

## **Additional Questions Regarding Furloughs**

(These questions were submitted by various campus departments)

1. The November 25<sup>th</sup> Furlough day happens to fall in the same work week with a home football game? Will the employee only be able to work 32 hours that week or will we just have to show the employee did not work one 8 hour day during the period?  
If a bi-weekly employee's normal work week is typically more than 40 hours, will they be required to only work 32 hours in a work week or will not working for one day and coding it to Furlough in Kronos suffice?

If we only have to reduce the work week by 8 hours, how will we affect the position if an employee still works 40 hours or more?

- A. The employee should not work on the furlough day unless he/she has been deemed as essential and approved to work. Situations may arise in which the employee needs to work more than 32 hours in the remaining four days of that work week. Assuming that this person is a nonexempt employee (i.e. paid on the bi-weekly payroll), the employing unit should obtain prior approval for this additional work through their chain of command up to and including the dean or vice president. If the person is a monthly paid employee (normally exempt from the Fair Labor Standards Act) then the person should not work more than 32 hours during the designated furlough week.**
2. If we can't reschedule the April 30<sup>th</sup> date for Golf Course employees, since the Nationwide Tournament will be ongoing that week and much planning will be handled throughout the month of April, can we possibly move the furlough day to the month of February?  
**A. The policy requires that the alternate day must be within the same month, i.e. April. It may be helpful to have these essential employees take a half furlough day twice to minimize the disruption in their work, but each of the employees must make up the eight hours during the preceding four weeks of April.**

The following FAQ addresses essential operations and may be found at <http://uga.edu/furlough/managing.html> :

### **Essential Operations**

Only personnel required to provide essential operations will be permitted to report to work on designated furlough days. Department heads/directors will provide personnel within their unit's specific instructions with regard to furlough procedures and scheduling by:

- A. determining those personnel within their respective units that are required to maintain essential operations on these designated furlough days,

- B. securing approval from their respective dean/vice president to maintain these staffing levels on designated furlough days, and
  - C. scheduling an alternate furlough day within the same month for those individuals.
3. In regards to the salaried employees whose pay period Dec. 24<sup>th</sup> – January 6<sup>th</sup>, includes 2 furlough days, it was mentioned the employee could take two partial days or use leave to offset one of the days and then take the second day in a different pay period. Would we again need to offer the employee the opportunity to make the hours up if they choose to move one of the furlough days to another pay period?
- A. Assuming that you are asking about an employee who is subject to the furlough, the answer would be no, the person would not make up the hours. Makeup hours should be offered to employees who are exempt from the furlough but who are not deemed essential and thus are not at work on the furlough day. For these employees the supervisor should make every attempt to reschedule the employee so that their pay is not negatively impacted by the furlough. If you are asking about an employee who is not subject to the furlough, then yes, you would need to make every effort to accommodate an alternate work schedule to avoid impacting the employee's pay.**
4. If we choose a specific account to earmark all of the Auxiliary Savings toward, could we have the process automated like the state funds?
- A. Unspent funds resulting from the furlough will remain in the account in which they were originally budgeted. No process exists to automatically re-budget these funds to specified accounts.**
5. What if an employee's salary is less than the \$23,660 minimum, but based on overtime to date, they will effectively end up with more W-2 income than \$23,660? Will they become subject to the furlough or are they still exempt?
- A. This exemption is based on the employee's annualized rate of pay and is not impacted by overtime. For example an employee with an annual rate of \$23,500 who works overtime paid at \$1,000 for total annual earnings of \$24,500 is exempt from the furlough. However, an employee whose annualized rate of pay is \$24,500 without overtime is subject to the furlough.**
6. Can sick leave be used in the place of annual leave in the event an employee doesn't have annual leave?
- A. Sick leave can only be used by an employee who is sick and may not be substituted for annual leave under any circumstances.**

