

**LUCAS COUNTY, OHIO
BOARD OF COMMISSIONERS**

**TITLE: MANDATORY COST
SAVINGS DAYS POLICY
(Furloughs)**

**EFFECTIVE
DATE: MAY 19, 2020**

NUMBER: 37a

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**PERSONNEL
ADMINISTRATIVE X**

RESOLUTION NO: 20-392

**TYPE:
POLICY X
PROCEDURE**

**SUPERSEDES:
POLICY#37
PROCEDURE#**

I. SCOPE

This policy applies to all full-time and part-time non-bargaining unit employees under the appointing authority of the Board of Lucas County Commissioners. Bargaining unit employees under the appointing authority of the Board of Lucas County Commissioners may only be covered under the same or a similar policy if participation has been negotiated with the applicable Union.

II. PURPOSE

As permitted by Ohio Revised Code 124.393, the Mandatory Cost Savings Days Program (Furlough Days) has been established as a tool to reduce operational costs by requiring affected employees to participate in a schedule of unpaid "furlough" days prior to or in lieu of more drastic cost-savings measures such as layoffs or job abolishment.

III. POLICY

As permitted by Ohio Revised Code 124.393, the Board of Lucas County Commissioners may require that any covered employee serve a maximum of eighty (80) hours of unpaid furlough time and/or unpaid holidays in a State fiscal year. For state fiscal years 2010 and 2011, the mandatory Cost Savings Days become effective upon passage of an authorizing resolution by the Board of Lucas County Commissioners. After June 30, 2011 these mandatory Cost Savings Days may be implemented only after the Board of Lucas County Commissioners approves a formal resolution authorizing implementation as a result of one of the following causes:

- 1) A "lack of funds" as defined by Ohio Revised Code 124.321, or
- 2) "Reasons of economy" as defined by Ohio Revised Code 124.321

While limited to no more than eighty (80) hours of unpaid furlough time per employee per State fiscal year, the actual number of hours required of each employee may differ and may be based upon funding sources and levels, employee classifications, appointment categories, or other relevant distinctions. Under state law, loss of pay resulting from furlough days and/or unpaid holidays is not appealable.

IV. PROCEDURES

Determination of Necessity to Implement

The Board of Lucas County Commissioners will submit an approved resolution indicating the reason(s) for the implementation of mandatory cost savings, as well as identifying which departments and classifications of employees will be affected, and the number of hours for which they will be affected, to the County Personnel Department.

Notice to Affected Employees

Upon receipt of the above-referenced resolution, the County Personnel Department will notify all affected employees in writing.

Determination of Cost Savings Days to be Served

At the sole discretion of the Board of Lucas County Commissioners, affected employees may be given the opportunity to request that specific days serve as their Furlough Days. In the written notice required above, affected employees will be notified of how many hours of unpaid furlough time they will be required to serve, which dates(s), if any, that have been pre-designated by the employer as furlough days, and the time frame during which this requirement must be met. If permitted, affected employees may choose to complete and return the "Furlough Days" Request Form to the County Personnel Department to indicate specific dates which they would like to designate as their required Furlough Days. The Request Form must be returned to the County Personnel Department within the specified timeframe. All such requests are at the discretion of the Employer based upon work needs. If the Request Form is not received by the County Personnel Department within this timeframe, then the specific dates during which the affected employee will be required to serve the Furlough Days will be solely at the discretion of the Employer.

Cost Savings Days as required by this policy may be taken in full or half work-day increments. An employee may never take more than five (5) consecutive unpaid "Cost Savings Days".

If a completed Request Form is returned to the County Personnel Department within the required timeframe, then the County Personnel Department will discuss the specific dates requested by the employee with the appropriate Department Head. The employee's request for specific dates to serve may be denied by the Department Head if the proposed dates would directly result in overtime for other employees and/or would negatively impact the operational needs of the work unit (for example, if the employee's work unit already has a certain number of participating employees who have been previously approved for Furlough Days on the same day or if the requesting employee has certain work tasks that must be completed on the specific date that he/she is requesting). In cases where there is such a conflict between employees requesting the same dates, the employee having the greatest length of continuous seniority with the Employer will be permitted to utilize the date(s) in question. The final schedule of Furlough Days (whether requested by the Employee or designated by the Employer) will be communicated in writing to the employee from the County Personnel Department.

