

Federal Shutdown Furlough FAQ's

- What is a furlough?
 - **Answer** – A furlough is defined in Kansas Administrative Regulation (K.A.R.) 1-14-11 (a) as a mandatory leave without pay for a preset number of hours during each pay period covered by the furlough.
- Why is a furlough necessary at this time?
 - **Answer** – At this time, the Federal government does not have a budget in place for its new fiscal year which begins on October 1, 2025. Since some State agencies have positions that are funded with Federal moneys, those agencies may not have sufficient funding to pay the employees in those positions since the State agency will not receive any Federal funding until a new Federal budget is in place.
- Will all State employees be furloughed as a result of the Federal government shutdown?
 - **Answer** – No. Only those State employees whose positions are funded with Federal moneys and whose agency either has no other funds to replace the Federal moneys or is prohibited from using other funding to pay for the position will be impacted by this furlough.
- How will I know if I am going to be furloughed or not?
 - **Answer** – Employees will be informed by their agency if they are being furloughed. Employees will then need to check back with their agency to see if there has been a change in status.
- Why didn't we have more notice about furloughs? I heard that there was supposed to be 30 days of notice before a furlough could happen.
 - **Answer** – The State regulation that authorizes furloughs allows for two different types of furloughs. The first type of furlough is an administrative furlough, which is the type of furlough that is planned by an agency in order to address budget reductions that are necessitated by reasons other than a lapse in appropriations. With that type of furlough, agencies are required to develop a furlough plan and provide that to the Department of Administration at least 30 calendar days prior to the implementation of the furlough.

However, the current situation meets the definition of an emergency furlough, which occurs when there is an immediate or imminent lack of funding to continue agency operations or an emergency that results in an unanticipated interruption of funding to the agency. In an emergency furlough, agencies are not required to develop a furlough plan as they likely have very little lead time prior to the need for the furlough.
- If I am furloughed, can I use my accrued leave to avoid being in leave without pay status?
 - **Answer** – No. As indicated in the definition of furlough above, a furlough is a period of leave without pay, so affected employees cannot use accrued or earned leave to offset the impact of the furlough.

- Will any time that I am furloughed count against my length of service?
 - **Answer** – No. The time that a State employee is furloughed will continue to count toward the employee’s length of service.
- If I am furloughed, will I continue to have health insurance?
 - **Answer** – Yes. Employees who participate in the State Employee Health Plan (SEHP) and are furloughed will continue to have health insurance coverage for the duration of the furlough. Depending on the amount of time that an employee is furloughed and the level of coverage in which they are enrolled, the amount of the employee’s paycheck may be insufficient to cover the employee’s cost of the coverage, so the employee may be responsible for paying those costs on their own. Employees can contact the HR Office in the agency where they work for more information about this situation.
- What happens to my sick and vacation leave accruals if I am furloughed?
 - **Answer** – Much like length of service, an employee’s accrual of sick and vacation leave will be unaffected by a furlough. The employee will continue to accrue the amount of sick and vacation leave that he or she would have accrued had the furlough not occurred.
- Can I file for unemployment if I am furloughed?
 - **Answer** – In the event of furlough, all affected State of Kansas employees may be able to receive unemployment benefits. Under Kansas law, any furloughed employee would be required to serve a waiting week before benefits could be paid. In addition, benefits would be required to be repaid in the event employees receive back pay for the duration of any furlough.
- What if I am on approved leave when I am supposed to be furloughed?
 - **Answer** – Employees who are to be furloughed but had been pre-approved for leave for a period of time that falls within a furlough will be placed in leave without pay status during the furlough just like all other employees who are furloughed. The leave for which the employee had been pre-approved will not be used and will not be deducted from the employee’s respective leave balance.
- What about Family Medical leave Act (FMLA) situations?
 - **Answer** – Employees who are off of work due to FMLA circumstances but whose position is determined to be non-essential and therefore subject to furlough may be furloughed, but the time spent on furlough does not count towards the 12 week FMLA leave.
- Will any time that I am furloughed impact my salary for retirement purposes?
 - **Answer** – No. Even though K.A.R. 1-14-11 indicated that an employee’s retirement contributions will be impacted by a furlough, legislation was passed last session that will hold employees whose retirement benefits would have otherwise been adversely impacted by a furlough harmless.

- If I am furloughed, how will I know when I am supposed to come back to work?
 - **Answer** – Furloughed employees will be contacted by their employing agency should circumstances change such that employees furloughed by the agency can return to work.
- If I am furloughed, will I be reimbursed for my time on furlough once a budget is passed?
 - **Answer** – This will depend on what is passed by Congress, so this question cannot be answered at this time.
- I don't have access to the internet so how will I know if there is a furlough?
 - **Answer** – Agencies are being encouraged to utilize the same notice provisions as they would during a Declaration of Inclement Weather in order to inform employees about the status of furloughs.
- If I am furloughed, I am still planning to work and just won't report the time. That's OK, right?
 - **Answer** – No. Employees who are furloughed are not to perform any work for the State of Kansas while they are in furlough status. The notice that they receive will inform them of this. While the dedication and sentiment that motivates this kind of offer is definitely appreciated, the State of Kansas cannot allow employees to perform work and not be paid for it.
- I have heard that employees who are furloughed will not be returned to their jobs after the furlough ends. Is this true?
 - **Answer** – No.
- I have an optional KPERS 457 (deferred compensation) account. If I am furloughed, can I take a loan to help cover the reduction in my pay?
 - **Answer:** Yes, one option that may be available is to take a loan from your account, which is then paid back with interest through payroll deductions. You can borrow the lesser of \$50,000 or 50% of your total account balance, if you don't already have an active loan that has not been repaid or a defaulted loan. The minimum loan amount is \$1,000, and you have up to five years to repay a general purpose loan, with repayments beginning about 30 days after you receive the loan check. There is a \$100 origination fee that is deducted from the loan proceeds for each loan. You may have only one outstanding loan at a time.

You may apply for a loan by logging in to your online account; contacting your local KPERS 457 Retirement Counselor; or calling Customer Service at 1-800-232-0024. You may wish to consider both the potential advantages and disadvantages of borrowing from this retirement account before doing so. For additional information, please contact your local KPERS 457 Retirement Counselor.

Additional questions not addressed above may be sent to psweb@da.ks.gov. Thank you.