



Applying for Unemployment Benefits after a Federal Government Shutdown

The Texas Workforce Commission (TWC) considers federal workers furloughed due to the government shutdown to be “laid off” from their jobs. Federal workers working without pay and less than their regularly scheduled hours can apply for benefits and TWC will determine if the claim is valid.

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 <https://www.twc.texas.gov/services/apply-benefits> 24 hours a day. If you do not have Internet access, call 800-939-6631 to speak with a customer 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 most recent W-2 form or a recent pay stub with your name, Social Security number, and employing agency, and
- return them to TWC. You can upload them using our secure online UI Submission Portal at: <https://www.twc.texas.gov/upload>

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?

That depends. TWC will hold payment for the first payable week of your claim, also known 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.

What if I have an overpayment?

If you have an overpayment from a prior unemployment claim, state law requires that you repay your overpayment before we can pay further unemployment benefits. TWC can apply any benefit payments toward the overpayment until it is repaid.

Reminder: If you are paid retroactively for the period you were unemployed during the shutdown, you will have to repay the benefits you received.