

Federal Government Shutdown Oct. 2013– State response to federally-funded state employees

State	Response
Alabama	Alabama does not have mandatory furlough provisions so the only method available to state agencies is the separation of employees. As such, state agencies affected by the shutdown are carefully assessing the financial impact and weighing other funding options prior to permanently separating employees. In the event that the current situation continues, agency employees who were hired conditional based on funding will be separated from employment without an application of the layoff procedures. Also, most non-status employees will be separated. Employees who have regular status in the merit system will be subject to the State’s layoff procedures. These decisions will be made on an agency-by-agency basis.
Alaska	Alaska does not plan to furlough staff that hold federally funded positions at this time. Agreement with unions is necessary for us to furlough. October 1, 2:00 pm ET.
Arizona	Arizona has furloughed some federally funded positions and each agency that receives federal funds is evaluating whether or not they need to furlough employees. We have developed template letters to notify employees of the furlough and a template for agencies to use should they need to request a furlough. October 1, 3:55 pm ET.
Arkansas	2,000 state employees furloughed ; Thousands more could be furloughed if shutdown goes past Friday, 10/11 Per local newspaper
California	
Colorado	The State of Colorado is in the process of issuing an Executive Order from Governor Hickenlooper empowering individual agencies to determine whether or not they need to furlough federally funded staff. Executive Directors are permitted to make decisions based on whether the agency can carry these employees on the short term or when/if they need to furlough based on lack of funding or lack of work due to agency work with federal programs. At this time, we have identified 3 agencies impacted. Most agencies have already received federal grants, or staff with essential employees and therefore are not impacted. October 4, 11:45 am ET
Connecticut	
Delaware	The Office of Management and Budget (OMB) and the Department of Finance (DOF) have increased central oversight of federal funding and related expenditures. The approach is to allow for flexibility necessary to maintain critical government services. As a preventative measure, OMB Fiscal and Policy Analysts will be working with each department to monitor and discuss any potential program, special project or payroll funding issues. Division of Accounting (DOA) will continue to process the upcoming payroll based on existing funding for the October 18, 2013 check date. For payroll funding, it is important for human resources, benefits and payroll representatives within each department to continue to work closely with their fiscal offices. OMB and DOF will continue to monitor the situation at the federal level and provide further guidance when additional information becomes available. October 15

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Florida	
Georgia	<p>Update: Departments of Defense and Department of Labor has furloughed 25 and 224 employees respectively. <small>October 10, 5:56 pm ET</small></p> <p>Agencies will make decisions based upon funding available. Due to decentralized nature of government, it is not known how many will be affected.</p> <p>Hiring New Employees – With E-Verify employees furloughed, continue pre-employment due diligence to the best of your ability.</p> <p>State Health Benefit – Health benefits will not be affected while an employee is furloughed.</p> <p>Flexible Benefits and Retirement Contributions – If employees placed on furlough for less than an entire pay period flexible benefits and retirement will be unaffected, provided there is sufficient pay to cover.</p> <p>Retroactive Pay for Furlough – The state may only pay employees for time worked. If sufficient federal funding is later restored to programs that had to furlough staff, state employees affected may utilize accrued annual leave personal leave or comp time. <small>October 8, 2:05 pm ET</small></p>
Hawaii	<p>Hawaii has not yet determined whether any employees need to be furloughed, as the agencies are still evaluating the budgetary effects of the federal shutdown. We expect a decision by the end of the week. We also have union considerations, as it is legally undecided whether furloughs need to be negotiated. <small>October 2, 5:00 pm ET</small></p>
Idaho	<p>Idaho has a plan. It could differ by agency and will depend on the length of the shutdown. At this time, approximately 850 employees have been furloughed. <small>October 3, 12:30 pm ET</small></p>
Illinois	
Indiana	<p>Indiana has no furloughs planned at this time. The state is using available cash reserves to sustain operation of certain federal programs, the extent to which that continues remains to be determined. <small>October 3, 2:00 pm ET</small></p>
Iowa	<p>At this time, we have had two agencies with impact – both have invoked temporary layoffs at this time. The temporary layoffs impact approximately 69 employees at Iowa Workforce Development and 111 employees at Department of Public Defense.</p> <p>Layoffs affecting non-contract employees and employees covered under the UE/IUP covered collective bargaining agreement were effective October 3, 2013. Layoffs affecting employees covered under the AFSCME contract are currently scheduled to be effective as of the close of business October 17, 2013.</p> <p>We are actively partnering with AFSCME and UE/IUP in an effort to minimize the impact of this funding lapse on state employees. The longer the federal shutdown lasts, the more likely it is that there will be additional impact to</p>

