Furlough Policy

1. Purpose
   a. Ohio University is required to balance its operating budget each fiscal year. This policy provides the framework for the implementation of an employee furlough plan that would allow the university to balance its budget if it experiences a reduction in state funding or other loss of revenue that causes a significant operating budget deficit.

2. Statutory Authority
   a. Section 371.70.20 of Amended Substitute House Bill No. 1, effective on July 17, 2009, provides that “the board of trustees of any state institution of higher education, notwithstanding any rule of the institution to the contrary, may adopt a policy providing for mandatory furloughs of employees, including faculty, to achieve spending reductions necessitated by institutional budget deficits.”
   b. If the President determines that the university is facing a significant operating budget deficit, a mandatory furlough plan may be implemented in accordance with the procedures in this policy.

3. Definition
   a. A furlough is an unpaid leave of absence from work for a specified period of time.
   b. Employees are not permitted to work when taking furlough time.
   c. Employees may not use accrued paid leave during periods of furlough.

4. Employees Subject to Furlough
   a. Except as noted below, all regular university employees (full/part-time, permanent/term) may be subject to a furlough.
   b. Employees who are holders of H-1B visas, as defined in 20 CFR 655.731 will not be subject to furlough.
   c. Student employees and Graduate Assistants are not subject to furlough.
d. A furlough plan may exclude employees who perform functions essential to maintain health and safety on the university campus. Any such exclusions must be approved by the President.

5. Consultation Regarding the Need for a Furlough

a. If circumstances suggest that a significant operating budget deficit may have developed or is developing, the President, the Executive Vice President and Provost, and the Vice President for Finance and Administration will consult with the chairs of Faculty Senate, Administrative Senate, Classified Senate and the Planning Unit Heads regarding the need for a furlough plan to balance the university budget. Consultation shall be understood to be an opportunity to provide substantive feedback in a timely manner. The President shall also ask the Budget Planning Council to review and evaluate the need for implementing a furlough. The Council shall provide a report and recommendation to the President within 10 calendar days. If after consultation and the review by the Budget Planning Council the President determines that the University is facing or will face a significant operating deficit, a furlough may be implemented.

6. Consultation Regarding Furlough Implementation

a. The President or the President’s designees will consult with the chairs of Faculty Senate, Administrative Senate, Classified Senate, Chairs and Directors Council, the Planning Unit Heads and Budget Planning Council in planning for implementation of a furlough. Consultation may, by necessity, require intense and limited periods of time for planning.

7. The Furlough Plan

a. After consultation in accordance with this policy, the President may adopt a furlough plan which will set forth the number of furlough days and the period of time within which they must be taken.

b. The President may extend, modify or cancel a furlough plan after consultation in accordance with this policy.

c. Furlough days will be scheduled by the supervisor in consultation with the employee subject to the operational needs of the department or unit. Furlough days must be scheduled in a way that allows the department or unit to continue to provide a basic level of service.

d. 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.
8. Notice
   a. Employees will be given notice of a furlough at least 30 days before it is to be taken.

9. Appeals
   a. A furlough plan adopted pursuant to this policy may not be appealed under any other university policy or internal grievance process.

10. Benefits During a Furlough Period
    a. Health care, dental care and life insurance benefits will not be affected by a furlough.
    b. Employees will continue to accrue vacation and sick leave during a furlough, but not FMLA credit.
    c. Retirement contributions (by both the employee and the University) will be affected by furloughs as contributions are based on actual earnings.
    d. The employee remains responsible for making all employee contributions during a furlough period, including health care, dental care, Flexible Spending Accounts, and 403(b) contributions.
    e. All miscellaneous authorized deductions will continue to be made during a furlough period, including credit union deductions, charitable contributions, university payments and child support.
    f. An employee’s continuous service credit, review date, and employment status will not be affected by any period of mandatory furlough.