

**FISCAL SERVICE LAPSE Q & A'S – APPLIES TO FISCAL SERVICE ONLY**

	<b>TRAVEL</b>
Q1:	What travel is allowed during a shutdown??
A1:	Only exempt employees may travel during a shutdown, and even that travel should be limited and only if no viable alternative is available. All travel should be discussed with Assistant Commissioners/Executive Directors/Deputy Assistant Commissioners so they may determine whether the request should be submitted to their Deputy Commissioner for approval.
	<b>TIME AND ATTENDANCE</b>
Q1	Can Exempt employees earn and/or use overtime, comp time, or credit hours?
A1	Yes
Q2	Can Excepted employees earn and/or use overtime or comp time?
A2	Excepted employees may earn overtime or compensatory time off; however, they will not be compensated for any overtime earned, or be permitted to use any compensatory time off earned, until a new appropriation or continuing resolution is enacted.
Q3	How will retroactive pay and time card submission be handled for Excepted and Non-Excepted employees?
A3	Excepted employees will receive retroactive pay once a new appropriation or continuing resolution is enacted. Retroactive pay for Non-Excepted employees will only apply if a law requiring back pay is enacted
Q4	During a shutdown, how are employees affected if their office is closed due to severe weather?
A4	Exempt employees will follow normal operating procedures for inclement weather.  Excepted employees will follow normal emergency operating procedures. However, if they do not work during such a closure, they will be placed in temporary furlough status for that time period.  Non-Excepted (furloughed) employees remain in furlough status.
Q5	How will employees record timecards in webTA during the shutdown?
A5	Exempt employees will continue to record work time and leave as normal.  Excepted employees will record work time and leave as “furlough” until a continuing resolution or new appropriation is passed. Excepted employees should manually track work performed during the shutdown so that a correction card(s) can be processed upon approval of a CR or new appropriation.  Non-Excepted employees will record all time as “furlough”.

**FISCAL SERVICE LAPSE Q & A'S – APPLIES TO FISCAL SERVICE ONLY**

	<b>HUMAN CAPITAL</b>
Q1	How are Fiscal Service employees affected by a shutdown caused by a lapse in appropriation?
A1	<p>The impact of a lapse in appropriation varies depending on an employee's funding source and the work he/she performs. Fiscal Service employees fall into one of three categories.</p> <p><b>Exempt:</b></p> <p>Exempt employees are funded from moneys that are not annually appropriated. This category includes employees who are funded by Debt Collection Revenues, Treasury Franchise Fund, or by sources that are available by law during a lapse (e.g. alternate appropriation for debt issuances). In addition, certain support functions/employee positions may also be designated as exempt.</p> <p>During a government shutdown, Exempt employees generally continue to work as usual and are not furloughed. However, for employees funded by Debt Revenues or the Franchise Fund, staffing needs may need to be reassessed based on the services our customers need and our customers' ability to pay. If furloughs are necessary, affected employees will receive direct communication providing further instructions.</p> <p><b>Excepted:</b></p> <p>Excepted employees are paid from an annual Salaries &amp; Expenses (S&amp;E) appropriation; however, they have been determined to be necessary to continue critical work that, by law, may be performed during a lapse in appropriations.</p> <p>While working, Excepted employees must perform excepted functions. As such, employees in such positions cannot take leave or attend training, and may be removed from AWS during the shutdown period.</p> <p><b>Non-excepted:</b></p> <p>Non-excepted employees are paid from an annual Salaries and Expenses (S&amp;E) appropriation, but are not performing work that must continue during a lapse in appropriations. Employees in this group are placed on furlough during a shutdown.</p> <p>Note: During a furlough situation, agencies may change the status of individual employees as additional needs arise. These changes will be communicated to affected employees if, and when, necessary.</p>

