FY2021 Staff Employee Furlough/Leave Mandate
Stephen F. Austin State University

Questions & Answers

1. **What is a furlough?**
   A furlough is normally a temporary leave of absence without pay or associated work duties for a designated period of time in order to meet an urgent or immediate budgetary need for cost reductions or as part of a cost savings measure. SFA has decided to implement, for fiscal year (FY) 2021, a mandatory furlough/leave program whereby staff will be required to use accrued vacation and compensatory (comp) time as outlined in the faculty staff email dated 8/12/2020. Staff without sufficient vacation and comp time balances must take leave without pay (LWOP) for the furlough days.

2. **Who is required to participate in the furlough/leave mandate?**
   All SFA leave-eligible employees as defined in Policy 12.21 Vacation Leave.

3. **Who is excluded from participation in the furlough/leave mandate?**
   - Probationary employees who have less than six (6) months of continuous employment with the state as of the specific mandatory or self-scheduled furlough day
   - H-1B visa status staff employees
   - All staff whose assignments total less than 50% FTE
   - All student employees including:
     - Graduate assistants
     - Graduate teaching assistants
     - Graduate research assistants
     - Student workers, both work study and non-work study
   - Faculty who do not accrue vacation leave
   - SFA Charter School

4. **How many days do I have to take off as furlough days?**
   There are twelve (12) mandatory furlough days in the FY21 program. A total of five (5) days have specific dates mandated: December 21 and December 22, 2020, April 2, May 28, and July 2, 2021. The remaining seven (7) days will be scheduled by the employee with the supervisor’s approval. The seven (7) days must be taken before August 31, 2021.

5. **Can I schedule furlough days on the days where employees are required to take paid leave during the holidays (2020 – November 26-27, December 30-31; 2021 – March 11-12)?**
No, the furlough days are in addition to the unpaid days during the holidays. If an employee doesn’t have enough paid leave to cover the unpaid days during the holidays, his/her supervisor has the discretion to give approval in advance for the employee to accrue comp time by working overtime. Full-time employees will be allowed to accrue comp time starting August 12, 2020. Comp time earned will not be reflected in an employee’s leave balance until the following month it was earned.

6. Can I take partial days for the seven (7) furlough days that are scheduled by the employee with the supervisor’s approval?
Yes, you can submit a leave request for a partial furlough day. Employees are responsible for tracking their usage and ensuring they schedule the 56 hours (seven (7) days) to be taken before August 31, 2021.

7. Can I choose to report to work or perform work on a furlough day?
No, a furlough day is considered non-work time and employees may not perform work. This includes checking and responding to email, whether on a computer or mobile device, returning phone calls, etc.

8. Can I use administrative leave with pay on a furlough day?
No, administrative leave with pay will not be available for FY21.

9. Can I use my comp time on the furlough days?
The new code “Furlough Leave” will take accrued vacation leave first. If the vacation leave balance is exhausted, the code will take previously earned comp time. Once all paid leave balances are exhausted, leave without pay (LWOP) must be taken.

10. Can I voluntarily choose leave without pay (LWOP) for the furlough days instead of turning in vacation leave?
No, the new code “Furlough Leave” will take accrued leave time in the order of vacation leave first, then comp time if no vacation leave is accrued.

11. Can I work extra hours in the pay period to use less paid leave or make up for any unpaid furlough hours?
If a full-time employee doesn’t have enough paid leave to cover a furlough day, his/her supervisor has the discretion to give approval in advance for the employee to accrue comp time by working overtime. Full-time employees will be allowed to accrue comp time starting August 12, 2020. Comp time earned will not be reflected in an employee’s leave balance until the following month it was earned.

12. How does furlough time affect overtime compensation?
When a non-exempt full-time employee works in excess of 40 hours in a work week, he/she is eligible for overtime compensation. When paid leave is taken for a furlough day, it is not counted as hours worked in determining overtime hours. In situations where the employee has not worked more than 40 hours in a work week but the total hours worked and hours of paid
leave or paid holidays exceeds 40 hours, the employee shall be allowed equivalent comp time off for the excess hours [1:1 ratio (straight time)].

13. Can I use sick leave on a furlough day?
If an employee is sick on a furlough day, they must provide documentation and have their department head fax or scan it to Human Resources to be allowed to use sick leave. Additionally, they will be required to use the equivalent number of hours of vacation, comp time (if applicable), or LWOP to make up the furlough day at a later date.

14. How will the furlough program affect benefits-eligible employees who work part-time?
Furlough time will be prorated based upon FTE just as vacation time is prorated. For example, if an employee is 50% FTE, they earn 4 hours of vacation and they would be required to use 4 hours of vacation for each furlough day. Non-exempt part-time employees may not accrue comp time as defined in Policy 12.14 Overtime and Compensatory Time.

15. How will the furlough program affect new employees who are in their initial probationary period with SFASU and are not allowed to use vacation yet?
If the employee has less than six (6) months of continuous employment with the state as of the furlough day, then they are excluded from participation. Once the employee reaches six months of continuous employment, they are required to participate in the remaining furlough days. The employee will not have to make up any specific mandatory furlough days that occurred when they had less than six (6) months of continuous employment with the state.

16. I am a probationary employee with less than six (6) months of continuous employment with the state and am excluded from the furlough program. Can I still report to work?
No. Probationary employees who are excluded from furlough requirements must either telecommute or use a flexible schedule the week of the furlough day to secure 40 hours of work. If the probationary employee does not have internet access, or is unable to perform their job duties remotely, the supervisor will assign policy and/or procedural reviews, training materials, and/or other tasks. If guidance is needed in this regard, please contact the human resources department.

