



## Interim University Policy

Applies to: Faculty, staff, student employees, and graduate associates.

(Staff who are members of a bargaining unit and are covered by a collective bargaining agreement are included in this policy. However, when this policy conflicts with specific terms in the applicable collective bargaining agreement, the language in the collective bargaining agreement will prevail.)

### Responsible Office

**Office of Human Resources**

### POLICY

Issued: xx/xx/2020

This policy provides the general framework for implementing employee furloughs in accordance with bylaw 3335-1-08(E) of the Ohio Administrative Code.

### Purpose of the Policy

To provide the framework for the implementation of employee furloughs that would address an actual or projected operating budget deficit, decline in financial resources, and/or other significant fiscal or operational circumstance resulting from an interruption or reduction in state or other funding to the university, university state of emergency, decline in institutional enrollment, extensive impairment to university facilities, natural disaster, pandemic, Act of God, or other event that unexpectedly impacts the operating budget of the university.

### Definitions

Term	Definition
Continuous service	Employee's years of service at the university without a break in service.
Employee	For purposes of this policy, any university employee, including faculty, staff, student employees and graduate associates, regardless of source of funds, place of work, status, appointment type, or <b>full time equivalency (FTE)</b> .
Full-time equivalency (FTE)	The percentage of full time (40 hours per work week) hours worked during the period covered by a given position (for example, 10% FTE equals four hours of work per work week).
Furlough	The placement of an employee in an unpaid, temporary, no-duty leave of absence status from work for a specified period of time. A furlough is not a layoff or reduction in force. Employees are not permitted to work for the university when taking furlough time.

### Policy Details

- I. Authority to Implement a Furlough
  - A. Section 381.540 of Amended Substitute House Bill No. 166 (133<sup>rd</sup> General Assembly) ("Section 381.540") provides that the Board of Trustees, notwithstanding any rule of the university to the contrary, may adopt a policy providing for furloughs of employees, including faculty, to achieve spending reductions necessitated by institutional budget deficits. In addition, Ohio Revised Code Section 3335.08 allows the Board of Trustees to establish bylaws, rules, and regulations for the government of the university.
  - B. Pursuant to Section 381.540 and Ohio Revised Code Section 3335.08, the Board of Trustees has adopted bylaw 3335-1-08(E) of the Ohio Administrative Code, which provides that the president or his or her designee may adopt, amend, administer, and terminate as appropriate a policy regarding furloughs for all employees. This policy has been adopted in accordance with bylaw 3335-1-08(E).
  - C. Pursuant to bylaw 3335-1-08(E), this policy supersedes all other university policies and rules to the contrary when the university implements a furlough pursuant to this policy.



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### II. Implementation of Furloughs

- A. Furloughs may be used as a measure to balance temporary financial or operational shortfalls while preserving the size and strength of the workforce of the university or one of its individual units.
- B. Furloughs may be implemented either university-wide or at the individual unit level, with coordination through the Office of Human Resources.
- C. The university may implement furloughs when the following circumstances take place:
  - 1. The university anticipates or experiences a significant budgetary reduction or constraint.
  - 2. The university anticipates or experiences an immediate or imminent interruption of funding to the university.
  - 3. The president declares a university state of emergency.
  - 4. The university determines that other significant fiscal or operational circumstances warrant implementation of a furlough.
- D. Any furlough plan must describe the temporary financial or operational shortfall being addressed, the proposed furlough actions to be taken, the anticipated budgetary savings that will be accomplished through plan implementation, and the timeframe for the planned furlough.
- E. There are two types of furlough plans, a university-wide furlough plan and a unit-level furlough plan.
  - 1. In the case of a university-wide furlough plan, the president will consult with the executive vice president and provost, the executive vice president and chancellor for health affairs, the senior vice president and general counsel, the senior vice president for business and finance, and the senior vice president for talent, culture and human resources (or, in each case, any successor position) (Senior Executive Team) with respect to the creation, implementation, amendment, or termination of the plan.
  - 2. In the case of a unit-level furlough plan, the dean/VP must consult with, and receive approval from, the Office of Human Resources with respect to the creation, implementation, amendment, or termination of any such plan.
- F. The president or his or her designee must present any proposed university-wide furlough plan to the Board of Trustees as a recommendation for the Board's consideration and approval.
- G. The Board of Trustees must approve any university-wide furlough plan prior to its implementation and must review and be apprised of any unit-level plans prior to their implementation.

### III. Employees Subject to Furlough

- A. All university employees may be subject to a furlough.
- B. The university may exclude certain employees from a furlough due to their duties and responsibilities or as otherwise determined by the university.