Time spent serving cost savings days shall not count toward completion of initial or promotional probationary periods.

This policy shall also apply to employees who are on workers' comp, including a salary continuation program. Where appropriate, cost savings days will run concurrent with approved FMLA leave.

Compensation & Benefits While Serving Mandatory Cost Savings Days

Employees serving mandatory Furlough Days shall be eligible to receive compensation only for the remaining scheduled work days/hours in the affected pay period. Furlough Days shall not be included in the definition of "active pay status" for the purpose of earning overtime or compensatory time. Employees are not to be requested to perform work while serving a Furlough Day, nor should they "volunteer" to do so. Employee and Employer PERS contributions shall be pro-rated to reflect actual compensated hours per pay period.

Employees serving mandatory Furlough Days shall continue to accrue their full sick leave and vacation time as normal. Employees serving a mandatory Furlough Day may not request or utilize vacation, sick leave, compensatory and/or personal time for that day.

Eligibility for health care benefits will continue to be in accordance with the Employee Benefits Eligibility Rules. Participation in mandatory Furlough Days will not in itself result in loss of coverage.

Employees serving mandatory Furlough Days shall not incur a "break in service" as a direct result for purposes of calculating retention points should they subsequently become affected by a layoff or job abolishment, nor shall a Furlough Day be considered a separation of employment.

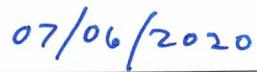
Employees serving mandatory Furlough Days shall not have those hours counted against them for purposes of determining eligibility for any attendance-related bonus program, if applicable.

Changes to/Termination of Mandatory Furlough Days

Once the schedule of Furlough Days has been approved and communicated to an affected employee, he/she cannot change the days that have been selected or assigned unless there are documented extenuating circumstances and the proposed changes are acceptable to the Employer. Should situations warrant, the Board of County Commissioners may, by resolution, terminate the requirement that any remaining Furlough Days be served, or increase the number of Furlough Days required to be served, up to the legal limit. If the number of required Furlough Days is decreased, employees who have already served more than the new requirement of days will be made whole for the overage.



County Administrator



Date

Date: May 19, 2020

Resolution No. 20-392

Title: Amendments to the Mandatory Cost Savings Days Policy (Policy # 37) of the Board of Lucas County Commissioners

Department/Agency: Human Resources

Contact: Brian Cunningham

Summary/Background: Ohio Revised Code 124.393 permits each County appointing authority to develop a policy of mandatory cost savings days (Furlough Days) as a tool to reduce costs, subject to the requirements and limitations of the above-referenced statute. The Board approved such a policy in 2009. This resolution amends the existing policy in the following manner:

- Replace references to “Cost Savings Days” throughout the policy to read as “Furlough Days” instead
- Incorporate statutory language that permits up to 80 hours of furlough in each State fiscal year
- Permit furlough days to be taken in either full or half-day increments

Budget Impact: Allows reductions in compensation of up to 80 hours in a State fiscal year

Statutory Authority/ORC: 124.393

Commissioner Gerken offered the following resolution:

WHEREAS, in consideration of the above, NOW, THEREFORE BE IT RESOLVED by the Board of County Commissioners, Lucas County, Ohio, that:

Section 1. The “Mandatory Cost Savings Days” policy is hereby amended as follows:

- References to “Cost Savings Days” throughout the policy are changed to read as “Furlough Days” instead
- The statutory language that permits up to 80 hours of furlough in each State fiscal year will be incorporated into the policy
- Furlough days will now be permitted to be taken in either full or half-day increment

Section 2. This Board finds and determines that all formal actions of this Board concerning and relating to the adoption of this resolution were taken in an open meeting of this Board and that all deliberations of this Board that resulted in those formal actions were in meeting open to the public in compliance with the law.

Section 3. This resolution shall be in full force and effect from and immediately upon its adoption.

May 19, 2020

Amendments to the Mandatory Cost Savings Days Policy (Policy # 37) of the Board of Lucas County Commissioners

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Action Taken:

Commissioner Gerken voted yes

Commissioner Byers voted yes

Commissioner Skeldon Wozniak voted yes



Jody L. Balogh, Clerk