**Furlough Guidance**

**Summary of Employee Benefits Matters**

1. **Federal Employee Health Benefit Open Season (OS) elections**

* If you made your OS election in Employee Express, it will be processed automatically with an effective date of 1/6/2019. Premiums will be withheld from pay upon return to pay status.
* If you made your OS election with a hard copy SF2809 (Health Benefits Election Form), processing will be delayed due to the furlough. Your coverage remains effective 1/6/2019.
* If you haven’t yet received your ID cards, your election has not been processed. If you need medical services urgently, you may have to pay out of pocket and file a claim with your new plan once the enrollment change is processed.
* If you have a qualifying life event (QLE) and would like to make changes to your FEHB coverage, you can use [Employee Express](https://www.employeeexpress.gov/) to make your change. Otherwise, complete and mail the [SF2809](https://www.bing.com/search?q=SF2809&src=IE-SearchBox&FORM=IESR3A) to:

**FAA Benefits Operations Center**

**901 Locust Street, Room 117**

**Kansas City, MO 64106**

* QLE changes are effective on the beginning of the pay period after receipt.

1. **FEHB/Dental/Vision premiums**

* FEHB premiums will continue to accrue during the shutdown and deductions withheld from pay upon return to pay status.
* BENEFEDS (Dental/Vision) will generate a bill to enrollees for premiums when no payment is received for two consecutive pay periods. Should this occur, enrollees should pay the premiums directly billed to ensure continuation of coverage.
* If you have questions about your Benefeds coverage, you should contact Benefeds directly at [benefeds.com](https://benefeds.com/) or **1-877-888-FEDS** (1-877-888-3337).

1. **Federal Employees Group Life Insurance (FEGLI)**

* FEGLI premiumswill continue to accrue during the shutdown and deductions withheld from pay upon return to pay status.
* If you have a qualifying life event and would like to make changes to your FEGLI coverage, complete and mail the [SF2817](https://www.opm.gov/forms/pdf_fill/sf2817.pdf) to:

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**Kansas City, MO 64106**

* QLE changes to increase coverage are effective on the beginning of the pay period after receipt.
* You may decrease your FEGLI coverage at any time. Decreases in coverage are effective at the end of the pay period our office receives the form.

1. **Retirement**

* Retirements and requests for retirement estimates will not be processed during the government shutdown.
* Employees who retired on December 31-January 5 and would like to check the status of their retirement can call the Benefits Operations Center at 855-322-2363 or email [9-ACE-FAA-BENE@faa.gov](mailto:9-ACE-FAA-BENE@faa.gov).
* Employees retiring in late January/February or later can continue to submit their retirement application to the Benefits Operations Center. The paperwork will be reviewed and processed when the government shutdown ends. Although the processing of the retirement may be delayed, there is no requirement to change a retirement date because of the government shutdown.
* Employees who have already submitted their retirement paperwork and would like to change their retirement date should call the Benefits Operations Center at 855-322-2363 or email [9-ACE-FAA-BENE@faa.gov](mailto:9-ACE-FAA-BENE@faa.gov).
* A retiring employee with an annual leave balance over the maximum leave ceiling (e.g. 240 hours) and who retired before the end of the leave year will receive the full amount in the lump-sum leave payment when it is issued after normal government operations resume.

1. **TSP loans**

* The TSP allows for the suspension of loan payments when you go into nonpay status to prevent your loan from going into default. Normally, we require documentation from your agency or service. However, the **TSP does not need documentation of your furlough at this time.** If your loan payments were up to date prior to the furlough, missing one or two payments will not cause your loan to be in default. You can check the status of your loan by logging into My Account, selecting “TSP Loans,” and then selecting “Are my payments up to date?” Or you can call the ThriftLine at 1-877-968-3778 and speak to a Participant Service Representative.
* Refer to TSPFS4, Effect of Nonpay status on Your TSP Account for more information about TSP loans. <https://www.tsp.gov/PDF/formspubs/tspfs04.pdf>

1. **W-2’s**

* W-2’s will be available on Employee Express on or around January 15th, 2019

1. **Employee deaths**

* Reporting procedures remain the same during the furlough. Call the Benefits Operations Center at 1-855-322-2363 to report the death of an employee.

1. **Clearance/out-processing**

* Employees who were unable to clear before the furlough should not be recalled to clear from the facility. Arrangements can be made once the furlough ends to complete the clearance process. Employees can return to the facility to return government furnished equipment, travel cards, etc. during the shutdown. No time spent after the effective date of separation may be considered duty time since the individual is no longer an employee of the agency.

1. **Workers’ Compensation**

* Injury and illness claims will continue to be processed during the partial government shutdown.
* Excepted employees, working and performing official duties, are covered by workers' compensation.
* When employees are furloughed due to a lapse in appropriations, there is no legal authority to pay continuation of pay (COP) or any similar payment. However, lapsed appropriations do not abrogate the employee’s entitlement to COP in any way.  Therefore, although COP may be suspended during a furlough caused by lapsed appropriations, retroactive payment is mandatory once funding has been appropriated.  Once the furlough begins, COP is placed in abeyance pending the resumption of funding.  When funding is available, any remaining COP entitlement must be paid on a retroactive basis.  The Department of Labor recognizes that they cannot force an agency to make payments of salary to furloughed employees when the agency has no funds to legally do so.  If Congress does not decide to pay furloughed employees for the days off, COP would still have to be paid retroactively under 5 U.S.C. 8118.
* FECA wage-loss compensation is not considered wages and, therefore, is not affected by a lack of funding at the employing agency.

