

FAQ on the CFA-CSU Furlough Agreement 2nd Edition

Determination of Furlough days and Work Assignments

1.	
Q	<i>What days are available to be taken as furlough days for academic year faculty members?</i>
A	Any day that is part of the campus academic calendar may be taken as a furlough day, within the parameters of the furlough program. These parameters include that the faculty unit employee may not take more than two (2) furlough days in a calendar month, and one (1) in a work week, except for one calendar month in which up to four (4) furlough days may be observed. During that month, up to 4 days of furlough may be observed in one week. Note that the academic calendar includes days when instruction is scheduled, as well as days (typically at the beginning and end of the term) when instruction is not scheduled but faculty members are expected to be available to work. Furloughs may be scheduled on any of these days.
2.	
Q	<i>How do these rules work within the framework of 9 furlough days in a semester?</i>
A	On our campus the President has selected 3 days each semester for furlough for instructional faculty. These days are September 22, October 19, and November 13. In addition to these days faculty will request 6 additional days. One way to fit in 9 days within the constraints of the program would be to take one furlough day in August, plus 2 days each in September, October, November, and December in the fall semester. Another option would be to take 2 days in September, October and November, and 3 days in December.
3.	
Q	<i>Is there a prohibition against using teaching days as furlough days?</i>
A	No. However, every effort should be made to maintain student instruction at a level at which course goals and learning objectives continue to be met. In addition to days on which they are scheduled to teach, faculty members may select days on which they are not scheduled to teach, as well as days on the academic calendar that are work days but not instructional days. In situations where instructional days must be used as furlough days, such as when the faculty member is scheduled to teach 5 days a week, no one class should be disproportionately impacted.
4.	
Q	<i>How can faculty members achieve a reduction of effort proportional to the furlough?</i>
A	Article 20 provides a framework by describing the scope of faculty duties and responsibilities. In addition to any reduction in instruction consistent with the principles described above, we expect that faculty members will reduce out-of-classroom activities as well (both directly related to instruction and indirect instructional activities, if applicable.)
5.	
Q	<i>Can the appropriate administrator turn down a faculty member's request to take particular furlough days?</i>
A	While in most cases we anticipate that mutual agreement will be reached regarding an individual faculty member's furlough schedule, if this is not possible, the appropriate administrator may designate the furlough days based upon the compelling operational needs of the unit. If this occurs, the administrator shall provide a written explanation regarding the compelling operational needs.
6.	
Q	<i>What if a scheduled furlough day falls on a day when a faculty unit employee has unavoidable work responsibilities (e.g. scheduled athletic events, music or theatrical performances, participation in a disciplinary conference?)</i>
A	In such cases, the furlough day for that individual should be rescheduled to avoid the conflict. In general, it should be possible to find days that meet the parameters of the program as outlined in the CFA-CSU Furlough Agreement, and the administration should work with the faculty member to accomplish this.

12-Month Appointments & Furlough

7. Q	How will a faculty member with a split appointment (AY and 12 month) be required to take furlough days?
A	<p><i>Split appointments are sometimes used in situations, such as department chair assignments, when the 12-month portion of the assignment is less than full time. A typical case would be an instructional faculty member (classification 2360) who also serves as a 12-month department chair (classification 2481.) That individual will have a fractional time base in each position, and the two fractions typically add up to 1.0. In this situation, the faculty member would need to take 18 “combined” furlough days during the academic year (18 days in which the faculty member performs no work, either as instructional faculty member or department chair) and 6 furlough days outside of the academic calendar, pro-rated at the chair’s time base, and falling between August 1, 2009 and June 30, 2010.</i></p> <p><i>Example: Faculty member on a semester campus has an appointment at a time base of 0.6 as 12-month chair (2481) and 0.4 as academic year instructional faculty (2360).</i></p> <ul style="list-style-type: none"> • <i>Days outside the academic calendar include the period prior to the first day of the fall semester; days between the end of the fall semester and the beginning of the spring semester (typically, from late December to the middle or end of January); spring break; and days from the end of the spring semester (typically, late May) to the end of June.</i> • <i>During the academic year, the faculty member takes 9 furlough days each semester for a total of 18 days, including days designated by the President and individually nominated days selected by mutual agreement between the faculty member and the appropriate administrator. These furlough days apply to the required 18 days of furlough for the 0.4 time base AY position as well as 18 of the 24 days of the 0.6 time base chair position.</i> • <i>The faculty member also nominates 6 days (pro-rated to a time base of 0.6) from the dates that fall outside the academic calendar to serve as the remaining six days of furlough required for the 12-month chair position.</i> • <i>It is possible to select furlough days that stay within the guidelines for assignment of furlough days described in sections 3(b) through 3(h) of the CFA-CSU Furlough Agreement. See the following grid for two examples of a schedule that would allow for the assignment of days within these restrictions. These examples are not meant to be prescriptive.</i>