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	<p>more agencies. October 7, 9:46 am ET</p>
Kansas	<p>Furloughed National Guard recalled to work October 15 - Per local newspaper Department of Labor cancels furloughs; 59 of 66 returning to jobs. Per local newspaper</p>
Kentucky	
Louisiana	<p>Louisiana is in the process of determining its course of action. It could differ by agency and will depend on the length of the shutdown. At this time no furloughs or reduced workweeks have been implemented. October 1, 2:50 pm ET</p>
Maine	<p>DHHS lays off 56, closes disability benefits office. October 8 (per local newspaper)</p> <p>Maine is in the process of determining its course of action, monitoring fund balances and accessing federal websites for guidance daily. Many agencies do not appear to be affected, but as in other states this will differ by agency and will depend on the length of the shutdown. At this time no furloughs/lay-offs have been implemented. Civil service rules and union contracts require notice requirements that would prohibit immediate furloughs/lay-offs. Any variance would require agreement with the unions. October 3, 9:24 ET</p>
Maryland	
Massachusetts	
Michigan	<p>Furlough notices sent to state employee unions; hiring freeze on state programs receiving federal money. October 2, 10:20 am ET</p>
Minnesota	<p>105 Department of Health employees notified of potential layoffs October 8 (per local newspaper)</p>
Mississippi	<p>Mississippi has a furlough policy which could be utilized for federally-funded positions. However, no furloughs have been implemented at this time.</p>
Missouri	
Montana	<p>Agencies should identify state employees whose salaries are partially or fully funded by the federal government. Agencies should further identify available cash assets to pay for those employees. Upon exhaustion of current cash assets and without the assurance of timely federal cash drawdowns, agencies shall place affected employees in "Leave Without Pay for Lack of Funds" status immediately. While in this status, affected employees:</p> <ul style="list-style-type: none"> a. Should not report to work or conduct official business and must sign and comply with the attached "Notification of Rights, Benefits, and Responsibilities while in Leave Without Pay for Lack of Funds Status" form. b. Will receive back pay, including holiday pay, if authorized and funded by Congress. c. Will not accrue sick or vacation leave and will not be able to use accrued sick, vacation, compensatory time leave, or other paid leave. d. Will not incur a "break in service" for the purposes of calculating leave

