

FAQs on Furloughs, Revised November 9, 2010

The following FAQs are provided to help employees become familiar with some of the standard elements of a furlough. The list is not complete. There are a number of aspects of a furlough that would depend upon its duration and timing and the specific details of an implementation plan.

An addendum has been added to the FAQs containing constituent input on the furlough policy and responses to that input.

Is the University currently planning a furlough?

Answer: No, there are no plans at this time to develop and implement a furlough plan.

What is a mandatory furlough?

Answer: A mandatory furlough is a leave of absence without pay. Affected employees must take time off without pay for the period of time designated by the furlough.

May I work during a furlough period?

Answer: No. Employees are not allowed to work on the furlough day. Supervisors may not require, ask or permit employees to work on a furlough day. Not permitted to work means that the employee may not conduct any University business during a furlough day.

Who is subject to a mandatory furlough?

Answer: With some exceptions, a furlough applies to all non-student employees. This includes faculty, administrators, and staff. Employees who are 100% grant funded are not subject to a furlough.

If I am a faculty member will I be permitted to cancel classes in order to fulfill my furlough days?

Answer: No. Classes or other essential student-related activities cannot be canceled. The pay period for faculty covers Winter Intersession and Spring Break. To avoid interrupting the instructional mission while providing flexibility, chairs and directors will work with their faculty on the best means of taking furlough days. If they chose to do so faculty may take their furlough days during Winter Intersession and Spring Break.

If I am on faculty fellowship leave, am I subject to the furlough?

Answer: Yes, while on faculty fellowship leave you are still in a paid status. If you are on a full fiscal or academic year leave at a reduced percent of your salary, your furlough hours will be pro-rated.

Will a part-time employee be required to take the same number of mandatory furlough days as a full time employee?

Answer: Yes, but the number of hours in the day will be calculated at the employee's appropriate full-time equivalency (FTE). For example, if a 0.5 FTE part-time academic professional is required to take 3 furlough days, each furlough "day" will be equal to 4 hours (8 hours x 0.5 FTE=4 hours).

What happens if there is a crisis that requires me to report to work on a scheduled furlough day?

Answer: Your supervisor may revoke a furlough day, if absolutely necessary, and you will be paid for work performed on that day.

May I use paid leave in lieu of a furlough day?

Answer: No. Personal, sick, overtime or compensatory time cannot be used to offset furlough time.

Am I entitled to unemployment benefits to cover the loss of pay due to a furlough?

Answer: The University does not expect any employee to be eligible under the unemployment guidelines for unemployment benefits to cover the loss of pay due to the furlough.

How will the furlough days be reflected in my paycheck?

Answer: To avoid a large reduction in any single paycheck, the total decrease in pay from a furlough will be spread over the entire furlough period. Consider for example a furlough plan in which employees must take three furlough days over a four-month period. The total decrease in compensation resulting from the three furlough days will be spread evenly over all the paychecks in the four-month period, regardless of when the days are actually taken.

Will a furlough affect an employee's pension contribution?

Answer: Retirement contributions by both the University and the employee will be affected by furloughs as contributions are based on actual earnings. For employees enrolled in STRS – STRS will allow the employee to purchase back the lost earnings. A similar determination has not been made by PERS at this time.

How will a furlough affect an employee hired during the furlough period?

Answer: New employees hired anytime during the implementation of the furlough plan will be required to participate in the plan on a pro-rated basis. Offer letters should reflect this requirement.

If an employee uses approved FMLA leave during a furlough, what is the impact on the employee's required furlough?

Answer: Furloughs must be taken in addition to any FMLA leave taken. The employee will take furlough hours on a pro-rated basis for the part of the period outside the approved FMLA leave period.

How will a furlough be handled for employees who have more than one Ohio University position?

Answer: The furlough will apply to each position funded by the University, pro-rated by FTE.

As an employee, may I perform paid consulting or other paid outside activities on furlough days?

Answer: Outside activities should conform to the existing policies or department/college rules whether performed on furlough time or not.

Can an employee request a furlough day before or after a paid state holiday or in conjunction with paid leave?

Answer: Yes. An employee may also take furlough hours in conjunction with other forms of paid leave.

Can I work overtime during a pay period in which I take furlough hours?

Answer: Yes. However, overtime should not be used to offset furlough savings. Overtime must be pre-approved by your supervisor. Allowing an employee to work overtime when unnecessary for normal business operations negates some of the savings from the plan and unfairly benefits an employee who can report overtime.

Do I have any choice in the days that I will be furloughed?

Answer: Yes. For all furlough days, an employee may request specific individual furlough days, subject to approval by her/his supervisor. The supervisor will make the final determination of the furlough days based on the operational needs of the unit.

How will the furlough affect garnishments being deducted from my paycheck?

