

DOL Scheduling Furlough Hours Guidance

Supervisors should work with their employees who are required to take furlough hours/days. An employee's request for specific dates in which to take their furlough hours is subject to management approval; however, reasonable efforts should be made to accommodate an employee's request.

The following guidance is provided to assist in the process of scheduling and documenting employee furloughs:

I. SCHEDULING

A. Requirements

1. Furlough times must be taken in increments no less than 4 hours.
2. At least half of the required furlough hours must be taken by July 13, 2013.
3. All required furlough hours must be taken by September 21, 2013.
4. The earliest the first furlough date can be taken is April 15, 2013. This allows for the 30-day advance notice period, the issuance of the decision notices, and the processing of the personnel action, SF-50.
5. Employees may elect to waive the 30-day notice period to begin their furlough hours sooner than April 15, 2013, however supervisors and employees must follow the waiver guidance as outlined in this document.
6. Agencies are required to submit schedules of all selected and approved furlough dates for their employees by April 5, 2013 (see "Processing" below for information on submitting schedules).

B. Scheduling Considerations

1. Scheduling process should be completed by March 29, 2013.
2. Requests for furlough dates and management approval may be in any format established within the agency. For example, supervisors may ask for requests in e-mail or as a calendar request, and may respond accordingly to document approval.
3. When approving employee requests for furlough dates, managers should allow as much flexibility as possible, however the mission and continuity of agency operations is priority.
4. If a supervisor must deny an employee's requested furlough date, the supervisor must notify the employee and provide a written explanation to the employee within five workdays of the denial notice.
 - o Denials of furlough dates should be based on agency mission, continuity of operations, and office coverage requirements.
5. If a supervisor faces competing demands for the same furlough dates, disputes must be resolved on the basis of seniority, (i.e., length of service in the Agency).
 - o Agency is defined as each major organization within the Department (e.g., ETA, OWCP, OFFCP, and SOL).
6. Scheduling around the holiday should be done cautiously. An employee must be in pay status for the work hours just before or the work hours just after a holiday in order to be paid for the holiday.
7. For employees on compressed schedules, furlough hours cannot be scheduled on their compressed day off.
8. Part-time employees should coordinate with their supervisor to calculate their pro-rated required furlough days and hours. For part-time employees identified for furlough, furlough hours must correspond to duty hours within the part-time work schedule.

C. Employees on Extended LWOP or other Non-Pay Status

Management officials should contact employees who are currently in a non-pay status to discuss the employee's options or requirements related to scheduling the required furlough days.

1. An employee on a suspension should serve the suspension and schedule the furlough days as additional non-pay/non-duty days, before or after the suspension.
2. An employee on LWOP might want to switch some or all of their LWOP for the required furlough days.
3. An employee who is in a non-duty status as a result of Workers Compensation cannot be furloughed during those non-duty hours, however the employee can be furloughed for any other time in which they are in duty status.

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II. PROCESSING

A. Requirements

1. The Human Resource Center (HRC) will provide each DOL Agency Administrative Officers (AO) with a copy of their agency-specific employee spreadsheet that was used to generate the Proposal Notice to Furlough.
2. The AO must coordinate the completion of the spreadsheets by annotating the specific furlough dates requested and approved for each impacted employee.
3. AOs must provide their spreadsheet to their servicing HR offices (National and OASAM Regional HR Offices, where applicable) with a copy to Kimberlee Proctor (proctor.kimberlee@dol.gov) in HRC, no later than April 5, 2013.
4. WebPAR actions cannot be generated for processing furlough actions.
5. Servicing HR offices will process the furloughs based on the spreadsheets provided by the Agency AOs.
6. Agencies must submit an individual email notice to the servicing HR Officer if an employee waives the 30-day notice period and begins furlough dates earlier than April 15, 2013. The email must include:
 - a. A scanned copy of the signed, approved waiver
 - b. Employee identifying information (at a minimum, full name, Agency, and office)
 - c. Employee furlough dates and total furlough hours (e.g., “Furlough Dates are March 27, 2013 and April 3, 2013. Total furlough hours are 16.”)
7. Agencies must submit an individual email notice to the servicing HR Officer if there are changes made to the approved furlough dates, requiring a correction to the employee’s Furlough Personnel Action, SF-50 (see “Changes to Furlough Schedules” below). The email must include:
 - a. Employee identifying information (at a minimum, full name, Agency, and office)
 - b. Dates and/or total hours to be corrected (e.g., “Employee furlough dates are April 22, 2013 and May 14, 2013 instead of May 17, 2013 and June 21, 2013. Total furlough hours are unchanged.”)

III. ADDITIONAL GUIDANCE

A. Changes to Furlough Schedules

1. Supervisors are encouraged to maintain the agreed-upon schedule with the employee. Agencies should develop internal procedures for the rare instances in which rescheduling of furlough is necessary.
2. When rescheduling is necessary, the Agency must inform the servicing HR office of the scheduling change by means of an email notice as described above, under “Processing”. A corrected SF-50 must be processed.

