

**SOUTH CAROLINA
DEPARTMENT OF HEALTH AND HUMAN SERVICES**

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HR07.00 Voluntary Furlough Policy and Procedures

EFFECTIVE: July 1, 2011

APPLIES TO: South Carolina Department of Health and Human Services (the Department) - Full-Time Equivalent Position Employees (FTE), Time-Limited Position Employees and Temporary Grant Position Employees (TGE)

POLICY

As long as authorized by the General Assembly, the Department may institute a voluntary furlough program in a fiscal year in which the general funds appropriated for a State agency are less than the general funds appropriated for that agency in the preceding fiscal year, or whenever the General Assembly or the Budget and Control Board implement a midyear across-the-board budget reduction. Set forth below is the South Carolina Department of Health and Human Services' Voluntary Furlough Program to be implemented when the above conditions are met.

PURPOSE

The purpose of this policy and procedures is to prescribe the manner in which full-time equivalent (FTE), time-limited and temporary grant (TGE) employees of the Department may voluntarily participate in a furlough. This policy outlines the responsibilities of the employee and management for initiating and/or facilitating a request to participate in a voluntary furlough. This policy cancels and supersedes the Department's Voluntary Furlough Policy and Procedures (HR07.00) issued August 13, 2010.

**SOUTH CAROLINA
DEPARTMENT OF HEALTH AND HUMAN SERVICES**

7.01 Eligibility

- A. All employees in FTE, time-limited, and temporary grant positions are eligible to participate in the voluntary furlough program.
- B. All employees must have supervisory approval of the voluntary furlough request in order to be eligible. The employee's request for voluntary furlough must be approved prior to the employee's observation of the furlough time and will not be honored on a call in basis.
- C. Each program area is responsible for establishing standard operating procedures with regards to the approval of an employee's voluntary furlough leave request. The standard operating procedure must be communicated up through the organizational hierarchy with the Deputy's approval.

7.02 Procedures

- A. To request voluntary furlough leave, employees must submit a request for supervisory approval via **MySCEmployee** by selecting the "Voluntary Furlough" option. If the request is approved by the supervisor, the employee's pay will be automatically deducted.
- B. Upon submission and approval of voluntary furlough leave in **MySCEmployee**, the employee's appropriate paycheck will be deducted for the total amount of approved furlough time.
- C. **If an employee participates in the Voluntary Furlough Program, this policy serves as official notification that voluntary furlough is leave time without pay and will be automatically deducted from the appropriate paycheck if approved.**
- D. Deductions of voluntary furlough will not be spread over remaining pay periods in a fiscal year. Deductions for voluntary furlough are deducted in a lump sum in the pay period within which the furlough occurs.
- E. After supervisory approval, voluntary furlough cannot be reversed, changed or deleted. There will be no exceptions without written justification approved by the

**SOUTH CAROLINA
DEPARTMENT OF HEALTH AND HUMAN SERVICES**

- Deputy Director.
- F. To the degree possible, supervisors should attempt to honor voluntary furlough requests. An employee's supervisor and the program director must consider workloads, work distribution and similar factors when deciding whether or not to approve a request for voluntary furlough. The supervisor and the program director may discuss alternative dates for voluntary furlough with the requesting employee during the approval process.
- G. No request to participate in the voluntary furlough is considered approved until the supervisor has approved the request in **MySCEmployee**.
- H. No voluntary furlough under this program can exceed ninety (90) workdays per fiscal year.
- I. This program is completely voluntary. No employee can be forced or coerced into going on a furlough under this voluntary program. Any employee who submits a request for voluntary furlough thereby acknowledges that he or she has done so without coercion, undue influence, threat, or intimidation of any kind or type.
- J. While on voluntary furlough, an employee will be placed in leave without pay (LWOP) status, without a break in service and with the continuing accumulation of sick and annual leave benefits.
- K. While on voluntary furlough, an employee is subject to all the same policies and procedures of the Department applicable to employees in leave without pay status.
- L. During a voluntary furlough, the employee shall be entitled to participate in the same State benefits as otherwise available to him or her except for receiving the regular rate of pay for the furlough day(s).
- M. An employee participating in the voluntary furlough program **MUST** take the time based on their agreed upon work schedule. Employees on Alternate Work Schedules (AWS) may have schedules with workdays that allow them to take off whole or partial days as part of the AWS. Partial days may be included as voluntary furlough.

**SOUTH CAROLINA
DEPARTMENT OF HEALTH AND HUMAN SERVICES**

- N. Voluntary furlough cannot be taken in conjunction with a period of LWOP related to a disciplinary action or workers' compensation.
- O. Voluntary furlough may be used in lieu of other types of LWOP, except for those types of leave without pay addressed in sections above.
- P. An individual may elect to use voluntary furlough leave during all or part of a period of Family Medical Leave Act (FMLA) qualifying event. The use of FMLA must meet the requirements set forth in Department policy.
- Q. Employees who wish to use voluntary furlough time during a period of FMLA must contact the Office of Human Resources in order to determine whether or not the event is covered.
- R. Unauthorized use or unapproved use of voluntary furlough time may be subject to disciplinary action up to and including immediate termination.
- S. Under no circumstances will any Department official deviate from the Department's Affirmative Action policy in making any decisions concerning voluntary furlough. Denial of any voluntary furlough request should be made in consultation with the Department's Office of Human Resources.