## FISCAL SERVICE LAPSE Q & A'S – APPLIES TO FISCAL SERVICE ONLY

	The Office of Personnel Management and other entities have a variety of information on Government shutdowns and furloughs posted online at <a href="https://www.opm.gov/policy-data-oversight/pay-leave/furlough-guidance/#url=Shutdown-Furlough">https://www.opm.gov/policy-data-oversight/pay-leave/furlough-guidance/#url=Shutdown-Furlough</a>
Q2	Once Government funding is restored, will employees receive back pay for the time they were furloughed?
A2	There is no guarantee that furloughed employees will be paid for time not worked during a shutdown. Employees will receive back pay only if a law requiring back pay is enacted
Q3	May a furloughed employee volunteer to do his or her job on a nonpay basis?
A3	No. Unless otherwise authorized by law, an agency may not accept the voluntary services of an individual.
Q4	May employees take previously approved paid leave during a Government shutdown caused by a lapse in appropriations? May employees submit new requests for paid leave during a shutdown be granted?
A4	<p>Exempt employees may take previously approved leave and make new requests for leave during a shutdown. As always, supervisors have the discretion to cancel or disapprove annual leave requests based on work needs.</p> <p>Excepted employees may not take leave during a furlough. Excepted employees must be performing excepted functions or be in a furlough status during any absence from work (documented by a furlough notice, even if just for a few hours or for a full day). Previously approved leave is cancelled and no new leave requests may be scheduled. If an Excepted employee must be out of the office, he/she will be placed in a furlough status. Given the unique timing of this lapse in appropriation, OMB encourages agencies to place Excepted employees in a furlough status for previously scheduled leave. However, business requirements may necessitate that some Excepted employees cancel their leave.</p> <p>Non-excepted employees must be in a furlough status and may not substitute paid leave for periods of furlough.</p>
Q5	May employees required to work during a shutdown continue to work alternative work schedules (AWS)—i.e., 4/10 or 5-4/9 schedules?
A5	Employees may be permitted to work their normal AWS schedules. However, due to the uncertainty of the length of the shutdown, management will need to continually evaluate the work and may require employees to adjust their schedules temporarily. Supervisors who have a need to change AWS schedules during a shutdown should speak first with Jim Fox, Manager, Labor Relations (304-480-8202). Given the unique timing of this lapse in appropriation, OMB encourages agencies to grant an employee's AWS.
Q6	May employees with an approved telework agreement be permitted to continue teleworking during a shutdown?

## FISCAL SERVICE LAPSE Q & A'S – APPLIES TO FISCAL SERVICE ONLY

A6	<p>Employees who would normally be at work during a shutdown situation may continue to telework in accordance with their telework agreement. As always, management may require employees to report to the office based on work requirements and office coverage needs.</p> <p>Furloughed employees are NOT permitted to use their laptops, cellphones or telework.</p>
Q7	Are employees entitled to unemployment compensation while on furlough?
A7	<p>Furloughed employees may be eligible for unemployment compensation. The eligibility requirements vary from state to state. Typically, unemployment compensation is available to individuals who have been in a non-pay status for seven or more consecutive days and meet other eligibility requirements. It is suggested that employees considering filing for unemployment compensation check requirements of the State in which their last official duty station in Federal civilian service was located.</p> <p>Employees should be aware that in the event that a law requiring back pay for furloughed employees is enacted, there may be an obligation to return unemployment compensation benefits to their respective State.</p> <p>More information is available at the Department of Labor's website "Unemployment Compensation for Federal Employees" at <a href="http://workforcesecurity.doleta.gov/unemploy/unemcomp.asp">http://workforcesecurity.doleta.gov/unemploy/unemcomp.asp</a>.</p>
Q8	May employees take other jobs while on furlough?
A8	In most cases, yes, employees may take other jobs while furloughed, although some jobs would not be appropriate. Even while on furlough, an individual is an employee of the Federal Government. Therefore, the standards of ethical conduct at 5 CFR Part 2635, which include rules on outside employment, continue to apply. Additionally, there are statutes which prohibit certain outside activities.
Q9	Will employees get paid for a holiday that occurs during a shutdown?
A9	Current OPM guidance states that exempt employees will be paid for a holiday. Unless they are working on the holiday, excepted employees will be placed in a furlough status for that day, and will not be paid for the day unless a law requiring back pay is enacted. Non-excepted employees will remain in a furlough status and will not be paid for the time they are furloughed unless a law requiring back pay is enacted.
Q10	How will furloughed employees be notified of when to report back to work?
A10	Furloughed employees are normally expected to return to work on the next work day or shift that begins immediately after the end of a shutdown. Employees should monitor OPM's website for the most current information on the status of the shutdown. Employees may also call the Fiscal Service information line at 1-

