

Winthrop University (H47)
Winthrop University Mandatory
Furlough Plan
(For The 2020 – 2021 Fiscal Year)

Winthrop University is seeking approval from the Division of State Human Resources (DSHR) to implement a mandatory furlough plan effective September 1, 2020 (salaried, exempt employees will see the salary reduction beginning with the September 16 pay; and hourly, non-exempt employees will see the salary reduction beginning with the October 1 pay) and continuing throughout the University’s 2020-2021 fiscal year. This mandatory furlough plan has been developed in accordance with the continuing resolution, House Bill 3411, approved by the South Carolina General Assembly on May 12, 2020 and signed by Governor Henry McMaster on May 18, 2020.

Justification

Winthrop University is facing several new challenges during the current COVID-19 pandemic including a reduction in key revenue sources and an expected decrease in future student enrollment for the 2020 – 2021 fiscal year. For the fall 2020 semester, housing and dining revenues alone have been reduced by 35% as a result of the two-week delay in bringing students to campus at the beginning of the semester, and the decision to ask students not to return to campus after the Thanksgiving break. The University has already implemented a number of cost-savings measures to address the shortfall, including campus-wide reductions in operating budget expenses, a freeze on hiring (to the extent possible), and allowing only essential travel. As a result of the immediate need in FY2021, it is necessary for the University to establish and implement a mandatory furlough plan due to the COVID-19 related revenue funding reductions. The savings realized by the implementation of the mandatory furlough plan will provide additional revenue recovery to the already mentioned measures taken.

Plan Description

Employees Covered

The Winthrop University Mandatory Furlough Plan will cover all faculty and staff (including temporary employees), except those specifically excluded below. New hires will also be subject to the Mandatory Furlough Plan.

Plan Exclusions and Exceptions

The following employees are excluded from the Mandatory Furlough Plan:

- Adjunct instructional faculty hired on a course-by-course basis.
- Employees in positions that specifically require South Carolina Criminal Justice Academy

certification as a law enforcement officer.

- Employees in healthcare positions and clinical counseling positions in the Student Health and Counseling Services Department.
- Employees in boiler operator positions.
- Employees in federal or other externally funded positions if the terms of the funding prohibit the employees from participating in a mandatory furlough, or if applying the mandatory furlough to such positions will cause the University to otherwise violate or depart from the terms of the funding.
- Employees holding H-1B Visa status are excluded from participation in a mandatory furlough pursuant to Federal law.
- Student employees, including graduate assistants/associates.
- In the event of natural disaster, pandemic or declared state of emergency, additional exclusions or exceptions may be granted by the University President, if deemed necessary to preserve employee health and/or safety or the operational welfare of the University.

Furlough Days

The Winthrop University Mandatory Furlough Plan requires employees covered by the Plan to take up to twenty (20) unpaid furlough days between September 1, 2020 and June 30, 2021. (Note: The threshold of \$26,200 is identified as the poverty level income for a family of four as indicated by the US Department of Health and Human Services: <https://aspe.hhs.gov/poverty-guidelines>) The number of mandatory furlough days have been scaled and will be applied as follows:

Salary Scale	12-Month	9-Month	10-Month	10.5-Month
\$26,200 and below	2	2	2	2
\$26,201 - \$49,999	13	10	10	11
\$50,000 and up	20	15	16	18

The furlough days off will be unpaid and must be taken as described below according to the employee's Federal Fair Labor Standards Act (FLSA) status. The actual scheduling of furlough days off must be confirmed with and approved by the employee's supervisor in advance of the actual days off.

- Exempt (salaried) staff, administrators, and academic employees (whose primary responsibility is NOT teaching) must take their furlough days in five consecutive full day increments within the same work week (Sunday through Saturday) with any remaining balance of less than five furlough days to be taken during one additional work week. The FLSA exemption is negated during any week in which the non-teaching employee works and takes a mandatory furlough day. Therefore, the five consecutive full day increment is required.
- Exempt Instructional Faculty (whose primary responsibility is teaching) may take their furlough days either in consecutive increments or intermittently. The Provost's Office will provide suggested opportunities for faculty furlough days that align with the academic

schedule.

- Non-exempt (hourly) staff employees may take their furlough days either in consecutive increments or intermittently.

