

Voluntary Furlough for Local 88 Employees

Frequently Asked Questions

August 2012

Q1. What is a voluntary furlough?

A1. A voluntary furlough allows employees to either reduce their schedules and/or take leave without pay, for a period up to twenty-nine (29) consecutive days, as a method to help the county save jobs and/or service programs.

Q2. Are the terms of the furlough program outlined in the Local 88 contract?

A2. No, the county and Local 88 have entered into a Memorandum of Exception (MOE) to the terms of the contract to allow for a furlough program.

Q3. What is the process for applying for a voluntary furlough?

A3. A Local 88 employee wishing to participate in the furlough program must complete the Furlough Request Form and submit it to their supervisor. Furlough requests will be granted or denied by supervisors on a case by case basis, in part or full, in writing.

Q4. What criteria should be used for approving or denying a voluntary furlough?

A4. Employees making a request to participate in the program will be considered on a first come-first served basis. Supervisors should consider the following criteria when reviewing a request for voluntary furlough:

- What are the business needs of the department/division/work unit?
- Is there adequate coverage (staffing levels) during all business hours?
- Will a substitute need to be hired or overtime need to be granted to cover an employee's leave?
- Will service levels be reduced if the furlough is approved?
- Will there be a negative impact on other employees in the work group if the furlough is approved?

Q5. What happens after a voluntary furlough is approved or denied?

A5. After the supervisor signs the form approving or denying the leave, s/he must retain a copy of the form and send the original to their Department Human Resources Unit with a copy sent to Labor Relations at 503/3. Labor Relations tracks voluntary furlough requests and provides reports regarding the furlough program to stakeholders on a periodic basis.

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Q6. Can a probationary employee be granted a furlough?

A6. Yes, but supervisors need to be cautious regarding approval of periods of time off that could impact their ability to adequately train and evaluate the employee during their probationary period. A Local 88 employee's probationary period may not be extended unless the employee is absent from work for a period of six (6) months or more.

Q7. How much time can an employee take off under the furlough program?

A7. An employee volunteering to participate in the furlough program must take a minimum of time off that is equivalent to one (1) week of the employee's normally scheduled work week.

The only exception to the requirement that employees take at least one (1) work week of furlough is that employees who are reassigned or demoted due to layoff or bumping may request up to three (3) working days of leave without pay prior to reporting to their new work assignment as provided in Article 21.III.E.10 of the Local 88 Agreement.

Employees requesting to take time off in excess of one (1) work week shall be limited to blocks of twenty-nine (29) consecutive calendar days, which is required to maintain health benefits for employees per Article 11, otherwise there is no limit for the fiscal year. Continuous leaves exceeding twenty-nine (29) days will have an adverse impact on County sponsored benefits.

Q8. Does the employee have to take time off in one (1) block of time or can the time off be spread out over several work weeks?

A8. Employees can take the time off in one (1) day increments if they choose to do so, the days are approved by their supervisor, and the total time off during the fiscal year is equivalent to one (1) week of the employee's normally scheduled work week.

Q9. If an employee takes a twenty-nine (29) day furlough, how many days do they have to come back and work before they can take another furlough?

A9. The department can decide how soon an employee can take another furlough, but the employee must return to work for a period of time before a new furlough begins.

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Q10. If employees are already working a reduced workweek, can they qualify for an additional furlough that allows them to take off a block of time?

A10. Yes, an employee can request to take a block of time off that is limited to twenty-nine (29) calendar days. They will need to complete the Furlough Request Form and go through the furlough approval process.

Q11. Does an employee have to use all available leave time (vacation, holiday, compensatory time) before taking a furlough?

A11. No, an employee can take a furlough and maintain vacation, holiday, and compensatory time in their leave accrual bank.

Q12. Can an employee request a furlough in lieu of using sick leave?

A12. No, furlough time cannot be used for sick leave purposes. Employees whose absence is covered under sick, FMLA, or OFLA provisions must use leave in accordance with those rules and applicable contract language.

Q13. If an employee takes a furlough or changes to a reduced work schedule for a period of time less than twenty-nine (29) days, will it impact their vacation accrual?

A13. It depends on the length and timing of the furlough or the number of hours worked as well as the employee's FTE status.

Full-time employees: A Full-time employee in unpaid status for an entire pay period will not accrue vacation leave for that payroll period. A full-time employee in paid status for any part of a pay period will accrue their full vacation amount for that payroll period.

Full-time employees electing to go on a reduced work schedule which causes their FTE to be less than full-time (.8 FTE for employees on a 5/8 or 9/80 or 3/10 schedule or .75 FTE if on a 4/10 schedule) will be subject to the pro-rated accrual rates for part time employees.

Part-time employees: Part-time employees accrue vacation leave on a pro-rated basis, depending on the number of hours worked during the pay period.

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Q14. If an employee takes a furlough or changes to a reduced work schedule, will it impact their sick leave accrual?

A14. Sick leave, for both full-time and part-time employees, is accrued based on the number of hours worked, at the rate of .0461 hours for each straight time hour worked. Therefore, employees on furlough or reduced work schedule will accrue sick leave at a lower rate.

Q15. If a reduced scheduled is requested and approved, how long is the employee allowed to work this schedule?

A15. An employee can work a reduced schedule for a period of time up to twenty-nine (29) consecutive days under the furlough MOE. If the reduced schedule is for a period of time longer than twenty-nine (29) consecutive days, then the employee's regular schedule, and FTE status if applicable, should be changed in SAP at the end of the twenty-nine (29) consecutive day period. Please note that under the furlough program supervisors can not approve work schedules for employees to work less than twenty (20) hours a week to ensure that employees can continue to be eligible for health and welfare benefits.

