

GOVERNMENT OF THE DISTRICT OF COLUMBIA

Department of Employment Services



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Federal Government Shutdown FAQ

Repayment of Unemployment Insurance Benefits received during the Federal Government Shutdown (December 22, 2018 – January 25, 2019)

January 28, 2019

At this time, the Department of Employment Services (DOES) will begin repayment efforts on February 19, 2019.

- 1. If I receive retroactive pay (back pay) from my employer, will I be responsible for repaying any unemployment benefit amounts that I received during the federal government shutdown?**

Yes, you must repay all unemployment compensation benefits paid to you if you receive retroactive pay (back pay) for the period you were furloughed, and the government was shut down.

- 2. Why do I have to pay back the unemployment benefits I received during the federal government shutdown?**

Federal government employees were eligible for unemployment compensation when the shutdown began on December 22, 2018 January 25, 2019. The approved Government Employee Fair Treatment Act of 2019 includes a provision to provide retroactive pay (back pay) to federal employees who were furloughed during the period of December 22, 2018 to January 25, 2019. Therefore, because federal employees will be paid, they are no longer eligible for unemployment insurance benefits for this period pursuant to D.C. Code §51-101(5), which prevents the payment of benefits and full-time wages during the same period.

However, if you are a contractor, working in a Federal Government agency, and you were furloughed as a result of the shutdown, and you are *not* being paid retroactively by your contracting employer, then you do not have to pay back the unemployment benefits you received during the period of the shutdown.

- 3. I received a payment from DOES, how do I repay it?**

- a. At this time, the Department of Employment Services (DOES) will begin repayment efforts on February 19, 2019.
- b. You will be contacted by the Benefit Payment Control (BPC) Unit to gather additional information.

- c. BPC will send a Notice of Determination of Overpayment and a Restitution Agreement to you.
- d. You will receive a bill 16 days after the Notice of Determination of Overpayment and Restitution Agreement letter has been mailed
- e. You will have sixty (60) days to repay the outstanding amount to the Department of Employment Services (DOES).

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

DOES will certainly accept payments in one lump sum. However, you will be sent a Notice of Determination 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 if you require additional time to repay the debt. 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 the restitution agreements could result in future garnishment of wages, as DOES is legally required to recover these funds.

5. When will I receive the retroactive pay from my employer?

The date you will receive retroactive pay is determined by your employer. If you resumed your pre-shutdown employment status anytime during the week of January 20, 2019 through January 26, 2019, you must report your gross earnings on your weekly claim form for benefit week ending January 26, 2019.

6. Do I need to repay unemployment benefits before I receive retroactive pay (back pay)?

No. All repayment efforts will be delayed until after February 15, 2019 to ensure additional funding has been approved by Congress for federal workers affected by the partial government shutdown. Claimants will be provided with detailed paperwork regarding their repayment after this date.

7. What if I am not paid retroactively (back pay)? Will I still be required to pay back the unemployment benefits?

No. Individuals who do not receive retroactive pay are not required to pay back unemployment benefits.

8. How do I contact the Department of Employment Services regarding repayment of unemployment benefits?

You can contact the Benefit Payment Control (BPC) Unit via email at bpc.um@dc.gov regarding repayment information. To ensure a timely response, please place **Furlough Workers Question** in the subject line. Please be aware that due to the anticipated high call volume and long wait times related to questions regarding the impact of the federal government shutdown on current UI claimants, federal employees who were previously furloughed during this time, as well as unemployment insurance benefits, in general,

customers may be unable to speak directly with a customer service representative by phone.

IMPORTANT: 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 report your return to full-time work on your weekly certification and immediately discontinue certifying for benefits.