

ED Furlough/Shutdown Implementation Frequently Questions & Answers (FAQs)

(Note: These FAQs supplement OPM FAQs and will be updated regularly.)

Generally our contingency plan provides security and safety for government property. It also provides for Presidentially Appointed Staff (PAS) to maintain a skeleton staff for basic support. We will continue to support federal student aid work and grants that must get out the door, and ongoing OIG audit work related to ARRA. Overall we expect 93% of our workforce to be furloughed with the remaining workforce present to conduct excepted activities.

1. Q. *What do I do if I hear over the weekend or the day before my scheduled tour of duty that ED is shut down?*
 - A. You should come to work to secure papers, equipment and receive further shutdown instructions from your supervisor. Once employees have completed furlough shutdown activities, they may be released by their supervisors.
2. Q. *How much notice must employees receive before a furlough?*
 - A. Normally, a minimum of 30 days is required. However, under an emergency situation such as a furlough due to a lapse in appropriations, advance notice is not required.
3. Q. *Will all employees be furloughed?*
 - A. No. Certain excepted employees will work in the absence of an appropriation or a continuing resolution because they occupy positions that meet the following criteria:
 - Funded by other than annual appropriated funds
 - Engaged in mandatory activity
 - Duties are essential to national security/necessary for safety of human life or protection of property
 - Duties are essential to support continuing the President's Constitutional duties
4. Q. *What happens when requests for annual/sick leave are made prior to a furlough?*
 - A. Any annual/sick leave approved for a day that is later determined as a furlough day will automatically be canceled. Furlough days are non-workdays and leave cannot be charged on a non-workday.
5. Q. *What happens to an employee's retirement coverage under a furlough or non-pay work status?*
 - A. Retirement coverage continues without cost to the agency or to the employee. If retroactive appropriations are received, employee contributions will be withheld from retroactive pay.

6. Q. *What happens to regular and optional life insurance coverage for furloughed and non-pay work status employees?*

A. Regular and optional insurance coverage continues up to 12 months without cost to the employee or the agency. If retroactive appropriations are received, employee contributions will be withheld from the retroactive pay.

7. Q. *What happens to health benefits coverage of a furloughed or non-pay work status employee?*

A. Health benefits coverage continues for up to 365 days. The government continues its contribution while the employee is in a non-pay status and must also advance salary if necessary to pay the employee's share. If retroactive appropriations are received, the employee's contributions are withheld from the retroactive pay.

8. Q. *How will my and the agency's Thrift Savings Plan (TSP) contributions be affected during the furlough?*

A. Employees in a non-pay status for the entire pay period will receive no employee or agency contribution for that pay period. An employee may not make up missed contributions when he/she returns to pay status.

For employees in a non-pay status for a portion of a pay period the following will apply:

- Agency automatic 1 percent contribution for the pay period will be determined using the basic pay the employee earned for the pay period.
- If the employee elected a percentage each pay period, the employee contribution for the pay period is determined using the basic pay earned for the pay period.
- If the employee elected a whole dollar amount each pay period, the employee contribution must be reduced to 10 percent of the employee's basic pay for Federal Employee's Retirement System (FERS) or 5 percent of the employee's basic pay for Civil Service Retirement System (CSRS) if the elected amount exceeded the 10 percent or 5 percent limit for basic pay earned that pay period. If the elected whole dollar amount exceeds the employee's net pay for the pay period, no employee contribution will be made for the pay period.
- The agency matching contribution for the pay period will be determined by using the basic pay the employee earned and the employee contribution made for the pay period.

9. Q. *What happens to employee TSP loan payments while on furlough?*

A. Employees in a non-pay status for 1 or more pay periods will miss loan payments. Employees in a non-pay status for less than a single pay period will miss a payment

if pay is not enough to make the loan payment.

10. Q. *Can an employee receive a TSP loan while in furlough/non-pay status?*

A. Generally, yes.

11. Q. *If an employee is injured while on furlough, are they eligible for workers' compensation?*

A. No. Workers' compensation is paid to employees only if they are injured while performing their duties. Furloughed employees are not in a duty status.

12. Q. *How do employees in a travel status manage furlough?*

A. Supervisors will provide instructions to their employees on a case-by-case basis. In most instances, the supervisor will notify employees on travel to immediately return to their duty stations. If the employee chooses to remain at the travel location, they would do so at their own expense. Once notified of a furlough, the employee may not perform work at the travel location.

13. Q. *What if an employee is scheduled for training during furlough?*

A. Supervisors will provide instructions to their employees on a case-by-case basis. Training is work and, in most instances, may not be continued during a furlough.

14. Q. *Will the building(s) be open?*

A. The building(s) will only be open and accessible to excepted employees.

15. Q. *Will the voice mail system remain active?*

A. Yes. However, non-excepted employees are not permitted to use voicemail during a furlough.

16. Q. *Can non-excepted employees continue to use e-mail, BlackBerry or other electronic media during the furlough?*

A. No. Furloughed employees will be required to shut down government owned IT equipment and may not access the Department's network from a remote location. Using work related technology to send an email or access the network is considered an act of work and is in violation of the anti-deficiency act. Violation of this act may subject an employee to disciplinary action.

17. Q. *What happens to emails and voice mail received by employees during the shutdown?*

A. Employees will receive a scripted out of office message for application to both email and voice mail. Both the email and voicemail systems will remain active. Non-excepted employees are not permitted to access either system during a furlough.

18. Q. *How will contracts and vendors be managed during the furlough?*

A. If a furlough is implemented, vendors will be contacted by one of the Department's two Contracting Activities, Contracts and Acquisition Management (CAM) or Federal Student Aid Acquisitions (FSA Acquisitions). Any questions received from vendors regarding this issue should be referred to the Contracting Officer.

19. Q. *Will employees be required to return their share of transit benefits not utilized during the shutdown period?*

A: Employees are required to make adjustments during the next distribution cycle.

20. Q. *In many instances, employees have applied funding, in addition to the transit benefits they receive, to their Metro Fare Cards. Can these fare cards be used for other purposes during a furlough period?*

A. Non-excepted employees should not use their transit subsidy benefits during the furlough. They may use their transit subsidy benefits on Monday April 11, 2011 to travel to and from work.

21. Q. *Does the employee need to be prepared to account for any transit subsidy used during the furlough period?*

A. Employees should not use transit subsidy benefits other than traveling to and from work.