

FURLOUGH PLAN Frequently Asked Questions (FAQs)
--

GENERAL CONSIDERATIONS:

1. How long will the furlough last?

The Board of Trustees approved the union contracts and furlough plan for fiscal year 2010-2011 only. Affected IVC employees shall furlough in accordance with applicable stipulations outlined in their respective agreements.

2. Are part-time employees subject to furloughs?

Yes. Employees are subject to furloughs, including part-time classified employees. Part-time employees will be required to furlough the same number of days as regular full-time employees.

Furloughs do not apply to Adjunct faculty, contracted employees (e.g. professional experts, tutors, etc...)

3. What about exempt employees?

Salaried exempt employees who are furloughed lose their FLSA exemption during the week a furlough is taken and become non-exempt in conformance with FLSA non-exempt regulations. Each furlough day will reduce the weekly working hours by eight hours per day. This is important because exempt employees would be paid at the overtime rate (time and one half) for hours in excess of 40 for a furlough week. An exempt employee must have prior approval from the area Vice President prior to working more than 32 hours (or less if multiple days are taken) in a furlough week. Failure to obtain appropriate prior approval may result in disciplinary action

As an example, an exempt employee who uses one furlough day during the workweek shall not be permitted to work more than 32 total hours during that same week. During every furlough week, exempt employees are required to record partial day absences and hours.

4. Can an employee use leave credits on a furlough day?

No. Employees may not substitute vacation days, sick leave or compensatory time off, or any other paid leave on furlough days. Furlough days are all unpaid.

5. Can an employee postpone taking furlough days in order to postpone the paycheck reduction?

No. For CalPERS, the pay reduction will occur during the month the furlough day(s) is taken (i.e. 3 furlough days during the month of January will reduce your monthly salary by 3 days).

For CalSTRS members, the pay reduction is pro-rated throughout the academic year, but they are required to take the number of designated furlough days as outlined on the applicable contract agreement.

6. How long will the furlough last?

The furlough is for the school year 2010-2011, so June 30, 2011 is the last potential furlough day of this year.

7. Which employees will be furloughed?

All District employees with the exception of: 178 day faculty members; part-time faculty; and other contracted employees (e.g. short-term employees, substitutes, tutors, etc.).

8. Is a furlough the same as a pay cut?

No. In both instances, take-home pay is lower but the mechanism for reducing it is different. A pay cut reduces an employees' base pay rate while a furlough means the employees is not paid for days when he or she is on furlough, but there is no change to the person's base pay rate or time base. Once a furlough ends, full pay is restored immediately without having to renegotiate pay rates.

9. Can an employee request a furlough day before or after a holiday or in conjunction with paid leave?

Yes, an employee may request to take furlough day before or after a holiday – provided the employee is on a paid status during any portion of the workday immediately preceding or immediately succeeding the holiday.

District designated holidays cannot be counted as a furlough day or a service day.

10. Can the district just close certain departments?

Yes. Based on any special needs of a department (e.g. Preschool), employees may be given alternate furlough days to meet the operational needs of the district. A written request should be forwarded to the area Vice President for consideration and subsequent collaboration with applicable union representation.

11. Do employees have a choice in the days that they will be furloughed?

It depends on the month. Some days are specified and some have discretion. Employees shall furlough in accordance with the applicable contract agreement and furlough plan.

12. What about 9, 10 and 11 Month employees?

9, 10 and 11 month employees are also subject to the number of furlough days outlined in the contract.

13. What about 4/10 schedules?

If approved (by bargaining units and the Board of Trustees), modified work schedules (e.g. 4/10s) may be converted to reflect furlough schedules (e.g. 4/8s) during furlough periods.

14. How should an employee request floating furlough days?

199 days faculty members shall modify their previously approved calendars and designate floating furlough days. After their Dean approves, they need to submit the revised calendar to Human Resources.

Classified employees shall designate their furlough days on the Staff Furlough Calendar and on the monthly Classified Timesheet.

Although consideration will be given to requests for specific furlough days, and such requests will be prioritized by seniority, final approval will be based on operational needs.

15. How should an employee document furlough days that they have taken?

All employees are required to submit a completed furlough calendar, documenting the furlough days taken. A Calendar template is available on the HR website under the "Furlough Plan" section. Completed calendars shall be submitted to your immediate supervisor for approval. A copy of the approved calendar shall be forwarded to the Human Resources office.

RETIREMENT AND BENEFITS ISSUES:

16. Will furloughs have any impact on health benefits?

No. There will no impact to health benefits.