7. If we have an employee who will not be required to take 6 days, can we skip the November furlough day to avoid added complications due to football game days and catch them back up with a later furlough date?
- A. An employee should take their required furlough days beginning with the first scheduled day and continuing until the employee has taken their required number of days. Any exception to this policy would need to be approved through the department's chain of command up to and including the relevant senior vice president. As stated in the FAQ found at [http://uga.edu/furlough/when\\_furlough.html](http://uga.edu/furlough/when_furlough.html):**
8. Due to my salary level I will take less than 6 furlough days. When will I take those days?
- A. Employees required to take less than six furlough days will take their first furlough day on October 30th and will stop taking furlough days once they have reached the maximum number of furlough days required.**
9. Our dining commons close on December 18<sup>th</sup> at breakfast and our retail units have a shortened schedule. We would like to use December 23<sup>rd</sup> as the alternate day to December 24<sup>th</sup> so that salaried employees would not have 2 furlough days in the same pay period. According to the policy, we may do that. We want to confirm.
- A. Yes, you can designate an alternate day for bi-weekly paid employees in order to avoid having two furlough days in one pay period.**
10. If an employee is not subject to furlough days, but our operations are closed on a furlough day – that employee may use annual leave. What if the employee does not wish to use leave and will take LWOP? Is that acceptable?
- A. No, it is not acceptable for the employee to be on LWOP. The policy requires that the pay of employees not subject to the furlough should not be negatively impacted. Any exception to this policy must be approved by the respective senior vice president. As found in the FAQ located at <http://uga.edu/furlough/managing.html>:**

Individual department heads/directors will schedule the work of personnel in their respective units that are not subject to furlough days to ensure that the pay of these individuals will not be adversely impacted as a result of these institutionally designated furlough days. If work schedules cannot be adjusted within the two week pay period, the furlough day for these individuals will be treated as annual leave with pay. Department heads/Directors must:

- receive approval from their respective senior vice president using the form available at <http://www.busfin.uga.edu/furloughs> before utilizing annual leave with pay by
- demonstrating that all options to adjust these employees' schedules were exhausted.

11. If a furlough exempt employee may take leave without pay on a furlough day, do we need to fill out an LWOP form for that one day? Budget Amendment?
- A. If the conditions of the answer for question 9 are met and leave without pay is taken by the employee, then the department should follow their normal procedures for such days. The LWOP form would normally not be required for one day of LWOP but a budget amendment would be necessary.**
12. In discussion with Holley Schramski after the BAAF session on furloughs, there was some consideration of possibly allowing us to change the work week from Saturday – Friday to Sunday – Saturday for monthly employees, so we wouldn't include the Football game on Nov. 21 in with the furlough week for monthly employees. Has a decision been made as to whether or not this is possible? If so, will you provide a separate timecard or do we need to make our own?
- A. The possibility of changing the work week was considered but it was determined that the change would create other issues that would negatively impact more units than the current defined week. The work week will remain Saturday to Friday for monthly employees.**
13. If a monthly employee only works 60% time and therefore is only required to take a total of 28.8 hours of furlough leave, will the 4.8 hours automatically be deducted each of the defined pay periods or would they have the option of taking full furlough days and finishing the furlough days up earlier?
- A. Pay for the 4.8 hours will automatically be deducted from the monthly employee's check for each of the furlough months, and the employee should take 4.8 hours of furlough in each of those months.**
14. Is it correct that an employee who needs to take 21 hours of furlough time (Salary = \$23,900) before they reach the \$23,660 minimum salary limit, would take 2 full furlough days and then take 5 hours of furlough to complete their furlough requirement? (Confusion has arisen based upon the asterisk on the chart and the asterisk below the chart. Some are interpreting this to mean only those in that range will be subject to partial furlough days and others are not.)
- A. Managing partial furlough days for employees in this annual salary range will be time consuming and complex. Please contact the Payroll Department for instructions in managing partial furlough days.**
15. We have an employee working 50% time. The full-time rate for her position is \$42,896. Since she works 50% time, will she be furloughed based on the fact that her full-time salary is over \$23,660 or will she be exempt based on the amount (\$21,448) she actually earns?

