



Ohio Administrative Code

Rule 3361:30-16-02 Compensation and attendance: furlough policy.

Effective: May 14, 2020

(A) Pursuant to Section 371.70.20 of Amended Substitute House Bill 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.