17. How do I get information about the furlough's impact on my pension and service credits?

For information, please refer to:

The CalPERS *Circular* letter dated, March 19, 2009 - <http://www.calpers.ca.gov/eip-docs/employer/cir-ltrs/2009/200-016-09.pdf>. One year of service credit is granted for full time employment for any of the following: 10 months of service for persons employed on a monthly basis; or 1,720 hours of service for persons employed on an hourly basis.

CalSTRS members please refer to the following CalSTRS letter dated March 27, 2009 - http://www.calstrs.com/help/forms_publications/ereec/eic_vol25_iss3.pdf

18. How will an employee know if their CalPERS service credit is affected by the furlough?

Employees can check their service credit on the CalPERS website. Service credit as of June 30th is posted on *MY CalPERS* when the Annual Member Statement becomes available in the

fall of each year. Also, employees can call CalPERS for the most current calculation of their service credit.

19. How will an employee know if their CalSTRS service credit is affected by the furlough?

Furloughs may reduce the number of base days required for a class of employees and adjust the earnable compensation (contract rate) for the year accordingly. Doing so would result in you earnable being less, but the service credit you earn would not change.

For more information please refer to the CalSTRS website or see the following *Connections Winter 2010* semiannual publication at:

http://www.calstrs.com/eNewsletters/CalSTRSConnections/2010Winter/CC_winter2010.pdf

20. If I am on a Paid Leave of Absence, such as Family Medical Leave, is my salary reduced by the furlough amount?

Family Medical Leave: FML leaves are not subject to the furlough program. Employees utilizing appropriate leave credits while on FML are paid their full salary rate (un-furloughed salary). An employee who was on FML (full or partial) for any portion of December thru June, upon return shall be placed on the furlough program.

Maternity/Paternity/Adoption Leaves: Employees eligible for Maternity/Paternity/Adoption leave who are disabled due to pregnancy are subject to the furlough program and receive reduced salary at the furlough rate of pay. This leave is tied to work days so if an employee is scheduled for a furlough day, that day is not counted towards the maternity/paternity/adoption leave entitlement (e.g., 30 work days would translate to 32 in order to skip two furlough days).

A female employee who is designated as disabled due to pregnancy and is on a pregnancy-related leave is not subject to the furlough program and receives the maternity/paternity/adoption paid leave based on her full salary rate (un-furloughed salary).

Military Leave: Employees called to active military duty who are eligible for either the 30 calendar day pay receive payment based upon their full salary rate (un-furloughed salary).

Jury Duty: Employees called to jury duty receive their IVC furloughed salary upon certification. If an employee serves on jury duty on what would normally be a scheduled furlough day, the employee must designate an alternate day as a furlough day. If an employee serves on a jury in excess of one pay period, the employee should be removed from the furlough program and receive his/her full salary rate for the duration of jury duty. Once jury duty is complete, the employee should be returned to the furlough program.

21. What is the impact of furloughs on leave programs such as the State Disability Insurance Program or Paid Family Leave Insurance Program?

None, they remain unchanged.

22. What about employees on approved leave of absence?

Employees on an unpaid leave of absence are not affected.

23. Can an employee receive unemployment benefits during furloughs?

Employees interested in learning more about unemployment benefits may contact the EDD office at (760)339-2722.

24. Will Social Security contributions be affected by furlough?

Salary related deductions such as Social Security (if applicable) are based on a percentage of the actual pay, so if pay is reduced the contributions would be also reduced.

25. May I make changes to my deductions on my 403(b) plan?

Employee may make changes to 403(b) plans via the retirement manager link at <http://www.envoyplanservices.com>. You may change your contributions at any time.

26. Where can employees turn to for assistance in managing their finances?

Our Employee Assistance Program (Holman) is available to assist employees with managing their finances and coping with tough economic times. Employees can find information on the ICSVEBA web site at <http://www.icsveba.org/plans.htm>

27. Can I decrease my flexible spending account contribution due to furloughs (Health Care Reimbursement Account and Dependent Care Reimbursement Account)?

For Dependent Day Care (DDC), furlough days are considered a "qualifying event" for reasonable changes to those accounts.

For Unreimbursed Medical, changes are only allowed if the furlough days cause an employee to move from a "full-time" to a "part-time" status.

For information on your specific situation or to request plan modifications , please contact *American Fidelity Advantage* at 1-800-354-7059 or www.afaadvantage.com (click on "Section 125/Flex/HRA Services).

28. What if I have other questions?

This is not business as usual, and while attempts to answer common questions are outlined, not every question can be addressed in the plan or FAQs. Please communicate with your supervisor or the Human Resources office. The district will coordinate answering questions based on the specific scenario and on a case-by-case basis.