7.03 Benefits

- A. For benefits which require employer and employee contributions, the Department will be responsible for making both employer and employee contributions if coverage would otherwise be interrupted.
 - 1. Based on the South Carolina Retirement System guidelines, on a monthly basis, the Department will remit any employee/employer contributions for an approved voluntary furlough period. Coverage under the retirement group life insurance program and eligibility for survivor and disability benefits will continue during the member's voluntary furlough.
 - 2. The Department will be responsible for making both the employer and employee contributions for those benefits that require employer and employee contributions (health/dental) if coverage would otherwise be

**SOUTH CAROLINA
DEPARTMENT OF HEALTH AND HUMAN SERVICES**

interrupted during the voluntary furlough. The employee will resume his or her payment responsibilities for any employee contributions at the end of the voluntary furlough period(s).

3. The Department will continue to pay 100% of basic life and basic Long Term Disability (LTD) premium for applicable employees.
 4. The employee is solely responsible at all times for making any contributions or payments for any benefit that does not require an employer contribution or payment.
 5. In no case will the Department assume any responsibility for any deductions or benefits requiring employee-only contributions. The employee is responsible for any premiums/deductions for dental plus, vision, dependent life, optional life, supplemental LTD.
 6. The Benefits Division of the Office of Human Resources will deduct the full amount of premiums/deductions in arrears from the employee's first paycheck upon return to work. If the employee does not return to employment following a voluntary furlough period, the Benefits Division will bill the employee for the full amount of any premiums/deductions in arrears. Unpaid premiums can result in the automatic termination of benefits without notice.
 7. During a period of voluntary furlough, in accordance with the South Carolina Retirement System guidelines, the Department will not be responsible for the employee or employer retirement contributions for working retirees or participants of the TERI program.
 8. The employee is responsible for all other types of miscellaneous deductions/premiums, not covered above to include, but not limited to, credit unions, miscellaneous insurance companies and United Way.
- B. A TERI retiree participating in a voluntary furlough will not be considered as having a break in service. Participation in the TERI program may continue during the voluntary furlough period.

**SOUTH CAROLINA
DEPARTMENT OF HEALTH AND HUMAN SERVICES**

- C. An employee approved for a voluntary furlough of thirty (30) consecutive calendar days or more has the option to drop insurance coverage during the period of voluntary furlough and will not be required to provide proof of insurability to re-enroll. An employee wishing to drop this coverage must complete a Notice of Election form designating the reason for dropping as “voluntary furlough” and coordinate processing the request with the Office of Human Resources.
- D. If an employee wishes to re-enroll for these benefits, he or she must complete a Notice of Election form within thirty-one (31) days from the date the employee returns from voluntary furlough.
- E. An employee who is eligible for paid leave will continue to accrue annual and sick leave as if they were in paid status.
- F. Holidays are not included as voluntary furlough day(s).
- G. An employee’s performance review date will not be adjusted; however, the supervisor and the program director must take into consideration an employee’s review date prior to approving a voluntary furlough for performance evaluation purposes.

7.04 Program Reporting

- A. As part of the program area’s voluntary furlough operating procedures, a report must be presented to the Deputy Director on a monthly basis. The report should include the employee name, dates of furlough and associated time.
- B. The Office of Human Resources will report voluntary furlough to the Deputy Directors on a quarterly basis for verification.

7.05 Definitions

- A. Department - The South Carolina Department of Health and Human Services.
- B. Full Time Equivalent Employee - Any person in the service of an agency in a full time equivalent position who receives compensation from the Department and where the Department has the right to control and direct the employee in how the

**SOUTH CAROLINA
DEPARTMENT OF HEALTH AND HUMAN SERVICES**

work is performed.

- C. Grievance - A complaint filed by a covered employee or the employee's representative regarding an adverse employment action taken by an agency designated in of the South Carolina Code of Laws.
- D. Office of Human Resources - An office of the Department responsible for personnel administration for full time equivalent employees, temporary grant employees, time-limited employees, state temporary employees, interns, and volunteers.
- E. Temporary Grant Employee - A full-time employee who does not occupy an FTE position and is hired to fill a position specified in and funded by a federal grant, public charity grant, private foundation grant or research grant and who is not a covered employee.
- F. TERI Employee - An employee who is participating in the Teacher Employee Retirement Incentive Program who is retired and accumulating a retirement annuity on a deferred basis without terminating employment. FTE employees entering the TERI program at the beginning of business June 6, 2005, forward are considered non-covered employees.
- G. Time-Limited Project Employee - A full-time or part-time employee who does not occupy an FTE position who is hired to fill a position with time-limited project funding approved or authorized by the appropriate State authority, and who is not a covered employee.
- H. Voluntary Furlough - The placement of an employee, at the employee's request, in a temporary non-pay status and non-duty status (or absence from duty).