**A. The furlough income test is based on the employee's annualized rate of pay, so her annualized full-time rate of \$42,896 makes her subject to the furlough. Since she is 50% time, she will be required to take 4 hours furlough time for each furlough day (50% times 8 hours for a full-time person equals 4 hours).**

16. We have a retiree rehire on the monthly payroll and is in a temporary exempt non-faculty position. She makes more than \$11.60 per hour. Because she is on the monthly payroll, I think that her pay will be automatically reduced for the furlough days, so she should work less hours during furlough weeks/months to compensate for the reduced pay. Is this correct?

**A. You are correct. Since she is on the monthly payroll and otherwise qualifies for the furlough, her pay should be automatically adjusted during payroll processing. She should take furlough leave for the furlough months based on the percent of her appointment, i.e. 50% person would take 4 hours of furlough leave.**

17. We have a retiree rehire on the hourly payroll and is in a temporary non-exempt non-faculty position. He makes more than \$11.60 per hour. Because he is on the hourly payroll, his pay will not be automatically reduced. He normally works 19 hours per week. Can he continue to work 19 hours per week, or should his hours be reduced during the pay periods that have furlough days?

**A. A rehired retiree making \$11.60 per hour is subject to the furlough, and you are correct that his pay will not be automatically reduced since he is on the hourly payroll. His hours should be reduced during the pay periods that have furlough days, again based on the percentage of his appointment -  $19/40$  equals 47.5%; 47.5% times 8 hours equals 3.8 hours.**

18. I have a question about retiree-rehires. As I understand, they are included in the furloughs, as long as their annual salary is calculated at \$11.60 or more. I had one retiree-rehire argue with me telling me that since he will be "earning" less than \$23,660, he will not be furloughed, but I explained to him that this is based on the ANNUAL salary, not what we are actually paying him. I hope this is correct! (Example: Annual salary is \$76,426, but we're actually paying this person \$3,863 to teach one course. Annual salary of \$76,426 is calculated at \$48.80/hr.)

**A. You are correct. His annual full-time rate of \$76,426 makes him subject to the furlough.**

19. One of our retirees is hired for Fall semester (academic payroll) only. Fall semester appointment dates are 08/17/09-12/16/09. Will he be subject only to the October and November furlough days since the December furlough occurs AFTER his appointment end date? Also, we are hiring another retiree for Spring semester—those appointment dates being 01/07/10-05/07/10. Will this person be subject to the January 4, 2010 furlough day since his appointment does not officially begin until January

7?

- A. This person hired for 8/17/09 through 12/16/09 will be subject only to the two furlough days that fall within his appointment dates, i.e. October 30th and November 25th.**

**The person hired for 1/7/10 through 5/7/10 will be subject to furlough days on March 8th and April 30th, but not the January date since it is prior to his start date.**

20. If an employee's annual salary at 100% is \$24,395, but the employee is only .875 EFT, does the calculated \$81.79 daily furlough deduction subtract off the annual salary of \$24,395 or is the employee exempt from furlough deductions because the .875 salary is \$21,345?

- A. Since this employee's annualized rate of pay exceeds \$23,660, this person is subject to the furlough. Since it exceeds \$24,219 (see the chart in the FAQs), the person is subject to all six furlough days. The calculated daily rate would reduce the person's actual earnings, not the annualized full time rate. If the person is paid on the monthly payroll, the reduction will occur automatically in the payroll system. If the person is on the salaried bi-weekly payroll, then the person should work and report fewer hours and be paid less accordingly. Since the person is .875 EFT, he or she is subject to 7 hours of furlough each of the six designated furlough days (.875 times 8 hours equals 7).**

21. I wanted to get clarification about the process for employees who are paid out of income accounts. I have 7 employees who are paid out of a state account and out of our Orientation income account. When they are furloughed and a portion of their salary is not from state funding what do I need to do with those funds. My understanding from the meeting on the 24th was that we could take that "salary savings" and move it to operations (re-budget it). Is this correct? Or does that money have to go somewhere else?

