



**TO:** SOUTHERN NEVADA DISTRICT BOARD OF HEALTH    **DATE:** 9/24/2009

**RE:** *Approval of a revised Voluntary Unpaid Furlough Program for Employees of the Southern Nevada Health District, Effective through June 30, 2010*

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**PETITION #31-09**

**That the Southern Nevada District Board of Health** *approve revised Voluntary Unpaid Furlough program effective through June 30, 2010.*

**PETITIONERS:**

**Angus MacEachern, Human Resources Administrator**

**Scott Weiss, Director of Administration**

**Lawrence Sands, DO, MPH, Chief Health Officer**

**DISCUSSION:**

The purpose of this petition is to incorporate legislative changes into the Voluntary Unpaid Furlough policy. SB433 provides that employees are entitled to receive full PERS service credit for time taken as voluntary furlough leave for the first 96 hours of unpaid leave from the effective date of this petition. This petition also recommends extending the furlough program through June 30, 2010 and increasing the allowed number of unpaid furlough hours to 200 (5 weeks) per fiscal year.

**REFERENCES:**

Board of Health Approval 4/23/2009; Related SNHD Policies: *Collective Bargaining Agreement, Article 27, Section 4 – Vacation Usage; Personnel Code, Section 84 - Leaves of Absence;* Related Rules, Regulations, Laws: *Nevada Revised Statutes 286.481 PERS Service Ineligible for Credit; Fair Labor Standards Act Regulation 29 C.F.R. §541.5d; Senate Bill 433.*

**FUNDING:**

No additional funding is required for this program.

SOUTHERN NEVADA HEALTH DISTRICT  
ADMINISTRATION POLICY AND PROCEDURE

DEPARTMENT MANUAL: SECTION: ALL	Number:
TITLE : <b>Voluntary Unpaid Furlough</b>	Origination Date: 5/28/09
ADMINISTRATION ROUTE: <b>Human Resources</b> DESCRIPTION: Guidelines for employee Voluntary Unpaid Furlough Program	Effective: 5/30/09
	Next Review: [ <del>January 2010</del> ] <b>June 30, 2010</b>
APPROVED BY:	Last Revision: 5/30/09; 9/11/09

I. **PURPOSE/SCOPE:**

The purpose of this policy is to establish guidelines for an employee Voluntary Unpaid Furlough program for the purpose of cost savings when financial conditions warrant such action by the Southern Nevada Health District. This program will be in effect from May 30, 2009 through [~~January 8, 2010~~] **June 30, 2010**. This policy applies to all full-time and part-time employees of the Southern Nevada Health District.

II. **POLICY:**

In situations where the Southern Nevada Health District is experiencing financial conditions that require proactive cost containment, employees may be allowed to take voluntary unpaid furlough up to [~~fifteen (15) working days~~] **200 hours** per fiscal year as a cost savings measure. Employees are not required to take voluntary unpaid furlough. For fiscal year 2009-2010, the 200 hours shall be measured from the effective date of this policy.

III. **PROCEDURE:**

An employee must complete a Voluntary Unpaid Furlough Request Form and submit it to the supervisor. All furlough requests must have final pre-approval from the Division Director. The Division Director may accept or reject a request for furlough after considering the employee's position, seniority, skills, and the needs of the division, section or program. The division director's decision is final and is not subject to appeal or grievance. At the expiration of the furlough, the employee shall return to the same position held prior to the voluntary unpaid furlough.

An employee may take up to [~~five (5) working days~~] **forty (40) hours** in a pay period OR up to [~~ten (10) working days~~] **eighty (80) hours** over two consecutive pay periods. Total furlough [~~days~~] time shall not exceed 200 hours in a fiscal year. The District will pay the employer portion of insurance contributions during the voluntary unpaid furlough period as if the employee were in pay status for the specific days of furlough. This includes, but is not limited to health, dental, life, long-term disability, deferred compensation, garnishments, and union deductions. All contributions due from the employee shall be deducted from the employee's payroll check.

A voluntary furlough shall have no effect on the following:

1. ***Terms of employment:***

- a. Performance evaluations, merit increases, or general salary adjustments;
  - b. Longevity, anniversary, or seniority dates;
  - c. Vacation and sick leave accruals during the furlough period.
2. A voluntary furlough shall not constitute a break in service.
  3. Employees will receive no compensation during periods of voluntary furlough.
  4. In accordance with Senate Bill No. 433 [~~Nevada Revised Statutes~~], employees will [~~not~~] receive PERS service credit during periods of voluntary furlough, up to the statutory annual limit of 96 hours for all PERS-eligible service. Annual furlough leave that exceeds 96 hours is not PERS-compensable under state law.
  5. Employees exempt from overtime provisions established by the Fair Labor Standards Act must take furlough time in work day (8 hour) increments. Furlough hours may not total more than 40 hours in one bi-weekly pay period.
  6. Non-exempt employees shall be approved for furloughs of not less than [~~four (4) hours~~] two (2) hour increments. Furlough hours may not total more than 40 hours in one bi-weekly pay period.
  7. Employees may choose to take holidays as unpaid furlough days.

IV. **PROTOCOL:**

1. The use of voluntary furlough shall not result in the need for overtime from the employee or other employees.
2. Employees in leave of absence without pay status will not be allowed voluntary furlough.
3. Employees with accrued vacation balances in excess of maximum accrual balances may not take voluntary furlough until such leave balances are at or below the maximum amounts allowed.
4. Employees may replace scheduled paid vacation time with unpaid furlough upon request.
5. [~~Employees in FMLA status are not eligible for voluntary unpaid furlough~~] **Employees may request the use of voluntary furlough in conjunction with Family Medical Leave Act (FMLA) usage, unless in leave of absence without pay status. Voluntary furlough for a purpose covered by the Federal Family Medical Leave Act (FMLA) shall be recorded as FMLA usage.**
6. **SNHD staff will provide reports to the Board of Health no less than annually detailing the savings from this program.**

V. **REFERENCES:**

Board of Health Approval 4/23/2009; Related SNHD Policies: *Collective Bargaining Agreement*, Article 27, Section 4 – Vacation Usage; *Personnel Code*, Section 84 - Leaves of Absence

**Related Rules, Regulations, Laws:** *Nevada Revised Statutes 286.481* PERS Service Ineligible for Credit; *Fair Labor Standards Act* Regulation 29 C.F.R. §541.5d; **Senate Bill 433.**