



NATIONAL SECURITY AGENCY
CENTRAL SECURITY SERVICE
NSA/CSS POLICY MANUAL 4-16C
SPECIAL COMPENSATION




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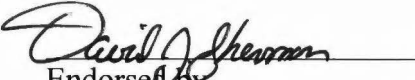
**CHAPTER 3
COMPENSATION FOR UNEMPLOYMENT**

PURPOSE AND SCOPE

In accordance with [References a-b](#), the Unemployment Compensation for Federal Employees (UCFE) Program is administered under the provisions of the various [State](#) unemployment compensation laws.

This chapter applies to all NSA/CSS civilian employees.


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DISTRIBUTION:
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This chapter supersedes Personnel Management Manual Chapter 382, "Compensation for Unemployment," dated 11 August 2001.

OPI: HR Employee Gateway, MD1, 992-5699 (secure) or 301-688-2916 (public).

POLICY

1. The Secretary of Labor is responsible for the general administration of the UCFE and has the authority to prescribe rules and regulations necessary for carrying out its provisions.

2. Federal employees are eligible to receive unemployment benefits under the UCFE program. The employee is responsible for filing an initial claim for UCFE in accordance with applicable State law. The benefits are paid by the States under the same terms and conditions as regular State unemployment compensation. In general, the State of the employee's last official duty station determines eligibility for benefits.

3. To be eligible for unemployment compensation, an individual must have performed *Federal service* within the *base period* as determined under applicable State law.

4. Each State law prescribes the conditions under which benefits are payable to individuals. However, to be eligible for benefits, an individual must be:

- a. Totally, part-totally, or partially unemployed;
- b. Able to work;
- c. Available for work;
- d. Seeking work as required by the applicable State law; and
- e. Not subject to disqualification under applicable State law.

5. State law provisions govern the right of appeal and a fair hearing from a determination of eligibility for or entitlement to UCFE.

6. The State agency may request findings from NSA/CSS with respect to information concerning employment, earnings, and reason for separation, or non-pay status of individuals, and may also request a reconsideration and correction of any of the NSA/CSS findings.

7. NSA/CSS is responsible for filing an appeal whenever it believes that the State agency's decision is incorrect. NSA/CSS may seek appeal and review in accordance with State law.

PROCEDURES

8. The claimant should follow the guidance and procedures for the State in which their last official duty station is located.

9. NSA/CSS provides to State agencies information concerning employment, earnings, and reason for separation, or non-pay status of individuals basing claims on Federal service. The Agency supplies information (SF-8, "Notice to Federal Employees About Unemployment Compensation") to all employees being separated or placed in a non-pay status regarding their rights under the law.

a. An SF-8 is furnished on or before the last day of active duty to an employee who is:

- 1) Separated for any reason;
- 2) Is placed in non-pay status for 7 or more consecutive calendar days; or
- 3) Is transferred to the jurisdiction of another payroll office.

b. Intermittent employees would only be issued an SF-8 the first time in each calendar year that they are in non-pay status.

c. Employees in an involuntary non-pay status are given an SF-8 on the last day of active duty when the Agency places an employee in a non-pay status (i.e., Adjustment in Force (AIF), furlough, suspension) and the involuntary absence is for a period of at least 7 consecutive calendar days.

RESPONSIBILITIES

10. **HR Employee Gateway (MD1) shall:**

- a. Furnish the SF-8 as appropriate;
- b. Report to State agencies a refusal of an offer of reemployment by a former NSA/CSS employee;
- c. Provide the required information to the State agency to allow determination of a claimant's entitlement to unemployment compensation; and
- d. Coordinate with Employee Relations (ER) and OGC, as appropriate, to determine whether the Agency should seek appeal of a State agency's determination of an individual's eligibility or entitlement to UCFE.

11. **The Office of the General Counsel (OGC) shall** seek appeal or review of State agency's determination of an individual's eligibility or entitlement to UCFE in accordance with state law.

REFERENCES

12. References:

- a. 5 U.S.C., Chapter 85 Subchapter I, Sections 8501-8509, "Employees Generally."
- b. 5 C.F.R., Section 609 et seq.

DEFINITIONS

13. **Base Period** – The period as defined by the applicable State unemployment compensation law for the *benefit year* ([Reference a](#)).

14. **Benefit Year** – The year as defined by the applicable State unemployment compensation law, and, if not so defined the term means the period prescribed in the agreement between the Secretary of Labor and the State or, in the absence of such an agreement, the period is prescribed by the Secretary of Labor ([Reference a](#)).

15. **Federal Service** – Service performed after 31 December 1952 in the employ of the United States or an instrumentality of the United States which is wholly or partially owned by the United States with the exception of those services stated below (Excerpted from [Reference a](#)):

- a. Employees paid on a contract or fee basis if such individuals are excluded by Civil Service Regulations from the operation of Subchapter III of Chapter 83, Title 5, U.S.C. pertaining to Civil Service retirement.
- b. Employees receiving nominal pay and allowances of \$12 or less a year.
- c. Employees serving on a temporary basis in cases of fire, storm, earthquake, flood, or other emergencies (as distinguished from employees serving under temporary appointments limited to 1 year or less).
- d. Noncitizen employees outside the United States, the Commonwealth of Puerto Rico, and the Virgin Islands.

16. **State** – The several States, District of Columbia, the commonwealth of Puerto Rico, and the Virgin Islands ([Reference a](#)).