

## **Cal Poly, San Luis Obispo 2009/10 Furlough Implementation Plan**

### **Employee groups currently subject to furlough\***

- Bargaining Unit 1 (UAPD – Physicians) -- exempt from furloughs effective 11/5/09
- Bargaining Units 2, 5, 7 and 9 (CSUEU), except Dispatchers
  - Health Center staff exempt from furloughs effective 11/5/09
- Bargaining Unit 3 (CFA – California Faculty Association)
- Bargaining Unit 4 (APC – Academic Professionals of California)
- Management (except MPP Sworn Police Officers)
  - Health Center MPP employees exempt from furloughs effective 11/5/09
- Confidential (C99)
- Non-Represented (E99) – at Cal Poly, includes Casual Worker; Helper/Aid; Research Fellow; Special Consultants; Instructional Faculty-Extension Non-Credit (excluded if self-support non-state funded)

### **Furlough Day**

A furlough day is a day on which an employee is placed temporarily in a non-work, non-pay status for budgetary reasons.

Unless otherwise noted, employees will be subject to the following number of furlough days between the August 2009 and June 2010 pay periods:

- a. 12-month employees – 24 days
- b. 11-month employees – 22 days
- c. 10-month employees – 20 days
- d. Hourly employees – number of days in a pay period shall be reduced by two days
- e. Academic Year faculty – 6 days per quarter between September 13, 2009 and June 13, 2010.

### **Salary Impact**

Management, Staff and 12-month Faculty: The effect of the furloughs over a full year is a wage/salary reduction of 9.23%. Because the deduction is starting with the August pay period (paycheck received August 31, 2009) through the June, 2010 pay period, the monthly pay reduction must be spread over eleven months (instead of 12) and will be approximately 10.07%.

For Academic Year faculty, the pay reduction will be approximately 9.23% effective with the September 2009 through August 2010 pay periods.

Exempt employees (except faculty and lawyers) lose their FLSA (Fair Labor Standards Act) exemption during the week they take a furlough day and are treated as hourly-paid workers (non-exempt) subject to overtime during the furlough week.

Employees on compressed work schedules such as 4/10 may be converted to a 4/8 work schedule during any week in which a furlough day is taken.

\* Full or partial exemptions may apply to positions funded by grants. Program Administrators must notify Human Resources (for staff and management) or Academic Personnel (for faculty) if they have grant-funded positions so an exemption determination can be made.

## **Scheduling Furlough Days for Staff and Management**

Employees should first be given the opportunity to nominate furlough days. The appropriate administrator, after consultation with the employee, shall designate the furlough days for an individual employee after considering the employee's request, seniority, and the operational needs of the unit. Furlough days should be scheduled as equally as possible across the furlough period.

Scheduling of furlough days should occur before the beginning of the pay period in which they will be observed.

For all staff and management employees, except those represented by CSUEU, there can only be one work week within the 52 week furlough period in which an employee takes more than one furlough day. Except for this one week exception, only one furlough day can be taken in a single work week. Furlough days can be consecutive if they are part of two separate work weeks (e.g., Friday and Monday). Employees represented by CSUEU can request to take more than one furlough day per work week.

For additional information on scheduling furlough days, see the Frequently Asked Questions (FAQs) on the Furlough Program web page at <http://www.afd.calpoly.edu/hr/furloughs.asp>.

Vacation days, sick leave, CTO or holidays are not to be substituted for furlough days. Leave forms are to reflect the actual furlough dates taken. It is the university's intent not to authorize overtime in a week in which a furlough day is used.

### **Recommended Work Schedule**

Furlough days should be scheduled as equally as possible across the furlough period in order to match the monthly pay reduction. In order to equalize scheduling, it is recommended that, when possible based on operational needs, furlough days be taken on a Friday with staff taking alternating Fridays off. In that way, the campus community will recognize that staff reductions typically occur on Fridays and that some services will be limited.

During the one work week in which non-CSUEU represented employees may take more than one furlough day, it is recommended that, when possible based on operational needs, these be incorporated with an academic break or holiday period (e.g., Christmas or New Year holiday periods). The following example demonstrates how to combine furlough day usage with a holiday and equalize the rest through the year:

Employee takes two furlough days each pay period, except for December. In December:

- a. Employee takes one Friday furlough day in early December and then takes three furlough days on December 21, 22, and 23 (campus is closed December 24 and 25); or
- b. Employee takes one Friday furlough day in early December and then takes three furlough days on December 28, 29, and 30 (campus is closed December 31 and January 1, 2010).

## **Scheduling Furlough Days for Faculty**

In meeting the learning outcomes and course objectives during the furlough period, instructional faculty are encouraged to schedule furlough days that have a minimum impact on instruction. It may be necessary to construct course assignments that require fewer days of face-to-face classroom interactions with students to accommodate furloughs. Furloughs are not intended to create an unreasonable workload or schedule. Faculty members and department chairs/heads should attempt to develop a workload adjustment commensurate with the provisions of the faculty settlement agreement. The President has delegated authority to college deans to determine the composition of professional duties and responsibilities of faculty and to designate furlough days, absent mutual agreement, based on compelling operational needs of the college and to explain those needs in writing to the faculty unit employee. (Examples of paid workdays that have minimum impact on classroom instruction include Instructional Planning Day, Commencement, Evaluation Day and, for part-time faculty, some of the days during Fall Conference.) Prior to the beginning of classes of each academic quarter, each faculty member shall certify in writing that:

- a. He/she will not work on the assigned furlough day
- b. She/he will not work beyond the duties assigned for the furlough week.

The scheduling of furlough days for 12-month faculty employees are the same as described above for staff and management. The work assignments of coaches, counselors, and librarians will be reduced by eight (8) hours in the furlough week. Furlough days for part-time faculty are pro-rata (e.g., half-time lecturers take six days weighted as .5 of a full-day per quarter, preferably on non-teaching days.)

Furlough guidelines for faculty employees include no more than one furlough day in any workweek, nor more than two furlough days in any calendar month. The only exception is that once per year, up to four furlough days may be taken in a single workweek.

Probationary faculty may request an additional year of probation prior to the first level of review. FERP participants may take a leave of absence without losing a year of eligibility in the program. Faculty whose salary is funded 100% from grants and contracts and faculty teaching Extension for Credit (2322) and Special Programs (2323) are exempt from the furlough.

## **Questions**

Frequently asked questions (FAQ) are posted on websites for Human Resources at <http://www.afd.calpoly.edu/hr/furloughs.asp> and Academic Personnel at <http://www.academic-personnel.calpoly.edu/Announce.html> along with applicable Furlough Agreements for employee groups. Questions can be directed to Human Resources ext. 62236 regarding management and staff furloughs, and to Academic Personnel ext 62844 for faculty unit employee furloughs.