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| EMPLOYMENT AND TRAINING ADMINISTRATION ADVISORY SYSTEM U.S. DEPARTMENT OF LABOR Washington, D.C. 20210 | CLASSIFICATION Unemployment Insurance |
| | CORRESPONDENCE SYMBOL OUI/DUIO |
| | DATE November 30, 2020 |

ADVISORY: UNEMPLOYMENT INSURANCE PROGRAM LETTER NO. 5-21

TO: STATE WORKFORCE AGENCIES

FROM: JOHN PALLASCH 
Assistant Secretary

SUBJECT: 2020 Decennial Census Separations

1. **Purpose.** To inform states that a large number of temporary Federal employees are expected to be separating from the U.S. Department of Commerce, Bureau of the Census, and Decennial Census due to the completion of the 2020 Census.
2. **Action Requested.** State Administrators should provide information contained in this Unemployment Insurance Program Letter (UIPL) to appropriate staff.
3. **Summary and Background.**
 - a. Summary – This UIPL reminds states to use Federal Identification Code (FIC) 914 for workers whose last employment was temporarily working for the U.S. Department of Commerce, U.S. Census Bureau, and who worked in the Decennial Census division. For permanent Census employees filing for unemployment benefits, states should use FIC 450.
 - b. Background – Article I, Section 2, of the U.S. Constitution mandates that a count of the population of the United States, i.e., a census, be conducted every ten years. The data collected by the census determines the number of seats each state has in the United States House of Representatives. The decennial census is a large mobilization and operation and requires years of research, planning, and development of methods and infrastructure that ensures an accurate and complete count. To that end, the Census Bureau hired approximately 500,000 temporary workers across the United States to work the 2020 Decennial Census. As the various field offices finish their census work, the Census Bureau will terminate employment of the temporary workers. Many of the temporary workers are expected to be separated from employment beginning July 2020, with staggered layoffs occurring throughout the rest of the year.

Temporary services performed for the Census Bureau in connection with the decennial census constitute Federal service for purposes of the Unemployment Compensation for Federal Employees (UCFE) program. Each Federal agency has a FIC used for billing the Federal agency for UCFE benefits paid to eligible former Federal employees. Every ten

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| RESCISSIONS None | EXPIRATION DATE Continuing |
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years the Department of Labor (Department) establishes a new FIC specifically for the Decennial Census division of the Census Bureau. The FIC for the 2020 Decennial Census is 914, which states must use when former employees of the Decennial Census file a claim for UCFE benefits.

In addition to temporary Decennial Census employees, the Bureau of the Census also employs permanent Federal employees who work in other areas of the Bureau (FIC 450). It is possible that some permanent Census employees may also file a UCFE claim during the same period that Decennial Census employees file their UCFE claims. States must ensure those claims are billed under the correct FIC (450) for UCFE claims involving permanent Census employees.

The Department meets regularly with the Census Bureau and Equifax, the Decennial Census' third party administrator, to ensure separating Decennial Census Federal employees are made aware of their responsibilities when filing UCFE claims. The Census Bureau has been advised to issue a Standard Form 8 (SF-8), *Notice to Federal Employee About Unemployment Insurance*, to every separating Federal employee, at the time of separation. The SF-8 provides a state with the address, contact information for the Federal agency, and the correct FIC that states must use when processing a UCFE claim and billing a Federal agency for UCFE benefits paid.

Furthermore, the Department has requested Equifax to notify states when a UCFE claim for the Decennial Census has been issued under an incorrect FIC. This coordination is intended to forestall the extra administrative steps involved when the error is not immediately uncovered, mitigate a repeat of previous instances when a state has submitted a request for wage and separation information to Equifax under one FIC, but the claimant actually worked for another FIC, and Equifax supplies the wage and separation information to the state under the incorrect FIC. As a result of the wage and separation data being reported with the incorrect FIC, the error is usually not identified until the Federal agency associated with the incorrect FIC receives the quarterly detailed benefit payment data from the state, which requires the Federal agency to dispute the erroneous charge, therefore, the state is required to issue a credit to the Federal agency and bill the correct FIC. This can be avoided by ensuring the correct FIC is used when the claim is initially filed.

4. State Actions. States must ensure the correct FIC is selected when UCFE claims are taken. States should conduct the following activities for all claims involving workers whose last employer was the Census Bureau (FIC 450 or FIC 914).

- Request claimants provide their SF-8, which will indicate the appropriate FIC and contact information for the separating Federal agency.
- Request the claimant provide the SF-50 (Notification of Personnel Action), which provides the name of the separating Federal employer and other information that will help the state establish the claim.

- Verify that the claimant worked for the Decennial Census (i.e., ask if the claimant was a temporary employee or if the claimant was a permanent Census employee who participated in the 2020 Census activities).
 - If the claimant worked for the Bureau of the Census as a permanent Federal employees file the claim using FIC 450.
 - If the claimant worked for the Bureau of the Census as a temporary Decennial Census employees, file the claim using FIC 914.

In addition to the activities listed above, states should continue to follow the UCFE claims process outlined in ET Handbook No. 391, *Unemployment Compensation for Federal Employees (UCFE) Instructions for State Agencies*.

5. **Inquiries.** Please direct inquiries to the appropriate ETA Regional Office.

6. **References.**

- Chapter IV, Employment and Training Handbook No. 391, *Unemployment Compensation for Federal Employees (UCFE) Instructions for State Agencies*; and
- Chapters IV and V, *UCFE Instructions for Federal Agencies*, <https://oui.doleta.gov/unemploy/pdf/UCFE.pdf>.

7. **Attachments.** Not Applicable.