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	<p>accelerator hours or longevity increments.</p> <p>e. May be eligible to draw unemployment benefits by applying at www.ui4u.mt.gov but must repay those benefits if back pay is received upon return to work.</p> <p>f. Will continue to receive state share contributions toward the employee benefits administered by the Department of Administration Health Care and Benefits Division but the employee will be required to cover normal out of pocket costs.</p> <p>g. Will be recalled as soon as possible upon resolution of the current Congressional impasse and federal lapse in federal appropriations as outlined in the attached document.</p> <p>Agencies should not expend state funds with the expectation of a backfill with federal funds. This includes funding for employee salaries and benefits, contracts, or other expenses as there is no guarantee of federal funds remaining at current levels for the remainder of the federal fiscal year under a new continuing resolution or budget act</p> <p>Agencies should also determine employees whose absence would present a reasonable likelihood that either the safety of life or the protection of property would be compromised in some significant degree by failure to carry out the function in question --and that the threat to life or property can be reasonably said to be near at hand and demanding of immediate response.</p> <p>Further, no employee of a 2417 facility may be put into "Leave Without Pay for Lack of Funds' status. October 7, 2013, 12:44 pm ET</p> <p>Montana's communication to state agencies from the Governor's Budget Office.</p> <ol style="list-style-type: none">1. State employees whose salaries are partially or fully funded by the federal government should report to work as scheduled on October 1, regardless of any lapse in federal appropriations. We will provide additional guidance as necessary if a lapse continues for an extended period of time. Status of state employees who are in federally funded positions will be further considered only as a last resort, upon exhaustion of available federal cash assets and/or extended appropriation lapses.2. Contracts and grants which include federal dollars as a primary or secondary (i.e. "match") source of funds should not be signed, extended or renewed until such time as the federal funds have again been appropriated by Congress. Please notify OBPP immediately of any such contracts that
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	<p>are placed in "HOLD" status. The "HOLD" will only be removed by a subsequent memo from OBPP.</p> <p>3. Agencies should be aware that there are no assurances expenditures of federal funds during a lapse will be subsequently backfilled.</p> <p>October 2, 10 am ET</p>
Nebraska	<p>Nebraska furloughed employees Tuesday morning where no other funds were available. As time goes on we will have to furlough additional employees.</p> <p>October 2, 11:50 am ET</p>
Nevada	<p>Nevada is currently working on how we are proceeding with this. For most agencies, we know that we can sustain for a few weeks, however we do have two departments that may not be sustainable if this continues longer than maybe a week. We are pulling numbers together now on exactly how long we can sustain.</p> <p>As far as employees, in our state, we do have regulations to place employees on a leave of absence if the Governor declares a fiscal emergency. We are meeting with the Governor today or tomorrow to obtain more information. If the Governor does not declare fiscal emergency, then our only option would be layoffs, but we just do not have answers at this time as to how we will proceed. I am hopeful that if it gets to the point that we do not have funding to cover federally funded positions, a fiscal emergency would be declared and we would proceed with the Leave of Absence regulation. That scenario is the best for employees as if that occurs, the employees are placed on leave without pay, but continue to accrue leave balances, do not have a break in continuous service and their record is not affected. Also their health benefits will remain in place as long as the shutdown does not exceed 80 hours. Their pension benefit would be placed in a holding pattern so they would not accrue retirement credit during the leave of absence. Once the shutdown is resolved, all benefits would pick back up hopefully uninterrupted with exception to health benefits if it goes past the first part of November then they could be without health insurance unless they paid the state premium for it.</p> <p>October 1, 12:24 pm ET</p>
New Hampshire	<p>The State of New Hampshire would have to have labor organization agreement for furloughs which we have not been successful for that in the past. If this continues too long (no timeframe has been set as 'too' long yet) then we would have to move to our layoff rules for those in positions where we have lost funding. We are monitoring closely.</p> <p>October 2, 8:00 am ET</p>
New Jersey	
New Mexico	<p>To date we have had one agency fully federally -funded initiate a furlough plan. Employees have the option to continue working without pay or to be placed in a furlough status without pay. Those that continue to work will be compensated when and if the pay restrictions are lifted. The other agencies have sufficient funding for a couple of weeks. We are actively working on a</p>

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	<p>plan to address this if in eventuality the federal funding continues to be restricted. October 1, 12:04 pm ET</p>
New York	
North Carolina	<p>North Carolina is furloughing positions or reducing hours based on the federal funding percent. We are not using State funds to cover the gap. October 1, 11:42 am ET</p>
North Dakota	
Ohio	
Oklahoma	<p>Our response differs by agency. Some can cover the cost of their federally funded positions for a short period of time, but some will not be able to do that. Those agencies are currently working on furlough plans. I approved the first one of those this morning and know of four others that are in process. October 1, 12:23 pm ET</p>
Oregon	<p>Short-term - Oregon is continuing to cover the costs of those employees. If this shut down lasts more than a week or two, we will likely need to revisit that position. October 3, 11:57 am ET</p>
Pennsylvania	<p>We are currently evaluating. For our union covered positions that are federally funded we have to provide 30 days' notice prior to any furlough. So the state is on the hook to pay these employees for those 30 days before we could implement a furlough. We are meeting with agencies this afternoon to address them and have them assess the impacts of a short and long term federal impasse. October 1, 12:22 pm ET</p>
Rhode Island	<p>Fortunately, there is little to no immediate impact on state government programs. However, indications from Washington are that the shutdown may go into a second week and possibly longer. Given the uncertainty, the RI Office of Management and Budget is implementing several measures to mitigate the impact on the state.</p> <p>Immediate Actions to be taken by Agencies:</p> <p><i>State FTE Positions and Contract Employees:</i></p> <ul style="list-style-type: none"> • Requests to establish or refill positions funded in whole or in part with federal funds will be reviewed on a case-by-case basis by the Budget Office, but generally will not be approved in cases where the federal funding source is or may be affected by the federal government shutdown. • Positions that have previously been approved but have not been filled shall remain vacant unless the federal funding source is unaffected by the federal government shutdown as evidenced by written communication from the federal funding agency and/or program. • Positions for which an offer has been extended and a start date provided may continue to move forward. • For State FTE personnel requests, agencies will be required to attest that the federal funding source for the position is not affected by the government shutdown by adding a standard note in the Personnel Action Request system. Documentation from the federal funding agency