1. **Leave and Earning Statements**

* Leave & Earning Statements will be generated in Employee Express for pay period 2019-01 for all employees. Furloughed employees will see a net pay of 0 but will have a HB debt appear. Partial payment will be made for the F&E employees for pay period 2019-01 and all deductions taken in order of precedence. Full payment will be made for the Airports, Aviation Insurance and RE&D employees.

1. **Child Care Centers**

* Child care centers will remain open during a shutdown furlough; however, verify with the center first prior to dropping off your children. Furloughed employees are allowed into federal (GSA controlled/leased) buildings to drop off and pick up their children at the child care centers. You may not visit your FAA office/workplace in order to perform work or to interact with "excepted" staff on work-related issues.

1. **Telework**

* When the excepted activity can be effectively and efficiently accomplished from another location, managers may exercise FAA policy and/or collective bargaining agreement provisions that allow telework or other workplace flexibilities (see FAA Telework policy, HRPM WLB-12.3, and collective bargaining agreements). In many cases, it may be more effective to have most "excepted" employees in the office due to the huddling and crisis management focus during this period.  In certain situations, though, it might be effective for excepted work to occur via telework. For example, telework may be appropriate when excepted work will only take a couple of hours and can be accomplished efficiently by computer or phone. Also, when an employee has to be off (furloughed) for part of a day for a medical appointment or other reason and can be spared for that short time, but has some excepted work to perform which can be accomplished by teleworking for the remainder of the day.

1. **Pay**

* Congress will determine whether furloughed employees receive pay for the furlough period. Once Congress enacts an appropriation bill or continuing resolution, amended time and attendance time sheets will be requested.
* Excepted employees will be paid at your normal rate of pay; however, you might not receive a complete salary payment during the period of the furlough. Since the furlough is a shutdown resulting from a lapse in appropriations, payment for the hours worked during the furlough will be delayed until Congress enacts an appropriation bill or continuing resolution which gives the government legal authority to pay you.
* An employee’s pay may be insufficient to permit all deductions to be made.Some deductions that are based on the amount of your gross pay (or basic pay) will be reduced in size. Deductions from pay are taken in this order: 1) retirement; 2) Social Security tax; 3) Medicare tax; 4) federal income tax; 5) health insurance under FEHB; 6) basic life insurance under FEGLI; 7) state tax; 8) local tax; 9) government housing; 10) debts owed to the federal government; 11) court-ordered debts; 12) optional benefits such as Federal Dental and Vision, FLTC, FSA, TSP, TSP loans, ROTH; other voluntary deductions such as Association or Union dues, Combined Federal Campaign, allotments ; 13) IRS tax levies.
* Employment verifications via The Work Number will continue during the shutdown. The Work Number is an automated service provided by TALX in cooperation with the Department of Transportation (DOT) that provides proof of employment and income. The Work Number allows employees to provide employment and income verification anytime of the day, every day of the year – anytime they need to via the web at: [www.theworknumber.com](http://www.theworknumber.com) or by phone Mon-Fri, 7:00 a.m. – 8:00 p.m. CST at 1-800-996-7566 (voice) or 1-800-424-0253 (TTY).

1. **Unemployment**

* It is possible that furloughed employees may become eligible for unemployment compensation. The various State unemployment compensation requirements differ. Some States require a 1-week waiting period before an individual qualifies for payments. In general, the law of the State in which an employee’s last official duty station in Federal civilian service was located will be the State law that determines eligibility for unemployment insurance benefits. Agencies or employees should submit questions to the appropriate State (or the District of Columbia, Puerto Rico, or the Virgin Islands) office. The Department of Labor (DOL) website provides links to individual State offices at http://www.servicelocator.org/OWSLinks.asp. For additional information on Unemployment Compensation for Federal Employees (UCFE), see DOL’s UCFE webpage at http://workforcesecurity.doleta.gov/unemploy/unemcomp.asp, fact sheet at http://www.dol.gov/sequestration/ucfe.pdf, and frequently asked questions at <http://www.dol.gov/sequestration/ucfe-faqs.pdf>.

1. **Restoration of Annual Leave**

* As long as the leave was properly scheduled in advance, agencies must restore any annual leave that was forfeited because of the lapse in appropriations—regardless of whether the affected employees were furloughed or excepted from the furlough.
* In order for forfeited annual leave to be considered for restoration under 5 U.S.C. 6304(d)(1), it must have been scheduled in writing no later than November 24, 2018, in accordance with 5 CFR 630.308(a). As allowed by those agency policies and procedures, the “in writing” requirement may be met in various ways, including electronic communications such as email, electronic calendar scheduling, or submissions to a time and attendance system.