17. How will the furlough affect student workers?
Student assistants and work-study students may be affected by the furlough in that the offices where they are employed will be closed on the five (5) specific mandatory furlough days. Supervisors may authorize telecommuting or use a flexible schedule the week of the furlough day so student workers are able to work all of their scheduled hours. If this is not possible, the students will not be working, which will reduce the number of hours and therefore their pay for that pay period.

18. My department has a conflict with a specific mandatory furlough day and must work on that day to meet a scheduled deadline or perform critical functions. Will I be required to make up the furlough day?
Yes. The department head will choose another day within 30 days of the specific mandatory furlough day to make up the day.

19. What if an employee is required to report to work due to an emergency on a specific mandatory or self-scheduled furlough day?
If an employee, exempt or non-exempt, is required to work, an alternate furlough day will be scheduled. This includes situations where the employee works less than their scheduled furlough hours (e.g. if the employee works two (2) hours on an eight (8) hour furlough day, the two (2) hours will be scheduled on another day).

20. What happens if I fail to take all twelve (12) mandatory furlough days by the end of FY2021?
All employees are required to take the five (5) specific mandatory furlough days on those days and schedule the remaining seven (7) days to be taken before August 31, 2021 with the supervisor’s approval. Failure to do so will result in disciplinary action.

21. How should I submit my leave request for the furlough days?
Employees should submit their request for time off in the same manner that they currently use and use the new option of “Furlough” for type of leave on the Vacation and Sick Leave Request Form. If an employee is requesting LWOP, the supervisor must complete the SFASU Leave Without Pay form and forward to the human resources department.

22. Who should I contact for leave balance information?
Contact Payroll at payroll@sfasu.edu or call extension 2451.

23. Can I donate part of my leave or pay to support other employees in need?
No, each eligible employee will be required to take the time identified.

24. Can faculty donate pay or leave time to a staff employee who will be in a leave without pay (LWOP) status during the furlough?
No, faculty cannot donate their leave time to a staff employee who will be in LWOP status during the furlough.

25. If I am on leave without pay (LWOP), am I subject to the furlough?
Yes. If you are on LWOP during the specific mandatory furlough days, no additional action will need to be taken. When you return to work, you will be required to take the remaining self-scheduled furlough days.

26. If an employee will be in leave without pay (LWOP) status on a specific mandatory furlough day that is before or after a holiday, will they still be paid for the holiday?
Yes, they will still be paid for the holiday. If an employee doesn’t have enough paid leave to cover a furlough day, his/her supervisor has the discretion to give approval in advance for the employee to accrue comp time by working overtime. Employees will be allowed to accrue comp
time starting August 12, 2020. Comp time earned will not be reflected in an employee’s leave balance until the following month it was earned.

27. What formula will be used in determining the earnings reduction amount for leave without pay (LWOP) during the furlough?
   An employee's hourly rate of pay will be determined and their pay will be reduced by 8 hours for each day of the furlough where they must be in LWOP status.

28. How will my benefits be affected?
   - Furlough LWOP will not affect your eligibility for state benefits such as health and dental insurance.
   - Teachers Retirement System (TRS) and Optional Retirement Plan (ORP) contributions will not be reduced unless the leave is without pay.
   - Unpaid furlough time will not impact the accumulation of paid vacation leave, paid sick leave, or retirement service credits.

29. How will the furlough affect garnishments being deducted from my paycheck?
   It depends on the requirements of the garnishments. Contact Payroll at payroll@sfasu.edu or call extension 2451.

30. How will the furlough affect child support payments taken from my paycheck?
   The university forwards a set amount in accordance with court orders, so this dollar amount will not be reduced.

31. Am I eligible for unemployment on furlough days?
   No, SFA employees are not eligible for unemployment compensation during their days off on furlough.

32. As the person responsible for originating EPAFs for our department, will I be responsible for completing an EPAF for every employee that will be in LWOP status on the furlough days?
   No, we will not be using the EPAF process to record LWOP. The department will be responsible for completing the SFASU Leave Without Pay form for each affected employee and forwarding them to Human Resources for processing.

33. Some employees have been told through the employee discipline process that if they are in a leave with pay status again, they will be required to request a leave of absence from the President. Will that apply with the furlough?
   No, the furlough is a different type of leave and employees will not be required in these instances to request a leave of absence from the President.
34. If an employee uses approved Family Medical Leave (FML) or Sick Leave Pool in FY2021, what is the impact on the employee’s participation in the mandatory furlough days?
Employees using approved FML or sick leave pool in FY2021 are still subject to the furlough/leave mandate. Furlough days may be either incorporated into an employee’s leave or scheduled to be taken before August 31, 2021. For further details, supervisors and employees will need to contact Human Resources to discuss the particular issues for each employee.

35. How will the furlough affect employees using Emergency FMLA (EFML) (in effect through December 31, 2020)?
These employees will be handled on a case-by-case basis. For further details, supervisors and employees will need to contact Human Resources to discuss their situation.

36. How will the furlough affect employees using Emergency Sick Leave (ESICK) (in effect through December 31, 2020)?
These employees will be handled on a case-by-case basis. For further details, supervisors and employees will need to contact Human Resources to discuss their situation.

**Please note that the university reserves the right to amend, add or delete any questions provided as it relates to these frequently asked questions**

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