Q16. Does a full-time employee who takes a furlough to reduce their schedule to part-time have a right to return to full-time status if the reduction is twenty-nine (29) days or less?

A16. Yes. A full-time employee who takes a furlough of twenty-nine (29) consecutive days or less and works a part-time schedule will still be listed as full-time employee in SAP. Employees who reduce their schedule for a period of time longer than twenty-nine (29) days will have their full-time status changed to part-time in SAP.

Q17. What happens if an employee reduces hours to part-time under the furlough program and their position is later eliminated? Is the employee treated as a part-time or full-time employee for purposes of bumping?

A17. The employee would retain their layoff and bumping rights under Article 21 as a full-time employee.

Q18. Does an employee lose holiday accruals if they are on furlough the day before and the day after a holiday?

A18. Yes. Article 7, Section III.C of the Local 88 contract states that "regular employees must be in pay status both on the employee's schedule work day before and on the employee's scheduled work day after the observed holiday." The MOE makes an exception to this language by stating that employees must only be in pay status

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either the day before or the day after the holiday in order to be eligible for holiday pay.

Q19. How will an employee's benefits be affected during the period of voluntary furlough?

A19. It depends on the length and timing of the furlough or the reduced work schedule. Article 11, Section I.L.3 of the Local 88 contract states "Employees' benefits coverage will not be affected by unpaid leaves of absence of less than thirty (30) days duration." If an employee takes a block of twenty-nine (29) consecutive days off, benefits would not be affected in the sense of losing benefits. However, employees who are unpaid (or short paid) for a payroll period will have to pay any under or unpaid deductions for medical, dental, optional short term disability, and/or optional life insurance occurring during the furlough period. The payroll system will recover those unpaid deductions during the first payroll period when employee returns to work. This will have the effect of doubling or tripling (depending on the length of the furlough) the usual per paycheck employee deduction amounts.

Employees who work a reduced schedule for a period of time less than twenty-nine (29) consecutive days will not experience any adverse impact on their benefit premium contributions. If employees reduce their schedule for more than twenty-nine (29) consecutive days, then their FTE status will be changed in SAP, and they will be liable for appropriate part-time employee premium contributions. Most benefit plan eligibility requires a minimum twenty (20) hour work week, so supervisors are not allowed to approve such schedules under the furlough program.

MERP and DCAP: In order for employees to continue participating in MERP and DCAP, there must be a payroll contribution. Participation in MERP and DCAP ends when there is no payroll contribution. If an employee is in paid status for some days in a payroll period, participation in MERP and DCAP will continue because a deduction will be taken.

If an employee is in **unpaid status** for an entire payroll period and no deduction is taken:

MERP: Contribution and participation ends. The employee must re-enroll upon return to work to restart participation. The employee must reenroll at the same annual goal amount and will have a larger payroll deduction to reach their annual goal with fewer payroll periods to contribute. Expenses incurred during the furlough period WOULD NOT be eligible for reimbursement through MERP unless employee elected to make a contribution (via MERP COBRA) for the furlough period.

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DCAP: Contribution and participation ends when employee goes on leave regardless of whether that is paid or unpaid leave status. An employee is only eligible to participate in DCAP when child care is a requirement to be at work, so even if a person is only off for one payroll period, their participation in DCAP should stop.

The employee must re-enroll upon return to work to restart participation, but not required to choose same annual goal amount. Child care expenses incurred during the furlough period are not eligible for reimbursement through DCAP. There is NOT a COBRA option for DCAP.

Q20. If an employee receives “opt out” reimbursements in lieu of participating in the county’s health and welfare benefits program, will their “opt out” reimbursements be affected by furlough?

A20. Employees who receive an “Opt Out” refund and go on furlough for a period of twenty-nine (29) consecutive days or less that results in their being in unpaid status for an entire payroll period will still be eligible for their “Opt Out” reimbursement. Opt Out refund eligibility would end for consecutive unpaid furlough periods in excess of thirty (30) days.

Q21. If an employee takes a furlough, will the money saved stay in the employee’s work unit?

A21. No. Because of funding streams, the county can not promise that money saved by the furlough program will stay in the employee’s work unit.

Q22. Should an SAP action be done or entries be made on the employee’s timesheet?

A22. Yes, the following should be completed:

Blocks of time off:

- **Five (5) days or less:** If the furlough is five (5) days or less, the timekeeper enters the time and attendance code UA02-Admin Furlough Unpaid in CATS. No SAP entries are required by the HR Maintainer.
- **Greater than five (5) days:** If the furlough is greater than five (5) days and continuous, the HR Maintainer enters an action – Administrative Leave/Reason 04-Furlough; and the timekeeper enters the time and attendance code UA02-Admin Furlough Unpaid in CATS.

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Reduction in schedule:

- **Twenty-nine (29) days or less:** If the furlough includes a reduced schedule for the employee, follow the instructions for “Greater than five (5) days” above (under Blocks of time off) for the first twenty-nine (29) days; do not change the employee’s FTE or schedule. If the furlough is greater than (5) days, but not continuous (such as every Friday for 8 weeks), the timekeeper enters the time and attendance code UA02-Admin Furlough Unpaid in CATS. No SAP entries are required by the HR Maintainer.
- **Thirty (30) days or more:** If the reduced schedule continues into the 30th day, an action changing the employee’s FTE should be run and their schedule changed accordingly. Furlough codes in CATS should no longer be used.