employees during this period (October 1 – October 16). Therefore, because workers will be paid, they are no longer eligible for unemployment insurance for this period and any benefits paid during this period must be paid back.

**Q. Will furloughed workers who receive benefits be required to pay them back if they receive retroactive pay?**

A: Yes. If workers are entitled to receive retroactive pay from an employer for the period of the furlough, they will be required to pay back unemployment benefits.

**Q. Will I be given an opportunity to pay back the benefits that I received during the shutdown? If so, when?**

A: Yes. If you received unemployment benefits you will receive a letter in the mail from DOES with instructions regarding repayment of funds.

**Q. Will I receive a payment arrangement or will I be required to pay back the money in one lump sum?**

A: DOES will certainly accept payments in one lump sum. However, you will be sent a Notice of Overpayment and a restitution agreement by mail allowing you to repay your debt within sixty (60) days. Those who have hardships must communicate them to DOES as early as possible. Please be aware that you must keep DOES updated on your status throughout the restitution agreement period in order to receive additional time to repay. However, failure to adhere to restitution agreements could result in future garnishment of wages, as DOES is legally required to recover these funds.

**Q. I received a payment from DOES but I want to pay it back now to avoid having to pay it back later, how can I do that?**

A: Send a check or money order in the amount of the payment to: *Department of Employment Services, Benefit Control Branch, 4058 Minnesota Avenue, Suite 3100 Washington, DC 20019*. In the memo section of the payment, please include the claimant's full name and last four digits of the social security number. Once the check is received and processed, an automated receipt will be mailed to the claimant's address on file within a week.

**Q. When will I receive the retroactive pay?**

A: The date you will receive retroactive pay is determined by your employer.

**Q. What if I am not paid retroactively? Will I still be required to pay back the unemployment benefits?**

A: No. Individuals who are not entitled to receive retroactive pay are not required to pay back unemployment benefits.

**Q. What number should I call for general questions?**

A: Updates will be posted on our website at [www.does.dc.gov](http://www.does.dc.gov) and [www.ui.dc.gov](http://www.ui.dc.gov). You can also call (202) 724-7000 to hear updated messages.