**University of Wisconsin-Whitewater Furloughs [Interim – 04] June 25, 2020**

**Effective:** July 1, 2020

**Purpose:** This policy provides the framework for the implementation of an employee furlough plan.

The [University of Wisconsin System Administrative Policy 1200-Interim 04](https://www.wisconsin.edu/uw-policies/uw-system-administrative-policies/interim-furlough/), under authority granted by Wis. Stats.s.36.115, provides the University of Wisconsin comprehensive campuses the option to implement a variety of workforce reduction and cost saving measures, beyond existing layoff policies to address the mission-critical needs that will continue to support student success. The furlough process is not a substitute for layoff, non-renewal, or termination processes as outlined in the Wisconsin Administrative code, system-wide policies, and institutional policies.

**Related Policies:** Regent Policy Document 20-21, University Personnel Systems

 UW System Administrative Policy 1219, Continuous Service

 UW System Administrative Policy 1210, Vacation, Paid Leave Banks and Vacation Cash

 Payouts

 UW System Administrative Policy 1212m Sick Leave

**Scope**: This policy applies to the following UW-Whitewater employees: Faculty, Academic Staff, University Staff, Limited Appointees, Employees-in-Training and Temporary Employees [USTE’s].

**Definitions:**

**Furlough:**Required temporary unpaid leave during which an employee does not report for work and does not earn a wage. Employee retains their position during the furlough as well as benefits (benefit coverage is dependent on employee type and length of furlough). A furlough shall constitute a “leave of absence” as defined in [Wis. Stat. sec. 40.02(40).](https://docs.legis.wisconsin.gov/statutes/statutes/40/I/02/40) A furlough is not a layoff, non-renewal, or termination and employees cannot work during a furlough day. Employees may not use accrued paid leave during periods of furlough. Employees who are holders of H1-B visas, as defined in 20 CFR 655.731 will not be subject to a furlough, nor student employees.

A furlough plan may exclude employees who perform functions essential to maintain health and safety on the university campus. Any such exclusion must be approved by the Chancellor and/or the designee.

**Adjustment to Salary Base –** Institutions have broad flexibility to work with limited appointees to agree to temporary salary adjustments in lieu of furlough days.

**Consecutive Day Furlough Assignment:**A furlough assigned in full day increments for a continuous period of time with a defined start and end date. In the instant case, the days will be scheduled for May, June and July of 2020, specific dates to be determined by assignment.

**Continuous Employment:**Has the same meaning here as in [UW System Administrative Policy 1219- *Continuous Service*.](https://www.wisconsin.edu/uw-policies/uw-system-administrative-policies/continuous-service/)

**Continuous Service**: Has the same meaning here as in [UW System Administrative Policy 1219- *Continuous Service*.](https://www.wisconsin.edu/uw-policies/uw-system-administrative-policies/continuous-service/)

**Flexibility:** Due to the unusual circumstances, employees may be called back to work with a 7-day notice period. Under exigent circumstances, with employee’s consent, UWW may request a return to work with minimal notice.

**Intermittent Furlough Assignment:**A furlough assigned in full day increments that must not exceed one day every two weeks, coinciding with a biweekly pay period and two days per month for monthly pay period.

**Half-day Furlough:** Based on a full-time employee who takes a four-hour [half-day] furlough.

**Operational area**: Is an area of focus or function in a school, college, division, department or office. An operational area will generally be a subset of a school, college, division, department or office, and need not include the whole unit.

**Temporary Workload Reduction Furloughs** – Furloughs that temporarily reduce an employee’s full time equivalency [FTE] percentage while preserving their original appointment.

**Voluntary Furlough Assignment:**A furlough request initiated by the employee that must be approved by the immediate supervisor and human resources.

**Workforce-wide Furlough:**An intermittent furlough assignment that covers all employees of the University of Wisconsin-Whitewater.

**Consultation:** The Chancellor and Cabinet has consulted with the governance groups and may, schedule additional consultative meetings at the discretion of the Chancellor.

**Furlough Plan:** The UW System Administrative Policy 1200-Interim 04 provides the authority to the Chancellor on his/her respective campus to consult with Cabinet and governance groups to support a furlough plan, consistent with the UW System Administrative Policy 1200-Interim 04. Through consultative meetings the Chancellor shall determine whether the furlough will be targeted, across the board, or both.

The current furlough plan for the University of Wisconsin-Whitewater will include:

* Targeted and workforce-wide furloughs for all current employees [excluding specific employees];
* Notices to employees via email providing at least seven [7] days’ notice period, because of the unusual circumstance caused by COVID-19, followed by WebEx meetings, with the opportunity for a questions;
* The amount of furlough time for continuous days will be completed as much as possible during the months of May, June and July of 2020;
* Intermittent furlough assignment of 13 days, with the option of additional days, with appropriate notice, must be completed within 14 months beginning in May of 2020 and completed on or before the end of June 30, 2021;
* Intermittent days can be taken in ½ day increments;
* Supervisors, chairs and/or deans will ensure that all affected employees experience and realize the assigned furlough time, and will pre-approve and approve the same;
* Employees are not allowed to make up time or work any overtime hours in the same week and/or pay period as the furlough time taken;
* The Chancellor and/or designee may extend, modify or cancel a furlough plan after consultation with the assigned supervisor and provide as much notice as possible;
* Furlough time will be scheduled with the supervisor and the employee; however, subject to the operational need of the college, department, unit, etc.;
* Furlough time must be taken on days that an employee is normally scheduled to work, and try to schedule days that minimizes impact on instruction and service to students, must be taken during regularly assigned work days, and must be taken during the contract period, as applicable;
* Faculty and instructional staff may take furlough days during winter break and/or spring break;
* If an employee assigned to intermittent furlough, and does not take any intermittent days off during the first six months, furlough days will be assigned by the supervisor, chair/dean, or designee;
* If an employee designated to take intermittent furlough wishes to take their days in a consecutive manner, the supervisor must pre-approve and coordinate with Human Resources and Diversity at least 14 days prior to the leave to establish a consecutive day furlough plan.
* If the supervisor wishes to schedule an employee designated for intermittent furlough to take consecutive furlough days or designate specific dates for furlough to be taken, the supervisor will coordinate with Human Resources and Diversity at least 14 days in advance of the leave to establish a consecutive day furlough plan.
* Effective July 1, 2020 employees who make $100,000 or above will be required to take 14 furlough days before June 30, 2021 and employees who make $150,000 or above will be required to take 15 days before June 30, 2021.

**Notice:** Employees will be given notice of a furlough at least seven [7] days before it is to be taken.

**Appeals:** A furlough plan adopted by the University of Wisconsin-Whitewater may be appealed; however, it does not delay a furlough.

**Pay and Benefits During a Furlough Period:**

* Insurance for health, and health with uniform dental, will not be affected by a furlough; however, the employee remains responsible for the employee cost of the premium;
* Dental/vision, life and supplemental life are optional for the employee and may be eligible for a change to these particular benefits as a result of the furlough;
* Employees will continue to accrue vacation and sick leave during a furlough, but not FMLA credit;
* Retirement contributions will be affected by furloughs, because contributions are based on actual earnings;
* The employee remains responsible for making all employee contributions during a furlough period, including healthcare, dental care, flexible spending accounts, as well as other savings contributions;
* Employees may use accrued sick leave as credits to pay for the employee portion of health insurance benefits while on a furlough assignment;
* All miscellaneous authorized deductions will continue to be made during a furlough period, including charitable contributions, university payments, child support, garnishments, etc., and
* An employee’s continuous service credit, review date and employment status will not be affected by any period of mandatory furlough.