



Applying for Unemployment Benefits after a Federal Government Shutdown

The Texas Workforce Commission (TWC) considers federal workers affected by the government shutdown to be “laid off” from their jobs.

Here are answers to questions you may have about how to apply for unemployment benefits in Texas and what to expect when you apply. Remember – if you are paid retroactively for the period you were unemployed during the shutdown, you will have to repay the benefits you received.

Can I apply for UI benefits?

Yes. If you are affected by the government shutdown, you can apply for benefits as soon as the shutdown occurs. Apply at ui.texasworkforce.org 24 hours a day. If you do not have Internet access, call a Tele-Center (800-939-6631) from 8 a.m. to 6 p.m. M-F to speak with a service representative.

What information do I need when I apply for unemployment benefits?

You will be asked for:

- personal information, including your Social Security number, address, Texas drivers license number, and date of birth
- information about your last employment, such as your employer’s name and location, and dates worked, and
- an **estimate** of the federal wages you earned in the last 18 months.

What should I do after I apply for benefits?

TWC will mail you a form asking you for an estimate of your federal wages and requesting proof of your federal employment. If you applied on the Internet, the form may show zeros as your estimated wages. Review the wage estimate on the form, make corrections, if needed, and return the form with proof of your federal employment so that TWC can complete your application.

When you receive the form:

- correct your estimated federal wages on the form, if needed
- sign it
- attach proof of federal employment that indicates you were an employee, such as your 2017 W-2 form or a recent pay stub with your name, Social Security number, and employing agency, and
- return it to TWC.

TWC will also mail you an [Unemployment Benefits Handbook](#) and other forms with information on your responsibilities and instructions on how to request payment. Read the handbook and follow all instructions from TWC.

How will I know if I qualify for benefits?

To qualify for benefits, you must have:

1. enough **past wages**

- Once you or your employer provides proof of employment to TWC, we will send you a *Statement of Wages and Potential Benefit Amounts* that tells you whether you have enough **past wages** for TWC to pay you benefits. The letter also tells you the amount of benefits we can pay each week. Look for this letter after you provide proof of your federal employment.

2. a qualifying **job separation**

- If you are not working because of the government shutdown, TWC considers your job separation to be a “lay off.” TWC can pay you benefits if you were laid off due to the government shutdown. If you were not laid off due to the shutdown, TWC will review the reason you are not working and mail you a letter explaining whether we can pay you benefits.

What if I get retroactive pay after the shutdown is over?

If your employer pays you retroactively for the time you missed during the shutdown, you must repay the benefits you received.

- Your employer can deduct the unemployment benefits TWC paid to you from the amount of the retroactive pay. The employer is then responsible for refunding TWC the benefits that you received.
- If your employer **does not deduct** the unemployment benefits from your retroactive pay, **you are responsible** for repaying the benefits you received.

Do I get benefits if the shutdown is only a few days or one week?

No, TWC must hold payment for the first payable week as the “waiting week” until you receive two times your weekly benefit amount (WBA) in unemployment benefits and either return to full-time work or exhaust your benefits. If you return to work within a few days, you will not receive two times your WBA in unemployment benefits and we will not be able to pay you for the first week you were unemployed.

Can I still get benefits without proof of federal employment?

We need proof from you or your employer to pay benefits. TWC requests wage information from your federal employer the day after we take your claim. However, the response could be delayed because of the government shutdown.

TWC asks **you** to provide proof of employment because we use your proof of federal wages to pay your claim even if we don’t receive a timely response from your federal employer.

Can I get benefits if I was employed as contract labor?

If you worked as contract labor and received an IRS 1099 instead of a W-2, TWC may not be able to pay you. The federal agency will tell us whether the work you did was “federal civilian employment.” If you disagree with the information from the federal agency, TWC can request the agency to reconsider their decision. Contact TWC for further instructions on this process. If your employer is a contractor for the federal government, then name the contractor as your last employer when you apply for benefits.