

## INFORMATION ONLY

PROCEDURE TITLE:	FURLOUGH PROCEDURE
PROCEDURE NO.:	4.52:1
RELATED POLICY:	4.52REV
PAGE NO.:	1 OF 4
RESPONSIBLE ADMINISTRATOR(S):	VPF&A/HUMAN RESOURCES
EFFECTIVE DATE:	05/14/2020
NEXT REVIEW DATE:	05/2023
APPROVED BY:	PRESIDENT

### 1.0 AUTHORITY: THIS EMERGENCY PROCEDURE IS ENACTED UNDER THE AUTHORITY OF:

- 1.1 Section 381.540 of Am. Sub. HB 166 of the 133<sup>rd</sup> Ohio General Assembly permitting the board of trustees of an institution of higher education to adopt policies providing for mandatory furloughs of employees to achieve spending reductions necessitated by institutional budget deficits;
- 1.2 Section 124.14(F) of the Ohio Revised Code, which authorizes boards of trustees of state universities to carry out all matters of governance involving officers and employees of the University;
- 1.3 Shawnee State University Board of Trustees Resolution No. E02-20, authorizing the President to enact temporary emergency procedures to address the COVID-19 pandemic; and
- 1.4 Shawnee State University Board of Trustees Resolution No. F14-20, authorizing the President to enact emergency procedures on mandatory furloughs.

### 2.0 INTRODUCTION

The University's long-term financial stability depends on the ability to balance the operating budget. As a result of the COVID-19 pandemic, the University is facing projected institutional financial deficits caused by, among other factors, current actual and projected future decreases in state funding and a projected short-term decline in student enrollment. The purpose of this procedure is to set forth the standards for mandatory employee furloughs that may be implemented to address such losses in revenue.

### 3.0 APPLICABILITY

- 3.1 This procedure applies to all employees including faculty, unclassified executive and administrative staff, and non-bargaining unit classified staff. Employees covered by a collective bargaining agreement will be subject to the terms of the

applicable agreement. Employees covered by written employment agreements will be subject to the terms of those agreements and any amendments thereto.

- 3.2 Excluded from this procedure are employees working for the University under H1-B visas and work-study students, and other student workers. The University may exempt from furlough those employees earning less than a minimum annualized salary as determined by the President.

#### 4.0 EFFECTIVE DATES

Notwithstanding any provision of the Ohio Revised Code, Ohio Administrative Code, or formal policy of Shawnee State University, this emergency procedure shall be in effect immediately and will remain in effect unless and until the procedure is revised or is superseded by a formal Board of Trustees Policy.

#### 5.0 DEFINITION AND TERMS OF FURLOUGHS

- 5.1 A furlough is defined as a non-permanent, unpaid leave of absence from work for a specified period of time. An employee may not do work for the University while on furlough. An employee may not use paid leave while on furlough except on days when the employee would otherwise be in paid working status.
- 5.2 The President may adopt a furlough plan that is in units of a) a specified number of working days, b) a specified number of workweeks, or c) a specified percentage of reduced working hours per pay period over a period time. When permitted by law, the University may allocate the employee's reduction in pay over the balance of the fiscal year regardless of the pay period or periods in which a furlough occurs.
- 5.3 A furlough is not a layoff. A furloughed employee in the classified civil service has no displacement rights or appeal rights.
- 5.4 The University's implementation of mandatory furloughs may involve the submission of one or more proposed plans to the Ohio Department of Job and Family Services' SharedWork Ohio program or similar future programs designed to avert employee layoffs and lessen the economic impact to individuals who are furloughed.
- 5.5 The University may extend a furlough if the President determines that such an extension is needed to achieve spending reductions necessitated by institutional budget deficits. In such instances, the Human Resources Department will promptly notify the impacted employees in writing of any changes in their return to work date or changes from normal working hours.
- 5.6 Any impacted employee who does not return to work when so notified and who is not on an approved and scheduled leave will be considered to have constructively resigned, absent extenuating circumstances.

- 5.7 The implementation of furloughs does not preclude the University from implementing layoffs or job abolishments.

## 6.0 CONSULTATION AND IMPLEMENTATION

- 6.1 If, after consultation with the Vice President for Finance and Administration, the President reasonably believes the University is facing a significant operating budget deficit, a furlough plan may be implemented. In making this determination, the President may consider any relevant actions, declarations, or announcements by the federal and/or state governments. The President and/or a designee may also consult with representatives of affected employee groups prior to implementation of a furlough, however, consultation may, by necessity, require intense and limited periods of time for planning.
- 6.2 In determining the individual(s) who will be furloughed and the types of furloughs that are implemented, the President may take into account the essential operating and safety needs of the University, employee wage and salary levels, actual or projected income generated by the various divisions, departments, units, or programs, changes in funding for positions funded by outside sources, and other relevant factors.
- 6.3 A furlough plan may consist of University-designated furlough days, furlough days chosen by the employee with the approval of their supervisor, a combination of these, or a reduced work schedule.
- 6.4 Where feasible, the University will make reasonable efforts to provide affected employees seven calendar days' notice before a furlough is implemented. In cases of emergency, including a total or partial campus shutdown, it might be necessary for the notice period to be shorter. The notice to the impacted employee shall indicate the type of furlough that is being implemented and the date the furlough is to begin. Impacted employees will be notified by the Human Resources Department of the date the employee is expected to return to his or her normal working hours.

## 7.0 SCHEDULING

Whether mandatory furloughs will be implemented in units of workdays, workweeks, or reductions in work hours will be at the sole discretion of the President. Scheduling of furloughs will be the responsibility of the President or the President's designee(s). Furloughs may be implemented on a differential, intermittent, or staggered basis based on pay/salary level, employee classification, or nature of appointment. Days that the University is normally closed or days that may not normally be workdays for certain groups of employees (e.g., Spring Break and the week between December 25 and January 1) may be designated as furlough days.

## 8.0 EMPLOYEE BENEFITS AND CONTRIBUTIONS WHILE ON FURLOUGH

- 8.1 The University will use reasonable efforts to maintain existing medical, dental, vision, and life insurance benefits for affected employees during a furlough to the extent that such coverage is within the University's control. Employees will continue to accrue vacation and sick leave during a furlough, but may not use accrued paid leave on days that they are not scheduled to work because of a furlough.
- 8.2 Retirement contributions by both employees and the University will be affected by furloughs as contributions are based on actual earnings. Employees are advised to consult with their retirement system on other potential effects of the furlough upon retirement benefits.
- 8.3 While on furlough, employees remain responsible for employee contributions for health, dental, and vision insurance, Flexible Spending Accounts, employees' shares of retirement plan contributions, and other miscellaneous authorized payroll deductions.

### History

Effective: 05/14/2020