**FISCAL SERVICE LAPSE Q & A'S – APPLIES TO FISCAL SERVICE ONLY**

	877-273-1919 to find out when they should return to work. Public broadcasts on the national media will also likely report the end of any shutdown.
Q11	Will furloughed and excepted employees be able to make TSP contributions and receive 5% matching during the shutdown?
A11	<p>No. Furloughed employees TSP contributions (and matching agency contributions) will cease upon the employee entering non-pay status. Contributions to TSP come from payroll deductions, meaning employees on furlough cannot make payments into their TSP plans. Agencies are prohibited from matching contributions during the furlough. When the shutdown ends, contributions from furloughed employees (and matching agency contributions) will be retroactively paid to TSP only if a law requiring back pay is enacted.</p> <p>Excepted employees will be paid back pay once a new appropriation or a continuing resolution is enacted; therefore, their personal and matching agency contributions will be deducted and paid to TSP retroactively.</p>
Q12	Can employees take a TSP loan while furloughed?
A12	Yes, under some circumstances. Consult the TSP website ( <a href="http://www.tsp.gov">www.tsp.gov</a> ) for more details.
Q13	Will employees continue to accrue leave if they are furloughed?
A13	<p>Furloughed employees are in a nonpay status. Nonpay status refers to a period during which an employee is absent from his or her tour of duty and receives no pay for such absence.</p> <p>The accumulation of nonpay status hours during a leave year affects the accrual of annual/sick leave over a period of time. If furloughed during a biweekly pay period, the leave accrual will generally not be affected for that pay period.</p> <p>However, once a full-time employee accumulates a total of 80 hours of nonpay status (including any leave without pay (LWOP) used during the leave year), the employee will not earn annual or sick leave in the pay period in which the 80 hour accumulation is reached (and will only earn annual or sick leave when s/he returns to pay status)</p>
Q14	I have bills to pay/need to make rent/etc. Will Fiscal Service do anything for me during a shutdown?
A14	We understand that furloughs may present a hardship for employees. Fiscal Service cannot control the rules governing a suspension of operations, nor can we control the length of the shutdown. In most cases, it is up to the individual to have a discussion with their creditor related to their ability to make a payment. Providing the Notice to Creditors that will be supplied to all non-excepted employees is also an option.

## FISCAL SERVICE LAPSE Q & A'S – APPLIES TO FISCAL SERVICE ONLY

	<p>The Employee Assistance Program will also provide financial management counseling at no cost to any employees who are concerned about their finances during the suspension of operations. Services are available 24 hours a day, 7 days a week. Contact 1-800-222-0364, or 1-888-262-7848 (TTY), or visit the website at <a href="http://www.FOH4You.com">www.FOH4You.com</a>.</p>
Q15	Can Excepted employees be placed in furlough status?
A15	<p>Excepted employees are required to be at work performing excepted activities that must continue to be performed despite the shutdown. Excepted employees who are not able to work (e.g., illness, jury duty, etc.) must be placed in a furlough status (i.e., non-duty, non-pay) until they are able to return to duty.</p> <p>In addition, during a furlough situation, agencies may change the status of individual employees as additional business needs arise. Such changes would be communicated to affected employees if and when necessary. For example, a non-excepted employee could be called in to perform excepted work for a defined period of time. Once the excepted work is completed, the employee would be placed back in a furlough status.</p>
Q16	Can new employees be on-boarded during the shutdown?
A16	The feasibility of on-boarding a new hire during the shutdown will have to be determined on a case-by-case basis. A variety of factors should be considered: such as the status of the Excepted or Exempt position being filled which could change during the shutdown period; some onboarding functions may not be available to complete the hiring process, etc.
Q17	Can employees request restoration of scheduled “use or lose” annual leave lost during a shutdown?
A17	Since the lapse is considered an exigency of public business, employees may request the leave be restored provided all other requirements have been met for restoration.
Q18	What happens if an employee plans to retire during a shutdown?
A18	While the retirement may be delayed, the agency will complete all applicable retirement paperwork when the shutdown ends. This will not however impact the effective date of the employees requested retirement date.
Q19	What happens if an employee was scheduled for a buyout during the shutdown?
A19	Although the employee will still receive the buyout, the payment may be delayed. If an employee’s separation date occurs during the shutdown, the employee would be subject to the same rules surrounding his/her furlough category (exempt, excepted, non-excepted) as other employees until he/she separates.
Q20	What happens to employees on a detail during a shutdown?