- A. Furlough salary savings from state funds will be used by the central administration to offset budget reductions from the state, but furlough salary savings from non-state funds will be retained by the unit for their use. In other words you can rebudget your savings in your income account. It is just like you never spent it, which is in fact the case.**

22. I am writing to ask for clarification regarding normally non-exempt employees becoming exempt during the furlough weeks. Specifically, the FAQ states that physicians, lawyers, and teachers (faculty) are not held to this requirement and do not have to record hours worked during these weeks. Does this apply to RESEARCH faculty (who are not teachers) as well as to academic faculty?

- A. The exemption from keeping timesheets for the furlough week applies to all monthly paid employees holding faculty rank. A listing of these positions may be found on the UGA Provost website at this link:**

**[http://www.uga.edu/provost/Faculty\\_Ranks\\_&\\_Appt\\_Status\\_Cat\\_2009.pdf](http://www.uga.edu/provost/Faculty_Ranks_&_Appt_Status_Cat_2009.pdf)**

23. We have a person who only works 4 hours per day. My question is, will she be required to take two days furlough to equal to eight or just one day?

**A. Is the part-time faculty you speak of benefits eligible? If so, then they take six furlough days. It might be best to explain this by example. Apply a percent time adjustment since this person works 50% or 4 hours per day. So if a furlough day is defined as 8 hours for a full-time person, a furlough day is defined as 4 hours for this faculty member. They would take the 6 furlough days, but a furlough day to them = 4 hours, just like a normal work day is determined to be 4 hours.**

**To determine their gross pay reduction, I'll use this example. Part-time faculty on academic contract, 20 hours per week. Hourly Rate = \$33.33 (computed as 9 month annual salary rate of \$52,200 at 100% time, divided by 195.75 annual work days or 1566 annual work hours. Note: the 195.75 annual work days and 1566 annual work hours = 261 work days in a fiscal year times 75%). Hourly rate of \$33.33 times a 4 hour furlough day = gross pay reduction of \$133. This pay reduction would be reflected in the checks for Oct, Nov, Dec, Jan, Mar and Apr.**

24. Can student workers work on furlough days? We have students who take care of horses at the equestrian barn.

**A. Student workers are normally exempt from the furlough but normally would not be allowed to work on the furlough day unless they are part of essential operations. Obviously it is essential that someone take care of animals on furlough days, so you should pursue having these workers deemed as essential for this purpose.**

25. In regards to salaried employees who are required to take a furlough day, are they limited to a total of 32 worked hours for that week and 8 furlough hours? In some of our departments we have individuals whose normal shift and/or special events puts them at more than 40 hours, so we need to know if they are to be reduced to a total of 32 hours worked for the weeks in question or not.

For example, based on route schedules a bus driver's schedule might actually cause them to be scheduled and work 42 hours each week. Would they have to only work 32 hours during the furlough week or would this be prorated as in the example of those working 50% time?

**A. Employees who are exempt from the Fair Labor Standards Act become non-exempt during the weeks that contain a furlough day. These employees should be limited to 32 hours during their furlough week to avoid reducing the furlough savings because you will be required to pay them for any hours that they work in excess of 32 hours. As to non-exempt employees such as those paid on the salaried bi-weekly payroll, certainly there are situations on campus in which they may need to work more than 32 hours during their furlough week and be paid accordingly. If your situation with the bus drivers requires that they work more than 32 hours during the furlough week, you should obtain the permission of the appropriate senior vice president for these extra hours. It is assumed that such a need would only arise in an unusual situation and since**

**the furlough and the resulting savings are high profile senior administration approval should be obtained.**

26. How do we handle furloughs when an employee is traveling on UGA business on a furlough day? For Payroll will this still be a day without pay and for travel purposes will be employee be insured if this were a day without pay and the employee is not supposed to work?

**A. Assuming that this person must travel on the furlough day and really has no alternative, you would probably want to designate this person as "essential" on the furlough day and then assign an alternate furlough day within the same month. The following is from the furlough FAQs:**

### **Essential Operations**

Only personnel required to provide essential operations will be permitted to report to work on designated furlough days. Department heads/directors will provide personnel within their unit's specific instructions with regard to furlough procedures and scheduling by:

1. determining those personnel within their respective units that are required to maintain essential operations on these designated furlough days,
2. securing approval from their respective dean/vice president to maintain these staffing levels on designated furlough days, and
3. scheduling an alternate furlough day within the same month for those individuals.

