

FURLOUGH OF STAFF

File: GCIA-P

The Portsmouth City School Board may find it necessary to implement a mandatory furlough program for certain regular full-time and part-time employees when economic conditions warrant a reduction in funding. It will allow certain groups to be exempt from furlough as indicated by the Superintendent. This policy permits employees on the mandatory furlough program to maintain most benefits, even though they are not in a pay status. The Division Superintendent and the Director of Human Resources shall ensure compliance with this policy. The purpose of this policy is to establish uniform guidelines for the implementation of furloughs with the least possible disruption to the workforce or to the delivery of services to all stakeholders.

Definitions

As used herein, the term “furlough” shall mean either placing of employees on a temporary non-duty, nonpay status or the period of time during which employees are furloughed. Furloughs may be implemented only when and to the extent authorized by the School Board.

A. PROCEDURES for Exempt and Nonexempt Employees

Within the scope of the authority granted to the Division Superintendent by the School Board regarding furloughs:

1. Division Superintendent’s authority. The Division Superintendent shall determine all furlough implementation procedures not set forth in this policy.
2. Complete days. Furloughs shall be only for full work days, not for partial days.
3. Responsibility of Human Resources and Finance. It shall be the responsibility of the Departments of Human Resources and Finance to implement all furlough procedures that are contained in this policy or that are otherwise adopted or determined by the Division Superintendent.
4. Prior written notice. All employees who are to be furloughed shall be notified in writing within 30 days of the beginning and ending date of each furlough period.
5. Continuous service. A furlough does not constitute a break in service for the purpose of calculating retirement benefits. An employee’s continuous service date shall not be affected any furloughs.
6. Retirement benefits. For the purpose of calculating retirement benefits, retirement earnings shall be reduced by the amount of unpaid furlough wages.
7. Legal holidays. If a legal holiday is selected as a furlough day, employees shall not receive pay for that day.

8. Sick leave and annual leave. If a furlough is scheduled for an authorized sick leave, personal leave or annual leave day for any employee, then the employee shall not be paid for that day, but the employee shall not be charged with sick, personal or annual leave.
9. Employer and employee contributions to benefits. During furloughs, the School Board and the employee shall continue contributions toward health, retirement and basic life insurance coverage and to any elective benefits in the same amounts as during a regular paid work period.
10. Leave accrual rate. Furlough days shall not reduce the accrual rate for annual leave, sick leave or personal leave.
11. Overtime. Furlough days shall not count as FLSA “hours worked” for overtime calculations.
12. Military leave. Any employee who is on military leave shall be exempt from any furlough that is implemented while on such leave.
13. Workers’ compensation. Any employee who is on workers compensation shall be exempt from furlough and shall continue to receive his or her normal workers compensation benefits.
14. Leave without pay.
 - a. Nondisciplinary status. Leave without pay days that are non-disciplinary shall also be deemed furlough days as authorized by the Division Superintendent.
 - b. Disciplinary status. Leave without pay days that are disciplinary shall run consecutively with furlough days. Disciplinary leave without pay shall be extended by the number of furlough days.
15. Not to be used for discipline. Furloughs shall not be used for disciplinary purposes.
16. Work not permitted while on furlough. Employees shall not perform any school-related work while on furlough. This includes checking work-related e-mail and voice mail.
17. Limit on maximum daily hours. For any week in which there is at least one furlough day, no employee shall work longer than his or her normal work day on any paid work day, unless authorized by the supervisor. Any person who is a supervisor or higher shall not exceed this time limitation without approval from his or her supervisor. This paragraph applies to FLSA exempt and non-exempt employee.
18. Policy not grievable. The implementation of this policy shall not be grievable.

B. NOTICE

Every effort will be made to give school board employees at least 30 calendar days’ notice prior to implementation of the mandatory furlough program. Factors beyond the control of the school division may, in some instances, cause this time to be shorter.

Approved: June 24, 2010

PORTSMOUTH PUBLIC SCHOOL DIVISION