

Bargaining Unit 18 - Furlough Implementation

February 5, 2009

As CAPT continues to negotiate for an alternative to the Governor's and court-imposed furlough plan, your union has reached an agreement with the state regarding how the furlough plan will be implemented for Bargaining Unit 18 members.

Psych Techs fall under the provision of the Governor's Executive Order, titled Self-Directed Furlough Plan:

The plan applies to positions in 24/7 facilities where it is not operationally feasible and would jeopardize security, health or safety to shut down operations: In these cases, an employee works at a reduction in pay of approximately 9.24 percent per month and banks furlough days for future use. All furlough days must be taken within two years following the end of the furlough program, which is June 30, 2010.

Employees who work Monday through Friday with weekends and holidays off may be required to take two days off per month. If this occurs, there will be no banking of furlough days.

CAPT has reached agreement with the state in order to address issues relative to the implementation of the programs. The following items represent the terms of the agreement:

The Furlough Program does not apply to employees who:

- are on a leave of absence without pay.
- on military leave
- are seasonal

The Furlough Program doesn't affect:

- State service credit
- Leave accruals
- Medical benefits
- Lump sum payments
- Retirement benefits
- Disability leave payments for employees receiving EIDL and IDL, Non-Industrial Leave or Involuntary Leave and supplemental payments.

For employees returning to partial work, those hours will be affected.

Bargaining Unit 18 - Furlough Implementation

Page 2

The salary adjustments apply only to the employee's base salary. The adjustments don't affect:

- Hiring above minimums
- Red circle rate adjustments
- Flat dollar or percentage -- base pay differentials
- **Overtime rates or holiday pay** -- these are based on the unadjusted base salary.

Overtime: Time during which an employee is off work due to taking a furlough day will not count as hours worked within the week for the purpose of determining overtime. If a supervisor requires you to work on a day designated as a furlough day, that time will count as hours worked for the purpose of overtime.

Furlough Hours

Furlough hours have no cash value and may not be cashed out. Employees receive no cash out of furlough hours left over when they separate.

Full-time employees will be furloughed the equivalent of two days per month, for a total of 34 days over the next 17 months.

Intermittent employees will be furloughed based on how many hours they work in a month.

Part-time employees will be furloughed a number of hours according to their time base. No employee should ever be furloughed for more than 8 hours per pay period and no more than 16 hours per month.

- Employees are encouraged to use furlough hours prior to the use of the accrued leave. Furlough hours may be used by the employee in lieu of vacation leave, annual leave, sick leave or any other accrued leave in accordance with the BU 18 collective bargaining agreement. Furlough hours shall not be considered as accrued time for the vacation bid process.

NOTE: You can't bid furlough hours, but once your vacation time has been bid and awarded, you can substitute furlough hours for bid vacation time. Employees will have the discretion on the type of leave they will substitute for furlough leave, pursuant to the provisions of the collective bargaining agreement.

Bargaining Unit 18 - Furlough Implementation

Page 3

- Management shall ensure that employees have the ability to use the furlough hours accrued prior to June 30, 2012.

When an employee uses furlough hours, they will be compensated for the hours used.

Also if you request a holiday off, you can use a furlough day and still receive holiday credit.

- Employees will be allowed to use their furlough hours in conjunction with their RDOs unless the employee requests another day and when staffing is above minimum, with supervisory approval. The employee's request will not be unreasonably denied.
- Furlough hours may not be used in less than 1 hour increments.
- Furlough hours will be recorded and monitored through a personnel transaction process. If the furlough hours do not appear on the employee's pay check stub within 3 months, CAPT may request to meet and discuss an accounting process.
- When two or more employees request the same furlough day/days, it will be awarded to the most senior employee. Once approved there shall be no bumping.
- Disputes regarding the Furlough Program shall be processed by utilizing the complaint procedure contained in the contract between CAPT and the State; however, the complaint may be appealed to the DPA as the final level of review and not subject to arbitration.

CAPT Chapter Officers will be scheduling informational meetings at your worksite to explain in greater detail the Furlough Program. In the meantime, CAPT is still negotiating with the state to come up with an alternative plan that will minimize the negative effects this furlough plan has on our members' monthly take home pay.