27. I understand that employees holding an H1-B Visa are not subject to furlough. Are these non-furloughed employees allowed to work at UGA on the furlough days?

**A. Non-furloughed employees should not work on the scheduled furlough days unless they are required to maintain essential operations. This determination must be approved by the respective dean or vice president.**

28. On a furlough day if there was an emergency (Ex: fire, chemical spit, etc...), will the Building Coordinators be called in because they are on Furlough or will UGA police handle the situation? If they came in will they be covered for Workers Compensation and would they then have to take another (part or whole) day as the furlough day?

**A. Unless you change current instructions for who should be called, then your current process would still be in place. So if your building coordinators are normally called, then I would assume that they would also be the ones called during a furlough day. If one of them comes into work due to an emergency, then that person certainly should qualify as "essential" as discussed in the furlough plan. If the person worked part of a day, then the remainder of the 8 hour furlough should be made up on an alternate day as per the plan. Timesheets should be used to document the two partial furlough days.**

**Human Resources has told us that the responding employee would be covered by Workers Compensation because they are working when they respond to the emergency.**

29. If a monthly employee must choose an alternate furlough day, do they complete a time sheet for the week they take the furlough and the week of the original furlough day? Also, they will show the original furlough day as leave time if they don't make up those hours, correct?
- A. A monthly paid employee who must choose an alternate furlough day due to maintaining essential operations should prepare a timesheet for the workweek in which the alternate furlough day occurs. A generic or blank timesheet has been provided for this purpose and may be found at [http://www.busfin.uga.edu/forms/furlough\\_Blank\\_09.pdf](http://www.busfin.uga.edu/forms/furlough_Blank_09.pdf).**
30. We have an employee whose annual salary exceeds the \$23,660 cut-off amount (her full-time annual salary is \$28,000) but she only works 75% time. Working 75% time, she only actually makes \$21,000. Is she subject to the furloughs?
- A. The furlough is applicable to any employee whose "annualized" salary is greater than \$23,660, so yes, this employee is subject to the furlough.**
31. We have a high volume of part time instructors that are employed in other UGA departments full-time. For these individuals, they are placed on the monthly payroll voucher and paid extra compensation. For the months that UGA has furloughs, will their extra compensation payment be adjusted with their regular salary from their home dept.?
- A. Extra compensation is not subject to the furlough reduction, so no, their extra comp pay will not be adjusted.**
32. If employees who are not being furloughed want to adjust their work schedule since our office will close on a furlough day when would they make up their hours? Do they have to make up the 8 hours within that weekly pay period? So for 11/25 which is a pay period end date would employees be able to make those 8 hours up between the date of 11/19-11/24 or only on the 23rd and 24th of that furlough week?
- A. Further guidance is now available to assist departments in scheduling additional work hours for employees who are not subject to the furlough but will not be working on the scheduled furlough days. This guidance may be found at: [www.busfin.uga.edu/baaf/](http://www.busfin.uga.edu/baaf/)**
33. If an employee who will be hit with the 2 furlough days within a pay period selects to have an alternate furlough day it just needs to be taken before that particular furlough month is over correct?
- A. The alternate furlough day should be taken within the same month as the scheduled furlough day.**

34. Our department has one person who is totally exempt from furloughs and the department head is considering asking him to be deemed essential (he is the department's receptionist) since he is exempt will our department have to still get approval for him to work on furlough days? It is my understanding that he still has to work a 40 hour week anyway?

**A. While deeming a person as being "essential" and thus requiring that person to work on the scheduled furlough day is left up to the units, the guidelines state that this designation should only be for employees whose presence is required to maintain essential operations. It is unlikely that departmental receptionists would meet this standard and be designated in this manner. Additional guidance has been provided at recent Furlough Q&A sessions and it was noted that the University has no expectation that all departments would be staffed on furlough days and in fact, it is expected that December 24th, for example, would look like December 25th from a staffing standpoint.**

35. How do you calculate the payroll reduction for partial year staff. We have employees who work fulltime for 10 months and then do not work for the remaining two months of the year. It makes more sense to take their yearly percent (.8333 for 10 month vs. 100% while they are here) because they would be furloughed a greater percent than regular 12 month staff.