Answer: Garnishments that are based on percentages of pay will be reduced based on your earnings.

How will the furlough affect child support payments taken out of my paycheck?

Answer: The University forwards a set amount in accordance with court orders, so this dollar amount will not be reduced.

FAQ Addendum: Constituent Input on Draft Furlough Policy

Group	Comment/Suggestion	Response
Student Senate	No comments received	NA
Graduate Student Senate	No comments received	NA
Chairs & Directors Council	No comments received	NA
Administrative Senate	We've discussed and debated but all go back to a plan not this policy. Thank you for providing us with the opportunity but at this time I do not have any feedback.	NA
Classified Senate	Concerns about no time frames (how many days and over how long of a time to take them) being included. Like a cap on the amount of days that we could be asked to take.	How many days, over how long of a period of time, and a cap on the amount of days are implementation issues rather than policy issues. They are all dependent on the size of the deficit that a furlough would be implemented to address.
Classified Senate	Nothing included about the lowest pay ranges as those folks will be greatly affected.	How a furlough would impact the lowest pay ranges is an implementation issue. The policy provides for consultation with constituent groups in order to make sure that matters such as this will be fully considered in an implementation plan.
Classified Senate	Will temps (career connection) be included? Should they go first?	Temporary employees would be included. How the use of temporary employees would be factored into steps that might need to be taken before resorting to a furlough is not an issue that can be addressed in the policy.
Classified Senate	Why are student employees exempt?	Students who work in campus jobs are not benefits eligible. As a result, they are not considered to be regular employees and do not fall within the purview of a furlough.
Classified Senate	Will the university be watching to make sure that if OPERS minimums go up that furloughs will not put anyone below that amount?	Yes
Classified Senate	Most folks are aware of the state employees taking 2 week furloughs, including a maximum amount of time would allow people to plan accordingly.	The maximum amount of time that a furlough might be put in place is an implementation issue and subject to consultation with constituent groups.
Faculty Senate (Resolution)	"If circumstances suggest that a significant operating budget deficit may have developed or is developing, the President shall charge the Budget Planning Council with investigating the need for implementing a furlough. The Council shall issue a recommendation and report to the President within ten (10) calendar days of receiving its charge."	Draft policy has been revised to include this language.

Group	Comment/Suggestion	Response
Faculty Senate (informal addendum to the Resolution)	In addition to the resolution passed in Senate, it was also clear from the drift of the discussion that senators believed Budget Planning Council should also be involved in section 6: "Consultation Regarding Furlough Implementation." This would have been put in our resolution but, as you recall, we didn't want to get involved in extensive revision on the floor of the Senate.	Draft policy has been revised to include this language. Chairs and Directors also have been added to the implementation consultation in the policy.
Faculty Senate (Resolution)	"The President's recommendation for a furlough, along with the report from the Budget Planning Council, shall be considered by the Executive Committee of the Board of Trustees, which shall determine whether a furlough be implemented."	In Ohio, except in circumstances of financial exigency, university boards of trustees typically delegate authority for operational matters such as this to university presidents. As a matter of course, the Ohio University Board of Trustees will be kept informed on discussions concerning a furlough.
Faculty Senate	I am still waiting for an answer from Steve Golding on how employees on 9-month contracts (most faculty) and 12-month contracts will be treated equally. You will recall that a 5-day furlough would be 1/36 of a 9-month contract (approximately 3% of annual salary), whereas it would only be 1/52 (approximately 2%) of someone on a 12-month contract. Suffice it to say that faculty believe everyone in the University should participate equally in the furlough and that means <u>an equivalent percentage reduction of annual salary.</u>	The University policy would be to apply the same percentage reduction to the annualized salaries of all employees. This would mean the annualized percent for a 5 day furlough (for example) would be 1/52 or 1.92%. The deduction for either 9 month or, 12 month payees would need to be the equivalent to 1.92% of the affected payee's annualized salary. The Finance dept and the Controller (Payroll reports to the Controller) in consultation with HR and the General Counsel's Office will consult to ensure we conform with all laws and university rules.
Faculty Senate	How does this affect those on the ARP (can they make up lost contributions)?	The statutory language regarding the ARP does not allow for catch-up contributions.
Faculty Senate	How does this affect the last/highest 3-year average salaries under STRS for those about to retire.	There will be a slight impact on the last/highest 3 years.

