

Furlough Leave

University Policy 8470

Frequently Asked Questions (FAQs)

Q1. What is a furlough?

A1. A furlough is a cost containment measure used by organizations to ameliorate budget shortfalls; to respond to sudden emergencies (which require a significant curtailment of the organization's activities) or because of a lack of work. Rather than permanently separating employees from the organization, for something that may be temporary in nature, furlough leaves place employees in a temporary, non-duty and non-paid status, for a specified period of time.

Q2. Will I receive advance written notice of a furlough?

A2. A communication from the president, announcing a mandatory furlough will precede the scheduling of all mandatory furlough leave days. Per university policy, notification of a mandatory furlough leave, in most cases (see Furlough Leave policy for exceptions), will be implemented no sooner than thirty (30) days prior to the first day of a mandatory furlough leave.

Q3. If I am required to take furlough leave days, are those days paid or unpaid?

A3. Per university Furlough policy, there are two furlough leave scenarios covered under the policy: (1.) mandatory and (2.) voluntary scheduled furlough leave. Furlough leave under either scenario requires that an employee be placed in a non-work, non-paid status.

Q4. As an hourly (nonexempt) employee, can I be required to work during furlough leave days, without pay?

A4. The FLSA (Fair Labor Standards Act) requires employers to pay covered non-exempt (hourly) employees for **all** hours worked during a 40-hour workweek. Therefore, during a mandatory and/or voluntary scheduled furlough leave, non-exempt/hourly (classified and unclassified) employees, cannot be required (**or allowed**) to perform any duties, during their furlough leave status.

Q5. As a salaried (exempt) employee, can I be required to take time off without pay?

A5. In compliance with Department of Labor regulations, deductions from the pay of an employee of a public agency for absences due to a budget-required furlough disqualify the employee from being paid on a salary basis, only in the workweek when the furlough occurs and for which the pay is accordingly reduced. Therefore, during a month in which a mandatory furlough leave or voluntary scheduled furlough leave is required and/or allowed, exempt employees will be converted to an hourly status and will have their compensation adjusted in accordance with the number of furlough leave days during a particular pay period. Exempt and non-exempt staff will not be allowed to perform any work during mandatory and/or voluntary scheduled furlough leave days.

Q6. Would furlough leave days have to be taken all in the same pay period i.e., same week/month, or can they be spread out?

A6. The president or designee will determine mandatory furlough leave days. As such, mandatory furlough leave may require that all days be taken within a single pay period. However, voluntary furlough leave days can be scheduled between the employee and the supervisor, and may be taken during a time most operationally feasible for the college and/or division.

Q7. What happens if an employee is called into work from their voluntary furlough leave, due to an emergency?

A7. Calling an employee in for an emergency, while the employee is on a voluntary furlough leave, should be limited to extreme circumstances and should only apply to those individuals who are deemed “essential personnel.” If it is essential for you to report to work during your voluntary furlough leave, because of an emergency, you will be paid in accordance with your classification.

Q8. What if I am on an approved leave during a mandatory furlough, can I still be paid for my leave?

A8. In most instances, unless otherwise agreed upon, paid leaves will not be authorized during a mandatory furlough leave. Paid leave during a mandatory furlough would result in an increase in the university’s operating budget, at a time when the university is intending to decrease the budget. Therefore, all leaders will be instructed that during a mandatory furlough leave, all paid leave must be canceled and employees must either be (1) at work performing work activities, if applicable or (2) on a mandatory unpaid furlough leave.

Q9. What happens if enough people do not volunteer for voluntary scheduled furlough leave days?

A9. Furlough leave will be implemented as a cost savings mechanism only - and will be used as a last resort. In the event that furlough leave becomes necessary, the university will first request that individuals, who are willing, take voluntary scheduled furlough leave. Should a deficit continue once the savings from the voluntary furlough leaves have been calculated, it may be determined that a mandatory furlough leave is necessary. If a mandatory furlough leave is subsequently implemented, those individuals who have already taken voluntary scheduled furlough leave will have any new furlough leave requirement offset by the furlough leave already taken.

Q10. Can I voluntarily take a furlough leave, if I have permission from my supervisor even if there has been no “formal,” activation of the furlough leave by the university?

A10. On February 16, 2018, the university board of trustees approved the new university policy, Furlough Leave. As such, there are two furlough leave options available: (1) mandatory and (2) voluntary scheduled. For non-bargaining unit faculty and staff, a request for a voluntary scheduled furlough leave, can be made at any time, and can be approved at management’s discretion, so long as it is operationally feasible.

Q11. Can my supervisor request that I take a mandatory day off without pay without formal activation by the president?

A11. Unless the university is under a mandatory furlough leave, management cannot require employees to take unpaid furlough leave days.

Q12. Can unemployment compensation be a means to help defray my loss of income during a organization-mandated furlough?

A12. According to the Ohio Job and Family Service Unemployment FAQ, to qualify for unemployment benefits, there are four key factors that must be met: (1) You are totally or partially unemployed at the time you file your application (2) You worked enough weeks and earned enough money in covered employment during the base period of your claim (3) You are unemployed through no fault of your own and (4) If you had a prior benefit account, you reestablished yourself as a worker by performing enough work since the prior account began. Specific eligibility is determined by the Unemployment Commission on a case-by-case basis.

For more information, you can visit the Job and Family Services Unemployment Benefit site by visiting this link http://jfs.ohio.gov/unemp_comp_faq/index.stm.

Q13. Will a furlough leave affect my benefits?

A13. Most benefits will remain the same and will therefore not be impacted during a furlough leave. However, individual OPERS and/or STRS contributions will change, as a result of fewer hours worked and less pay during the furlough leave period. Leave accruals will continue with the use of a specific furlough leave code on bi-weekly time sheets and monthly leave reports. Employees will remain responsible for all payroll deductions, which may include things such as medical, dental, vision, 403b, etc.