

## **Temporary Workforce Reduction (TWFR) Facts for Employees and Supervisors**

On September 21, 2009, Governor Kaine announced that, as part of his budget reduction plan, all Executive Branch employees will be required to take a one-day furlough (unpaid leave), as covered in DHRM Policy 1.65, *Temporary Workforce Reduction (TWFR)*.

The majority of state employees will be furloughed for eight (8) hours on May 28, 2010. However, because DBHDS operates on a 24/7 basis, all employees cannot be furloughed on this date. Therefore, a plan has been approved to allow alternate dates to May 28, 2010. Alternative dates are only for employees providing 24/7 coverage. Administrative positions and positions normally on a Monday - Friday schedule are to use the May 28, 2010 furlough date.

### **Duration:**

The TWFR period of 8 hours will begin no sooner than 12/10/09 and will end June 9, 2010.

TWFR hours may not be scheduled on holidays.

Due to the leave refresh that occurs on January 10, 2010, TWFR hours may not be scheduled for that date.

### **Applicability:**

TWFR will be applied uniformly, Department wide, to all salaried employees regardless of their role, or the source of funds supporting their positions, including agency heads, At-Will, and Classified, general fund and special funded positions/employees.

### **Required Reduction in Hours:**

All full-time salaried employees will be required to give up 8 hours of pay between December 10, 2009 and June 9, 2010. All employees must take their furlough day by June 9, 2010 so that the salary reduction can be taken on or before the June 16, 2010 paycheck, and savings resulting from the furlough can be captured in the current fiscal year. This is considered "Reduced Schedule" TWFR.

Wage or P-14 employees are not subject to this furlough.

Permanent part-time classified employees and full-time "Q" employees (working between 32 – 39 hours per week) are subject to furlough, with prorated TWFR hours.

### **DBHDS Alternate Plan:**

For efficiencies in planning, administration, and monitoring, only a percentage of employees in 24/7 functions should be scheduled for furlough each month. For example, approximately 14% of nurses per month would need to be furloughed in order to schedule 100% of these employees for furlough by June 9, 2010.

If particular time periods or shifts are normally scheduled above optimum level, these should be the targeted shifts/hours for furlough.

New employees will be furloughed while they are in training and before they are assigned to a cottage or ward, limiting impact on staffing. This requirement will be stated in offer letters.

This plan will be approached so that overtime payments are avoided, except in unforeseen emergencies as much as possible.

**Notice:**

All employees will be given a 30 day advance notice before furloughs begin. The forms must be signed and returned to Human Resources by the deadline noted.

Employees being subject to an alternate date to May 28, 2010 will have an opportunity to request a preferred date for TWFR.

An employee's TWFR schedule request should be honored if possible. However, the final decision as to when the time will be taken rests with management and should be based on the business needs of the department and the facility.

Employees who do not indicate a preference date on the Notice sheet will be scheduled for a time by management.

Once approved, TWFR dates cannot be changed. However, management has the right to alter TWFR schedules due to emergency conditions.

**Implementation:**

TWFR hours must be scheduled in advance.

Managers and Department Heads are responsible for coordinating the TWFR schedules so that they place the least burden on the department and do not result in overtime, unless there are unforeseen circumstances.

Management may request that employees alter TWFR schedules and adjust leave schedules, with the concurrence of employees to facilitate optimal staffing, eliminate/minimize overtime worked, and similar circumstances. For example, on shifts when the facility is optimally staffed and a employee calls in to request leave time off; then management at their discretion may, in agreement with employee, agree that the shift or a portion of it (if shift is more than 8 hours) be taken as their furloughed time.

TWFR is unpaid time and is, therefore non-working time. While on TWFR hours, the employee, whether exempt or non-exempt, may not be allowed to work.

In order to support the goal of TWFR to reduce personnel costs, employees should not work more than 32 hours in their TWFR week, and employees working extra hours during the workweek in which they are furloughed should be limited to unforeseen emergencies.

For the purpose of the TWFR week, exempt employees are considered to be non-exempt and should not be allowed to work over 40 hours during that work week. If the facility permits or requires employees to work extra hours, they must compensate them for the additional work by paying time and one-half for hours actually worked over 40 in the workweek.

TWFR is a cost saving effort – TWFR hours may not be covered by mandatory overtime of other staff. TWFR is 8 hours per employee, and other coworkers can not take an additional TWFR day for another worker. Backfilling with P-14 employees should be avoided.

TWFR is to be taken in full 8 hour increments. Where employees work other non-standard schedules (e.g. 10 or 16 hour days) no more than 8 hours will be charged to TWFR.

Employees on TWFR hours cannot be scheduled or called in for another shift until the next day. For example, if a first shift employee is using TWFR hours for their shift, they cannot be called in or allowed to work on second or third shift on that same date.

### **Leave:**

TWFR hours are without pay, and may not be covered by the use of any leave balances.

TWFR hours may not be used to cover part of an unpaid disciplinary suspension or suspension pending law enforcement/court action. TWFR hours may be used in place of paid pre-disciplinary leave.

An employee may link scheduled vacation days using leave balances to unpaid TWFR hours, e.g. Thursday TWFR and Friday annual leave.

If an employee has already scheduled and received approval for annual, comp, overtime or F/P leave between December 10, 2009 and June 9, 2010, they may withdraw their request for leave time and substitute with TWFR hours (must be in 8 hour increment).

Leave accruals will not be prorated for employees whose salaries are reduced based solely as a result of being docked for the furlough day.

Employees on VSDP STD may not use leave time, other than disability credits, to increase their pay to 100% during the TWFR period. The TWFR hours requirement may be imposed upon return to full or light duty.

Employees on VSDP – STD on May 28, 2010 will be paid for that day at whatever tier they occupy in accordance with Policy 1.65, Temporary Workforce Reduction.

Workers Compensation cases are addressed individually as they have been previously in consultation with DHRM and Unum. Employees on Workers' Compensation will receive their WC benefit payment for May 28, 2010, in accordance with Policy 1.65, Temporary Workforce Reduction. Non-VSDP WC employees will not receive an agency supplement during the TWFR period.

Employees can learn more about policy 1.65, Temporary Workforce Reduction, on the DHRM website: <a href="http://www.DHRM.virginia.gov">www.DHRM.virginia.gov</a> . The website also offers a quick link to TWFR frequently asked questions. Employees are encouraged to consult with the facility's human resource office for specific questions regarding the furlough.
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