

The CSU Furlough Program and How it Impacts Disability and Leave of Absence Programs

I. Disability Programs: Non-industrial Disability Leave (NDI), Industrial Disability Leave (IDL), Temporary Disability (TD), Long Term Disability (LTD)

Disability programs are not subject to the furlough program. Employees who are placed on a disability program (IDL, NDI, TD, or LTD) receive their full salary rate earned prior to placement on the furlough program. Sick leave supplementation for IDL, sick leave or vacation supplementation for TD, or catastrophic leave supplementation for employees on NDI is up to the employee's full salary rate (unfurloughed salary).

An employee who is covered by a disability program and returns to work on a partial basis is subject to the furlough for the time worked and salary is reduced to reflect the furlough. The disability benefits for the portion of the day not worked continue to be based on the full salary rate (unfurloughed salary). For example, if a full time employee (40 hours per week) was released to resume work half-time (20 hours per week), the furlough would be imposed on the 20 hours worked. The remaining 20 hours of time away from work covered with a paid leave, i.e., sick leave, NDI, CAT Leave, etc. would be exempted from furlough.

Employees who are no longer disabled but utilize leave credits prior to returning to work will have their salary rate changed to the reduced rate to reflect furlough days. For example, a female employee who was on NDI due to pregnancy and is no longer disabled or on FML, but chooses to take vacation without returning to work should be placed on the furlough schedule.

II. Paid Leaves of Absence: (Military, Maternity/Paternity, Catastrophic, Jury Duty, FML, Sabbatical)

Family Medical Leave: FML leaves are not subject to the furlough program. Employees utilizing appropriate leave credits while on FML are paid their full salary rate (unfurloughed salary).

- **Maternity/Paternity/Adoption Leaves:** Employees eligible for Maternity/Paternity/Adoption leave who are not disabled due to pregnancy are subject to the furlough program and receive reduced salary at the furlough rate of pay. This leave is tied to work days so if an employee is scheduled for a furlough day, that day is not counted towards the maternity/paternity/adoption leave entitlement (e.g., 30 work days would translate to 32 in order to skip two furlough days). A female employee who is designated as disabled due to pregnancy and is on a pregnancy-related leave is not subject to the furlough program and receives the maternity/paternity/adoption paid leave based on her full salary rate (unfurloughed salary).
- **Military Leave:** Employees called to active military duty who are eligible for either the 30 calendar day pay or the CSU Difference in Pay Salary Supplement receive payment based upon their full salary rate (unfurloughed salary).
- **Jury Duty:** Employees called to jury duty receive their CSU furloughed salary upon certification. If an employee serves on jury duty on what would normally be a scheduled furlough day, the employee must designate an alternate day as a furlough day.

- **Sabbatical/Difference in Pay Leaves:** For employees on a Sabbatical or Difference in Pay Leave, the salary is subject to the furlough program and is paid at the reduced salary rate.

III. Sick Leave, Vacation, and Compensatory Time Off (CTO)

Sick leave, vacation, and CTO usage are paid at the furlough rate (except for disability and FML as denoted in specified programs).

Sick leave and/or vacation credits are not permitted to be substituted for a furlough day. Sick leave or vacation credits may not be combined with a furlough day to make 8 hours or the equivalent number of hours that make up the employee's "day." In addition, CTO is not permitted to be substituted for a furlough day.

If an employee is ill and the illness/injury does not qualify as an FML-covered illness/injury or the employee is on vacation and a furlough day is scheduled, the employee is not permitted to substitute sick leave, vacation, CTO or holiday credits for the furlough day.

As a reminder, employees who are otherwise FLSA exempt, except during furlough weeks when they become non-exempt, may be charged with various leave types (sick or vacation) in less than full day increments to supplement workdays specifically within that furlough workweek period as appropriate (furlough day excluded).