To the extent possible, the University will allocate the reduction in pay employees experience for the assigned furlough days over the balance of the fiscal year for payroll purposes regardless of the pay period within which the furlough occurs. Those employees will experience the reduction in pay in equal installments beginning with the pay dates of September 16 for exempt employees and October 1 for non-exempt employees. The pay reduction will end with the July 1, 2021 pay for exempt employees and with the July 16, 2021 pay for non-exempt employees for 12-month employees. The end date of the pay reduction for less than 12-month employees will be determined by the work assignment end date.

Alternatively, employees may choose to have their pay reduced at the time the furlough is taken rather than in equal installments over the remainder of the fiscal year. In order to have pay reduced at the time furlough is taken, employees must designate the days they will take as furlough days no later than September 8, 2020. A furlough designation form will be made available. Supervisors must approve the days an employee requests to take as furlough.

Suggested dates for nine-month faculty to take furlough days will be provided by the Provost's office and aligned with the academic calendar. Employees with base assignment periods of less than twelve (12) months will be required to take the furlough days during their base assignment periods of employment.

New hires will be subject to the mandatory furlough. The number of furlough days will be prorated to correspond with the period of appointment and new hires will receive written notice of the exact number of required furlough days at the same time the employment offer is made.

All employees will be instructed to record furlough days taken on the employee timesheets or leave reports provided in Wingspan. Supervisors should work with employees to ensure that the employee is provided ample opportunity to take the non-paid furlough days off.

Estimated Cost Savings

Winthrop University anticipates the cost savings of the mandatory furlough program will be approximately three million dollars for the 2020 – 2021 fiscal year, with a current regular employee census of 785 (as of July 16, 2020). This number does not include new hires expected in August. Expected regular employee census at the time of furlough implementation is approximately 810. Temporary employee furlough will be handled on a case-by-case basis depending on the length and type of temporary employment.

Furlough Plan Administration

Mandatory Furlough Notice: Employees will be notified of the mandatory furlough in a campus-

wide email notification at least seven (7) days before it goes into effect. Employees will be able to see the effect of the furlough-related reduction to their individual pay on the Employee Detail tab in Wingspan no later than the actual pay date for each pay period.

Benefits: During a furlough, affected employees shall be entitled to participate in the same state benefits as otherwise available to them except for receiving their salaries. Winthrop will be responsible for making both employer and employee contributions for State benefits if coverage would be lost due to the mandatory furlough. This applies to benefits which require employer and employee contributions. Winthrop will be required to pay both the employee and employer retirement contributions on missed wages due to the furlough. The employee remains responsible for making contributions that only require employee contributions. The University will not pay the employee portion of benefits contributions for working retirees.

Leave/Holidays: Leave eligible employees will continue to accrue leave as if they are in a paid status; however, employees will not be allowed to substitute accrued leave for a furlough day. Mandatory furlough days should not conflict with days designated as employee holidays on the University calendar. However, if a holiday falls during the mandatory furlough period, the employee should be paid for the holiday.

Grievance Act: The placement of an employee on mandatory furlough does not constitute grounds for a grievance or appeal under the State Employee Grievance Procedure Act.

Service Dates: An employee's state hire date and continuous state service date will not be adjusted. An employee's performance review date will not be adjusted.

Unemployment: An employee may be eligible for weekly unemployment compensation if during a particular week the employee earns less than their maximum weekly unemployment benefit amount. Since the University is allocating the reduction in pay for the mandatory furlough over the balance of the fiscal year for most employees, and not in the pay period(s) within which the furlough occurs, this will likely affect an employee's ability to qualify for benefits. However, an employee who opts to have their pay reduced in a lump-sum or in multi-day increments at the time the furlough is taken, could possibly qualify for unemployment benefits. Winthrop does not provide eligibility and determination advice with regard to unemployment compensation and the information provided in this paragraph is not intended to be construed as advice. Employees are responsible for applying for benefits through the South Carolina Department of Employment and Workforce (<https://www.dew.sc.gov/>) on their own. Eligibility and determinations will be made solely by the Department of Employment and Workforce.

Other Compensation: The furlough related reduction in pay only applies to the employee's primary position. It does not apply to dual employment, work performed outside of the employee's base period or earned overtime. Employees may **not** work additional hours in their primary positions to make up for unpaid furlough time.