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	<p>substantiating this attestation must be sent to the agency budget analyst.</p> <ul style="list-style-type: none"> For new Adil contract positions, agencies will be required to attest that the federal funding source for the position is not affected by the government shutdown by sending the FY 2014 Temporary Services Request Form. Highlight the position title that the agency is requesting to fill and include documentation from the federal funding agency. Send to the agency budget analyst. <p>Federal Funded Employees and Contractors: State employees and contractors that are partially or fully paid with federal funds should continue to come to work. In the event of an extended shutdown, the state will need to evaluate its options with regard to personnel paid with federal funds and its obligations under the collective bargaining contracts.</p> <p>October 8, 2:20 PM ET</p>
South Carolina	<p>Each state agency will determine how to approach its specific issues. State law would allow up to 10-days of furlough in certain circumstances or a reduction-in-force in certain circumstances. In addition, state agencies with sufficient other funds may be able to transfer funding for the employees that would be affected. The State Human Resources Division is consulting with state agencies as they determine how and when to proceed.</p> <p>October 2, 11:57 am ET</p>
South Dakota	
Tennessee	<p>Tennessee has furloughed approximately 600 federally funded positions. Agencies which receive federal funds are continuing to evaluate whether or not they need to furlough employees. Template letters are available to agencies to notify employees. A list of frequently asked questions has also been developed for employees affected by the furlough.</p> <p>October 14, 3:12 pm ET</p>
Texas	
Utah	
Vermont	
Virginia	<p>Here’s the info we sent out to state agencies pursuant to HR Police 1.65 – Temporary Workforce Reduction:</p> <p>State agencies receiving federal funds are assessing the impact of a potential partial shutdown of the federal government. The Department of Planning and Budget (DPB) has advised that agencies should not incur obligations or expenses against federal programs or grants after October 4, 2013, unless such expenditures will be reimbursed from ongoing federal programs not affected by the October 1, 2013, deadline.</p> <p>Agencies are also identifying potential temporary solutions to retain impacted staff that are supported in whole or in part by federal funding. One temporary solution may be to invoke a Temporary Workforce Reduction (TWFR). The Department of Human Resource Management (DHRM) Policy 1.65 provides the framework for furloughs. However, it mandates a minimum of two weeks’ notice to employees before placing them in Temporary Workforce Reduction status.</p>

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	<p>Temporary Workforce Reduction Policy</p> <p>Because agencies may not be able to guarantee future reimbursement of funding or have other ongoing funding available, they may need to furlough employees immediately. If agencies have this funding constraint, the policy requirement to notify impacted employees of their TWFR status at least two weeks in advance is waived. Agencies must still provide as much notice as possible. This waiver applies only to any potential cessation of federal funding occurring between now and the end of the 2013 calendar year.</p> <p>Please contact your HR Management Consultant if you have questions. October 1, 1:09 pm ET</p>
<p>Washington</p>	<p>The two agencies that have been mainly impacted by the federal shutdown in Washington State are the Military Department and Employment Security Department. They have initiated layoff or partial layoff action.</p> <p>There is a weekly conference call scheduled with agency deputy directors with a follow up call with agency HR Directors as needed.</p> <p>The HR.wa.gov website has an updated page with resource information and templates regarding the federal situation: http://hr.wa.gov/Pages/federalshutdown.aspx October 8, 6:40 pm ET</p>
<p>West Virginia</p>	<p>West Virginia is in the process of assessing the possible impact of the shutdown on each Department. October 2, 3:00 pm ET</p>
<p>Wisconsin</p>	
<p>Wyoming</p>	<p>In Wyoming, the Military Department has called back immediately about 50 furloughed employees to include firefighters and security force. However, the Department of Workforce Services has furloughed approximately 65 Vocational Rehabilitation employees effective today. State agencies continue to evaluate their budgets and make plans should the federal shutdown continue. October 1, 10:27 pm ET</p> <p>Wyoming furloughed 233 employees of the 1,600 positions which are fully or partially federally funded in four agencies effective today - October 7, 2013. Departments affected include the Military Department, Department of Environmental Quality, Department of Family Services and Department of State Parks and Cultural Resources. The Governor is allowing the furloughed employees to use accrued vacation leave and employees are eligible for unemployment benefits. Positions which are funded with both state and federal funds will be allowed to work the proportional state funded percentage. A website has been established to provide information at: https://sites.google.com/a/wyo.gov/state-of-wyoming-furlough-information/home. Should the federal shutdown continue more state employees will be affected in the near future. October 7, 1:20 pm ET</p>