University of Wisconsin Oshkosh
Furlough Guidelines

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Purpose:

The University of Wisconsin Oshkosh is facing increased fiscal challenges as a result of the COVID-19 crisis. As a result, the University of Wisconsin System Board of Regents, has authorized the implementation of a variety of workforce reduction and cost saving measures, beyond existing layoff policies, to address these financial challenges in a way that minimizes layoffs and maximizes the UW System’s ability to continue to perform its critical educational and outreach mission.

Relevant Policies:

UWO’s implementation of Furloughs is based on UW System’s Interim Policy on Furlough, issued on April 17, 2020. UW System has also published FAQs on its policy.

UWO Approach:

Furloughs may be implemented at any time as operational needs arise, so long as the UW System interim policy remains in effect. UWO will implement two types furloughs effective May 4, 2020. All nine-month employees are exempt in this initial administration of furloughs. Nine-month employees will be notified by August 31, 2020 on a number of days to be determined for an intermittent furloughed assignment during their fiscal year 2021 contract.

Two furloughs to be implemented on May 4, 2020 at UWO:

Designated/Consecutive Furlough

- 12-month employees whose duties do not permit them to work remotely and who are not deemed essential to work on-site, will be placed on a consecutive furlough between May 4 through August 31, 2020.

- All University Staff, Limited Appointees, and Temporary Employees may be included

- Employees who are grant-fund 50% or more are exempt
• Graduate Assistants are exempt
• Employees paid lump sum are exempt
• VRIOP participants are exempt, however may voluntarily furlough

Across the Board/Intermittent Furlough

• All remaining 12-month employees will be assigned an intermittent furlough for 8 days beginning May 4, 2020 through August 31, 2020. Employees will have the option to select 2 furlough dates per month upon supervisor approval.

• A furlough assignment must be taken in full day increments that do not exceed one day in any two-week period.

• All University Staff, Limited Appointees, and Temporary Employees may be included
• Graduate Assistants are exempt
• Employees paid lump sum are exempt
• Employees who are grant-fund 50% or more are exempt
• VRIOP participants are exempt, however may voluntarily furlough

Below is general information about furloughs that applies regardless of when a furlough is implemented:

1. Employees are not permitted to work when on an assigned furlough.

2. Employees may not substitute paid leave such as personal, vacation or sick leave for a furlough assignment.

3. Employees may be called back to work before the end of the furlough period, upon seven days’ notice, based on operational needs. If a unit has a specific operating issue that requires a shorter period than stated above, the unit may seek approval for a different period from Human Resources.

4. Division Heads/Deans shall work with supervisors in their division to determine the identity of employees who will be placed on a designated furlough.
5. Division Heads/Deans should develop a process for informally/personally notifying individual employees of the furlough before the formal notice is sent by Human Resources.

6. Those who are exempt must track their hours worked in any two weeks (coinciding with a biweekly pay period) that they are taking a furlough day. The maximum number of hours worked may not exceed 72 hours in that biweekly pay period.

7. Human Resources will formally notify all impacted individuals via employee email with a minimum seven (7) calendar days’ notice prior to the furlough start date.

8. Employees will be provided information/resources regarding benefits, unemployment insurance, etc. via the HR furlough website.

9. Furloughs must not be used as a disciplinary measure nor as a substitute for a performance improvement plan. Also, may not be based on any classification protected by law, any employee on a protected leave (medical, childcare) are required to be treated equally regardless of leave status.

   a. If essential work and budget is available, the employee would remain on protected leave, not selected for furlough. Please seek HR guidance.

10. Employees enrolled in health insurance through the State of Wisconsin who are placed on a consecutive furlough can continue to receive the State’s contribution of the monthly premium for the month in which the furlough begins and for three months thereafter.

   a) Employees must pay the employee share of health insurance premiums through direct bill, payroll deduction from last paycheck (if time permits), deferred payment upon return to pay status, or use of sick leave conversion credits.

   b) Employees will continue to accumulate vacation, sick and personal leave while furloughed.

   c) Employees will realize a reduction in creditable service and reductions in their contribution toward the Wisconsin Retirement System (WRS).
In determining employees to participate in a designated furlough Division Heads/Deans should consider the following questions:

1. What operational areas are unable to operate at normal operating capacity due to our current circumstances?

2. Which employees do not have essential work to perform?

3. Has work been assigned that is project in nature and could be completed at another time?

4. Which employees do not have the ability to work remotely?

5. Is completion of work assigned to employees working remotely being accomplished successfully?

6. Can you identify the specific operation or unit that can be furloughed? If not, can you provide justification for an individual identified to be furloughed based on the position duties and responsibilities and/or the employee skill set?

7. How is the position funded? PR funded positions should be closely examined as the revenue may not be currently generated to pay these employees.

8. Could work be completed with a lower FTE? To the best of your knowledge, are staff working to their full-time equivalency?

9. Does the department have student employees or University Staff temporary employees completing mission critical work? If on-going staff are candidates for consecutive furlough, generally, these positions should be eliminated and work reassigned to on-going staff.

Deans, Division Heads and supervisors should assess the nature of their employees’ work throughout the pandemic and consider all of the items mentioned above for the possibility of placing an employee on a furlough. In limited circumstances, an employee may appeal a furlough assignment and justification for selection may be required for an appeal review.