	Model 1		Model 2	
Month	Chair days	Combined days	Chair days	Combined days
August 2009	1	1	1	1
September 2009		2		2
October 2009		2		2
November 2009		2		2
December 2009		2		2
January 2010	3	1	1	1
February 2010		2		2
March 2010		2		2
April 2010		2		2
May 2010		2		2
June 2010	2		4	
Total	6	18	6	18

8. Q	How should furlough be handled for individuals whose appointments are changing from 12 months to AY, or vice versa?
A	<p><i>If the change is occurring at the beginning of the academic year:</i></p> <ul style="list-style-type: none"> • If a twelve-month position (such as a department chair) is transitioning back to AY faculty, begin the furlough with the start of the AY, applying it to the AY position for the year. The faculty member would then be subject to a full year of furlough on the AY basis. • If an AY position is being converted to twelve months, since the AY work was attached to the 2008/09 fiscal and academic year, no furlough is required until the start date of the twelve-month position. The furlough will be pro-rated from that date and the faculty member will have 9.23% per pay period deducted per pay period, through June 30, 2010. <p><i>If the change occurs later in the year:</i></p> <ul style="list-style-type: none"> • If a twelve month faculty member transitions to AY at the start of the winter or spring term, the faculty member should be subject to furlough in the twelve month position from July 1 through the last pay period in 12 month status at 2 days per month, then begin furlough in the AY position for the terms of the AY in the 2009/10 AY that are included. <i>Example:</i> 12-month chair moves into AY position at the start of the spring semester, which begins in late January on that campus. The faculty member would take furlough at 2 days per month beginning July 1, 2009 through the end date of the 12-month appointment. The faculty member would also be required to take 9 days of furlough associated with the AY position in the spring semester. Human Resources Management will be developing advice for the campuses on how to handle any reconciliation associated with this transition. • If an AY faculty member transitions to 12 months, the faculty member would take furlough at the appropriate rate for terms worked in AY status (based on 9 days for 1 semester, 6 days for each quarter), and would take 2 days of furlough per month going forward following appointment in the 12 month class. <p><i>Note:</i> In no case should the total number of furlough days required of a faculty member exceed 2 days per month over the 12-month furlough period (24 days from July 1, 2009 through June 30, 2010.)</p>

Exemptions, Exclusions, Special Considerations

9. Q	Are faculty members whose salaries are reimbursed from sources other than external grants and contracts (e.g. endowments, University extension) subject to furlough?
A	Yes.
10. Q	Is work through University Extension subject to furlough?
A	Faculty members appointed in classifications 2322 (Special Programs) and 2323 (Extension for Credit) are exempt from furlough in those classifications.
11. Q	Are faculty members classified as Grant Related/Specially Funded Instructional Faculty (GRIF) subject to furlough?
A	Yes.
12. Q	Are faculty members with H-1b visas subject to furlough?
A	Yes.
13. Q	Are participants in the Faculty Early Retirement Program (FERP) or Pre-Retirement Reduction in Time Base (PRTB) subject to furlough?
A	Yes.
14. Q	If a faculty member receives additional employment, is that employment subject to furlough.
A	If a faculty member has additional employment in a CSU position such that the faculty member's time base exceeds 1.0, the portion over 1.0 is not subject to furlough. In addition, the following specific forms of additional employment would not be subject to furlough in any case.

	<ul style="list-style-type: none"> • Additional employment through <i>Extension</i> (classes 2322 and 2323) is exempt from furlough (see above.) • Additional employment through an <i>auxiliary</i> is governed by the policies of the auxiliary and is not included in the CSU furlough program. • Faculty members appointed as <i>Special Consultant</i> typically have assignments for an agreed-upon number of days, and would continue to be paid for days worked. However, the campus may choose to reduce the utilization of such appointments in order to achieve savings and meet the operational needs of the campus. • For a faculty member employed as a <i>substitute</i> (classification 2356), payment is by the class taught.
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Leaves, Holidays, Etc.

15. Q	<i>Are sabbatical leaves subject to furlough?</i>
A	Yes. The salary the employee receives during the sabbatical leave will be reduced by 9.23%
16. Q	<i>Are difference-in-pay leaves subject to furlough?</i>
A	Yes. The salary the employee receives during the DIP leave (based on the difference between the faculty member's salary and the minimum salary for the rank of Instructor) will be reduced by 9.23%
17. Q	<i>Will maternity/paternity leave be affected by furlough?</i>
A	Yes. An employee on a maternity/paternity leave will be subject to furlough; however, days taken as furlough will extend the leave period by the same number of days. In other words, the employee will still receive the same number of paid days of leave.
18. Q	<i>Is an employee on jury duty subject to furlough?</i>
A	Yes. If the employee has a scheduled furlough day while out on jury duty, that day will count as a furlough day.
19. Q	<i>Are Family Medical Leave, NDI/IDL, TD and military leaves subject to furlough?</i>
A	No. We are awaiting additional information regarding benefits and leaves and how they will be affected by the furlough.