**A. Partial year employees identified as those on a "P" contract will have their furlough day deduction based on their annual percentage of effort, not on their monthly percentage of effort. In other words, taking your example above, the deduction will be calculated the same as a person who is working .8333 for the year.**

36. Will monthly H1-B Visa personnel be paid as normal?

**A. Yes, monthly H1-B Visa personnel will be paid as normal. Their work schedule may need to be adjusted in order for them to get their job done. They should not work on the furlough day unless their presence is required to maintain essential operations as described in the policy.**

37. In the FAQ titled "What do I need to know to manage the furlough for my department?" it is stated "If work schedules cannot be adjusted within the two week pay period . . ." Do my monthly H1-B Visa personnel only have the two week period to work an adjusted schedule?

**A. No. Their jobs should be viewed on a monthly basis and they should get 100% of their job completed within the monthly pay period. Since they are monthly paid employees and exempt from the Fair Labor Standards Act, they do not complete a time sheet and are expected to work whatever time it takes to get their job done.**

38. Do H1-B Visa monthly staff personnel have to keep a time sheet?

**A. No. The monthly employee timesheets are for employees who are subject to the furlough.**

39. For personnel paid on DE or DW accounts, what category will their salary savings be put in?

**A. Salary savings resulting from the furlough will automatically be rebudgeted into the operating expense category.**

40. We have a faculty member who will be teaching a professional class at the Vet School January 4<sup>th</sup>. He will have to take another day in January as his furlough day. Can this just be approved by our department head, or does it have to be approved by our Senior VP?

**A. In order for the faculty member to work on a furlough day, the work must be defined as a part of essential operations. This action would require the approval of the relevant dean or vice president as shown in the Responsibilities and Authorities matrix found at <http://www.busfin.uga.edu/baaf/MatrixResponsibility.pdf>.**

41. During December and January....how do we develop an alternate work schedule for full time non-exempt employees that does not result in overtime on the weeks the extra hours are worked? As the 12/24 and 1/4 furlough days are in the same pay cycle, that allows only full work pay periods as options for the extra hours.

**A. Working additional time in other weeks will frequently cause the employee to earn premium time, or time and a half, in accordance with the Fair Labor Standards Act. Normally departments pay this as overtime at the time and a half rate. You will need to record this time as compensatory time (comp time) and then have the employee take "comp time earned" leave on the furlough days. Additional guidance is now available on the web at: [www.busfin.uga.edu/baaf/](http://www.busfin.uga.edu/baaf/)**

42. Study abroad programs: several study abroad programs (those running fall semester, winter break, spring semester, or spring break) will be on site on one or more of the furlough days and so the professors cannot take the official day. However, several of them will be abroad long enough with their groups that they won't be able to take an alternate day within the same month, either. What approvals do we (or the faculty member affected) have to get to handle this situation?

**A. When faculty are abroad with students for the month in which a furlough day is designated, they are still subject to the mandatory furlough. They may need to split their furlough days into half-day increments or make other arrangements to meet the requirements of the plan. It is up to the individual departments supplying the faculty members to work with the faculty member to determine how this should be achieved through scheduling that works best with their travel plans.**

43. Individuals on furlough and not on campus may nevertheless get urgent phone calls and need to deal with problems just as happens on weekends and holidays (this happens not uncommonly with study abroad and immigration). Are university employees protected by liability coverage for decisions they may have to make on a furlough day? We have assumed that liability coverage would still apply since presumably it applies on holiday, during the annual leave days, etc... is that a safe assumption?

**A. If an employee is called in for an emergency or urgent need, the employee leaves his/her furlough status and resumes work. The employee called into work would then work with their supervisor to make up furlough time not taken.**

44. Are employees of the foundations and real estate foundations and their holdings furloughed?

**A. The furlough plan applies to all University System of Georgia employees. Any decision to furlough employees of UGA affiliated organizations will be made by those organizations.**