

3361:30-16-02 Compensation and Attendance: Furlough Policy

- (A) Pursuant to Section 371.70.20 of amended substitute House Bill No. 1 effective on July 17, 2009, the board may adopt a policy providing for mandatory furloughs of employees, including faculty, to achieve spending reductions necessitated by institutional budget deficits.
- (B) The following rule applies, notwithstanding any other rule to the contrary, to all employees except those employees covered by a collective bargaining agreement containing contrary language.
- (C) The president shall have the authority to interpret and to issue policies implementing this rule.
- (D) If the president determines that the university is facing a budget deficit, a furlough plan may be implemented. A university budget deficit is a deficit within the university and can include: decline in the financial resources of the university brought about by a reduction in state or federal funding; loss of revenue from endowments or investments; decline in institutional enrollment; or by other action or events that result in a reduction in the operating budget. A budget deficit may be within a college, department, program, or other division less than university- wide. The furlough plan will set forth the form of furlough and period within which a furlough will be implemented.
- (E) All furloughs taken pursuant to the furlough plan will be based on business reasons, prospectively implemented, for a designated period, and designed not to affect fair labor standards act exempt status for exempt employees.
- (F) Mandatory furloughs are considered final and binding and not grievable under any university grievance or appeal rule, policy, or procedure.
- (G) All federal and state anti-discrimination laws will be followed in the application of the provisions of this policy.
- (H) Unless otherwise determined by the president, the following will apply to the employee benefits during furlough:
 - (1) No vacation leave, sick leave, or compensatory time may be used in lieu of a period of furlough leave. Additionally, paid holidays or other paid time off cannot be substituted for furlough leave days.
 - (2) Healthcare, dental care, and life insurance benefits will not be affected by a furlough. Employees' continuous university service, review date, and employment status will not be affected by any period of furlough.
 - (3) Employees will continue to accrue vacation and sick leave during a furlough prorated to the accrual for the leave.

- (4) Retirement contributions by both employees and the university will be affected by furloughs as contributions are based on actual earnings.
- (5) Employees remain responsible for making all employee contributions (i.e., healthcare, dental care, flexible spending accounts, and 403(b) contributions) and all miscellaneous authorized deductions (i.e., credit union, charitable contributions, university payments).
- (6) Eligibility for unemployment benefits is not determined by the university.

Effective: April 23, 2020

Certification: 

Nicole S. Blount
Executive Director of Board Relations

Date: April 23, 2020

Promulgated under: R.C. Section 111.15
Statutory authority: R. C. 3361.
Rule amplifies: R.C. 3361.03.