Group	Comment/Suggestion	Response
<p>Faculty Senate</p>	<p>I'm also not sure how to reconcile these statements:</p> <p><i>From the Furlough Policy:</i> "Furlough days must be taken on days that an employee is normally scheduled to work."</p> <p><i>From the FAQ:</i> If I am a faculty member will I be permitted to cancel classes in order to fulfill my furlough days? <u>Answer:</u> No. Classes or other essential student-related activities cannot be canceled. The pay period for faculty covers Winter Intersession and Spring Break. To avoid interrupting the instructional mission, faculty are encouraged to take their furlough days during these periods.</p> <p><i>From HR's web site, under paid leave --> vacation:</i> vacation for faculty is "built into the academic schedule"</p> <p>So, if faculty are on vacation (paid leave) when classes are not in session, how can we be asked to take furlough during those days, since those are days when we are not normally scheduled to work (and traditionally, at least in some departments, extra compensation is given for work during these periods in recognition of that fact)? Just because it is during a pay period does not mean that every day in that period one where we are "regularly scheduled to work." Do we really want to cede any vacation rights we have between the end of August and mid-June? (Maybe we need to start interpreting our 9-month contracts as 9 actual months, then.) (This is especially crucial for departments whose faculty traditionally teach five days per week...)</p>	<ol style="list-style-type: none"> 1. Policy amended to read: "Furlough days must be taken on days that an employee is normally scheduled to work. Notwithstanding the foregoing, faculty may take furlough days during intersession and spring break." 2. FAQ amended to read: <u>Answer:</u> No. Classes or other essential student-related activities cannot be canceled. To avoid interrupting the instructional mission while providing flexibility, chairs and directors will work with their faculty on the best means of taking furlough days. If they chose to do so faculty may take their furlough days during Winter Intersession and Spring Break.
<p>Faculty Senate</p>	<p>Faculty with external grants are committed to xx% effort on each funded project. A reduction of effort is likely to run into agency rules. Also, they will lose productivity if not allowed to "work," therefore potentially becoming less competitive for grant renewals.</p> <p>Some staff are paid 100% from external grants. Does a furlough apply to them, as it saves OU nothing?</p>	<p>FAQs amended to indicate that 100% grant funded employees are exempt.</p>

Group	Comment/Suggestion	Response
Faculty Senate	I'm also concerned about the practical issues associated with faculty furloughs. Is there something written anywhere (faculty handbook, for example) that protects the faculty from being furloughed during winter intercession, spring break, etc.?	In order to protect the instructional mission of the university, faculty would be encouraged but not required to use Winter Intercession or Spring Break to fulfill furlough days.
Faculty Senate	Basically, I'm concerned about several things, including a scenario in which faculty can be furloughed for several weeks during the year without any reduction in their teaching/advising/service obligations to the university.	The instructional mission of the university is essential. If a furlough were implemented that involved more than a few days, deans, chairs/directors would work with their faculty to reduce non-instructional obligations.
Faculty Senate	What about faculty who intentionally divide their teaching commitments unevenly between quarters in order to free up blocks of time for scholarly activity? For example, faculty teaching a 1-2-3 course load could be furloughed during fall quarter and have a 1/3 cut in pay with only a 16% release from their teaching responsibilities. Since our teaching schedules are prepared and submitted well in advance, this could be orchestrated intentionally by the administration.	It is impossible to predict when a furlough might have to be implemented. In the event of a furlough, faculty will be allowed to spread their furlough days through whatever portion of the fiscal year remains. As a result, depending upon the timing of a furlough all of the days may not need to be taken in a particular quarter/semester.
Faculty Senate	The draft policy says that I'm not allowed to work while on furlough. Should I have my undergrad and grad students conducting research stop working in the lab during that time since I cannot be here to supervise and direct them?	Faculty will have the ability to schedule furlough days in flexible way to allow for activities such as lab work.
Faculty Senate	What if we increased the numbers of sabbaticals next year instead of having furloughs? We could reduce by one the number of years required in between sabbaticals (to bring that number in line with tradition elsewhere) and we could even allow people to apply out of their cycle provided they have other sources of support lined up. These out-of-cycle sabbaticals would effectively be one-, two-, or three-quarter unpaid leaves of absence, but they would be voluntary and would actually be beneficial to the person taking leave. They could be reviewed by the colleges or provost prior to approval to ensure that they don't cause a undue hardship to the rest of the department, but this is MUCH more humane than imposing furloughs onto people who may not be able to make ends meet. I bet there are several faculty in science and engineering who would be willing to take such an opportunity if it presented itself. As far as I know there has been no attempt to look at creative options like this and what the impact might be.	This is an interesting idea that could be explored further. It would work best in circumstances where there was some advance notice that a furlough would have to be implemented. It would also depend on: <ol style="list-style-type: none"> <li data-bbox="1234 1049 1940 1143">1. Having a sufficient number of faculty willing to go on unpaid leave to accrue enough salary savings to have an impact on the deficit. <li data-bbox="1234 1148 1940 1242">2. Having enough faculty remaining in a department/school to cover the instructional load without having to hire additional faculty.