### IV. Employee Benefits While on Furlough

- A. Certain benefits may be available for continuation while on furlough, subject to the terms of the applicable benefit plan, program, or policy. To the extent that benefits are continued during a furlough, employees will be billed for employee contributions while on such furlough.
- B. An employee's **continuous service** credit and employment status will not be affected by any period of furlough.

## PROCEDURE

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### I. Implementing a Furlough

- A. The Board of Trustees must approve the implementation of a university-wide furlough plan as outlined in Policy Details II. The Office of Human Resources must approve the implementation of any unit-level furlough plan, and apprise the Board of Trustees of any unit-level plan so the Board of Trustees can review prior to its implementation.

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- B. In the case of a unit-level furlough plan, the dean/VP, in partnership with their human resources business partner must consult with, and receive approval from, the Office of Human Resources with respect to the creation, implementation, amendment, or termination of any such plan. The Office of Academic Affairs will be consulted if a unit is considering implementing a furlough that impacts faculty.
  - C. The Office of Human Resources will coordinate with unit(s) on the implementation plans for university-wide and unit-level furloughs.
- II. Notice
- A. The university will give employees and the university community notice of a decision to implement a university-wide, or a unit level, furlough as soon as administratively practicable, but not less than 14 days before a university-wide, or a unit level, furlough is implemented.
- III. Furlough Days/Hours
- A. In instances where employees are placed on a furlough for continuous working days, those employees will be placed in unpaid status in the HRIS system.
  - B. In instances where employees are taking furlough days or hours on an intermittent basis, those employees must submit furlough days or hours in accordance with timekeeping process normally used by the employee.
  - C. Employees on furlough must not engage in any work-related activities during the designated furlough period.
  - D. Employees cannot use university accrued leave time (sick, vacation, or compensatory) in order to be compensated on designated furlough days.
- IV. Compliance
- A. Employees who fail to comply with any provision of this policy may be subject to corrective action up to and including termination of university employment.

### Responsibilities

Position or Office	Responsibilities
Board of Trustees	Review and approve recommended university-wide furlough plan from the president or his or her designee. Review unit-level furlough plans from the senior vice president for talent, culture, and human resources prior to their implementation.
Dean/VP	1. Consult with, and receive approval from, the Office of Human Resources with respect to the creation, implementation, amendment, or termination of a unit level furlough plan.
Employee (on furlough)	1. When applicable, choose furlough days or hours. 2. Submit furlough days or hours in accordance with unit's timekeeping process if taking furlough days or hours on intermittent basis.
Office of Human Resources	1. Review the creation, implementation, amendment, or termination of unit-level furlough plans and approve as appropriate. 2. Coordinate with unit(s) on the implementation plans for university-wide and unit-level furloughs.
President	Consult with the Senior Executive Team, recommend, and present university-wide furlough plan to the Board of Trustees.
Senior Executive Team	Consult with president on decision to implement, amend, or terminate any university-wide furlough and/or furlough plan.

### Resources

#### Governance Documents

Bylaws of the Board of Trustees of The Ohio State University, [3335-1-08\(E\)](#)

Comprehensive Emergency Management Plan, [dps.osu.edu/sites/default/files/comp\\_2017.pdf](https://dps.osu.edu/sites/default/files/comp_2017.pdf)

Disaster Preparedness and University State of Emergency policy, [hr.osu.edu/wp-content/uploads/policy617.pdf](https://hr.osu.edu/wp-content/uploads/policy617.pdf)



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University Faculty Rules, [trustees.osu.edu/bylaws-and-rules/university-faculty-rules](https://trustees.osu.edu/bylaws-and-rules/university-faculty-rules)

Additional Guidance

Benefits Eligibility, [hr.osu.edu/benefits/eligibility](https://hr.osu.edu/benefits/eligibility)

Ohio Department of Job and Family Services, Unemployment Compensation, [unemploymenthelp.ohio.gov/](https://unemploymenthelp.ohio.gov/)

### **Contacts**

Subject	Office	Telephone	E-mail/URL
Payroll questions	Payroll Services, Office of Business and Finance	614-292-2311	<a href="mailto:payroll@osu.edu">payroll@osu.edu</a> <a href="https://busfin.osu.edu/buy-schedule-travel/accounts-payable/payroll-services">busfin.osu.edu/buy-schedule-travel/accounts-payable/payroll-services</a>
Policy questions	Employee and Labor Relations, Office of Human Resources	614-292-0864	<a href="mailto:hr-elr@osu.edu">hr-elr@osu.edu</a> <a href="https://hr.osu.edu/services/elr/">hr.osu.edu/services/elr/</a>

### **History**

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