**FISCAL SERVICE LAPSE Q & A'S – APPLIES TO FISCAL SERVICE ONLY**

A20	Detailed employees remain officially assigned to their permanent positions during the detail. During a shutdown furlough, each agency will determine the status of their employees on detail within the agency or to another agency. Home and receiving agencies should carefully consult about what activities are appropriate for a detailed employee to perform during a funding lapse to ensure that the activities are consistent with the reasons why the agency designated them as “excepted.”
Q21	Will an employee continue to be covered under the Federal Employees Health Benefits (FEHB) program during a shutdown furlough if the agency is unable to make its premium payments on time?
A21	Yes. The employee’s FEHB coverage will continue even if an agency does not make the premium payments on time. Since the employee will be in a non-pay status, the enrollee share of the FEHB premium will accumulate and be withheld from pay upon return to pay status.
Q22	What happens to an employee’s Federal Employees’ Group Life Insurance (FEGLI) Program coverage if he/she is in a non-pay status (e.g., furloughed)?
A22	Coverage continues for 12 consecutive months in a nonpay status without cost to the employee or to the agency. Neither the employee nor the agency incurs a debt during this period of nonpay.
Q23	What happens to an employee’s Flexible Spending Account (FSAFEDS) coverage if he/she is in a non-pay status?
A23	Payroll deductions will cease for any employee that does not receive pay. The employee remains enrolled in FSAFEDS, but eligible health care claims incurred during a non-pay status will not be reimbursed until the employee returns to a pay status and allotments are successfully restarted. The remaining allotments are recalculated over the remaining pay periods to match the participant’s election amount.  Eligible dependent care expenses incurred during a non-pay status may be reimbursed up to whatever balance is in the employee’s dependent care account—as long as the expense incurred during the non-pay status allows the employee (or spouse if married) to work, look for work or attend school full-time.
Q24	What happens to an employee’s Federal Long Term Care Insurance Program (FLTCIP) coverage if he/she is in a non-pay status?
A24	Payroll deductions will cease for any employee that does not receive pay. Coverage will continue so long as premiums are paid. If Long Term Care Partners does not receive payment for three consecutive pay periods, they will begin to direct bill the enrollee. The enrollee should pay premiums directly billed to him/her on a timely basis to ensure continuation of coverage.
Q25	What happens to an employee’s Federal Employees Dental and Vision Insurance Program (FEDVIP) coverage if he/she is in a non-pay status?

**FISCAL SERVICE LAPSE Q & A'S – APPLIES TO FISCAL SERVICE ONLY**

A25	Payroll deductions will cease for any employee that does not receive pay. BENEFEDS will generate a bill to enrollees for premiums when no payment is received for two consecutive pay periods. The enrollee should pay premiums directly billed to him/her on a timely basis to ensure continuation of coverage.
Q26	Who can provide additional information or answer questions about a shutdown situation?
A26	<p>For more information, please call one of the following:</p> <p><b>General information e.g. telework or hiring:</b> Workforce Policy and Programs Branch, 304-480-8949 or <a href="mailto:HRPolicy@fiscal.treasury.gov">HRPolicy@fiscal.treasury.gov</a></p> <p><b>Pay, leave, work schedules:</b> <a href="mailto:Payroll@fiscal.treasury.gov">Payroll@fiscal.treasury.gov</a></p> <p><b>Employee benefits:</b> Employee Benefits Branch, 304-480-8275 or <a href="mailto:benefits@fiscal.treasury.gov">benefits@fiscal.treasury.gov</a></p> <p><b>Unemployment compensation:</b> Workforce Relations Branch, 304-480-8329</p> <p>Employees can also visit OPM's website for additional information related to the shutdown. <a href="https://www.opm.gov/policy-data-oversight/pay-leave/furlough-guidance/#url=Shutdown-Furlough">https://www.opm.gov/policy-data-oversight/pay-leave/furlough-guidance/#url=Shutdown-Furlough</a></p>