

Points to Consider When Implementing A Voluntary Furlough

Eligibility

Agency

- The agency head may implement a voluntary furlough at his discretion.
- A voluntary furlough cannot be enacted if an agency's reduction is due solely to the General Assembly transferring or deleting a program.
- The employee's pay has to be reduced for the pay period in which the leave was taken. The reduction in pay **cannot** be staggered over the fiscal year.
- The Division of State Human Resources encourages agencies to research any restrictions on federal or other funds associated with positions before implementing a furlough. In some instances, federal laws associated with funding for certain programs may prohibit employees from participating in voluntary furlough. In those situations if a position is only partially federally funded, the voluntary furlough may be prorated.

Employees

- All employees in FTE positions, time limited positions, or temporary grant positions are eligible to participate.
- An employee may voluntary furlough up to ninety (90) calendar days per fiscal year.
- An employee may voluntary furlough in full or partial day increments; however, an agency may establish the smallest increments in which voluntary furlough may be taken by an employee.

Benefits

- Employees are eligible to participate in the same state benefits as otherwise available to them with the exception of receiving their salary.
- State agencies are responsible for making both employer and employee contributions if coverage would otherwise be interrupted for benefits which require employer and employee contributions. *Agencies will be required to pay both the employee and employer retirement contributions on missed wages due to the furlough.*
- The employee remains responsible for making contributions that require only employee contributions.
- An employee will continue to accrue annual and sick leave as if he were in pay status.
- If a holiday falls during the voluntary furlough period, the employee should be paid for the holiday.

Other Implications

- Denial of an employee's request to voluntary furlough is not grievable or appealable under the State Employee Grievance Procedure Act; however, all decisions made under this program should be made in a non-discriminatory manner.
- An employee's performance review date will not be adjusted; however, an agency should take into consideration an employee's review date prior to approving a voluntary furlough for evaluation conference purposes.
- An employee's state hire date and continuous state service date will not be adjusted.
- An employee may be eligible for unemployment compensation. For more information on furlough and unemployment compensation, please contact the Department of Employment and Workforce.

Documentation and Reporting

- Agencies may be required to report information concerning voluntary furloughs to the State Human Resources Division.
- Agencies should maintain internal documentation for record keeping purposes and a Letter of Agreement that documents the terms of the voluntary furlough and emphasizes the employee's voluntary decision to request it.