B. Waiver of 30-day notice period

1. An employee may voluntarily waive his/her entitlement to a 30-day notice period prior to the furlough becoming effective. Some employees may wish to do so in order to begin taking their furlough time earlier, so as to better suit their scheduling needs or to spread their furlough time out over a longer period of time.
2. When an employee wishes to waive the 30-day notice period, he/she must sign the attached waiver, which should be submitted to the servicing HR office and retained in the temporary (left side) of the employee’s electronic personnel folder.
3. An employee’s waiver of the notice period must be voluntary, and must be free of any influence or coercion on the part of management.

C. PeopleTime System

1. Employees must use the Furlough Code of “UF” in PeopleTime for all furlough hours/days.
2. Employees are encouraged to record their furlough hours in their time sheets at the start of the pay period.

D. Questions

DOL employees may send questions to their servicing HR office or via e-mail to: AskHR@dol.gov.

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WAIVER OF 30-DAY NOTICE PERIOD FOR FURLOUGH

By my signature below, I acknowledge and affirm that I have received the notice of proposed furlough dated _____, 2013, and have read and understand its contents. I hereby voluntarily waive my right to 30 days of advanced written notice as provided in 5 U.S.C. § 7513(b), and wish to begin serving my assigned furlough days/hours effective _____. I understand that if my furlough days are eliminated or reduced, I will not be reimbursed for the furlough day(s) I have taken.

I further acknowledge and affirm that my decision to waive my right to 30 days of advanced written notice is made without any influence or coercion to do so.

Employee's Signature Date

Employee's Name (typed or clearly printed)

Employee's Agency

Routing of Form

Please submit the completed and signed form to the servicing HR office with a copy to Kimberlee Proctor, OASAM HRC by e-mail at proctor.kimberlee@dol.gov

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Scheduling Furlough Dates FAQs

1. **QUESTION:** The MOU says that employees may request a specific schedule for furlough days. It also says that the scheduling of furlough days will be finalized within 25 calendar days of the issuance of the proposal notice. In order to finalize the schedule of furlough days by the due date in a way that considers all stated preferences as well as mission and workload considerations, management will need to have some time to balance all these considerations. Can we impose a due date for the employees to request a specific schedule for their furlough days? Since the plans have to be finalized by March 29, can I instruct employees to submit their requests by March 22?

ANSWER: Yes, asking the employees to submit their requests by March 22, 2013 is permissible and will allow management an opportunity to review and respond to employees request in time to meet the end of March deadline.

2. **QUESTION:** I expect that many employees will not request a specific schedule for furlough days. In this case does management assign furlough days?

ANSWER: Assuming management has afforded all affected employees the opportunity to request days/times, if employees do not request specific times or state that they have no preference, management may assign the days.

3. **QUESTION:** When can employees begin taking furlough days?

ANSWER: Employees can begin to take furlough days any time after April 15, 2013. This will allow time for the decision notice to be issued and the furlough personnel action to be processed. Employees may request to waive the 30-day notice period and start serving furloughs earlier. See the waiver process in this guidance. Please note, employees are still expected to schedule at least 1/2 of the required furlough days before July 13, 2013.

4. **QUESTION:** Is there a particular way for an employee to request a furlough day: OPM-71, leave request; other written request; or other verbally?

ANSWER: Supervisors can collect the employee request for specific furlough dates by a method convenient to them or in accordance to established Agency practice. The Agency Administrative Officer (AO) will submit dates/hours on a spreadsheet to their servicing HR office and HRC. Please keep in mind in the event a supervisor must deny a request from an employee, the supervisor must provide a written explanation to the employee within 5 workdays of the denial notice.

5. **QUESTION:** May an employee take a half day of furlough and a half day of leave?

ANSWER: Yes.

6. **QUESTION:** Once someone's furlough schedule is set, can it be changed due to other circumstances?

ANSWER: After the initial approval there may be some changes; however these changes should be rare in order to ensure the required furlough days are actualized in a timely manner. Management will need to notify the servicing HR office, in accordance with this guidance.

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7. **QUESTION:** Are WebPAR actions to be initiated by local managers or is OASAM taking responsibility for entering furlough days into webpars?

ANSWER: No. Initial Furlough dates will be placed on the Agency employee spreadsheet and submitted by the Agency's AO to the servicing HR office(s) as well as a copy to HRC. WebPAR actions are not necessary since a spreadsheet will be used.

8. **QUESTION:** The furlough MOU states: "In the event that multiple employees have competing demands for the same furlough days, this dispute will be resolved on the basis of seniority, in accordance with the applicable collective bargaining agreements." I assume that we use Article 36, Section 3 to resolve competing demands for furlough days. Is that right? Can you clarify what "length of Agency service" means? Is it DOL? Agency within DOL? Something else?

ANSWER: For purposes of scheduling furlough dates, length of Agency service means each major organization within the Department, (e.g., ETA, OWCP, OFCCP, and SOL).

9. **QUESTION:** When we request employees to schedule their three furlough days, is it OK if we ask them for their three days plus an alternate three days? This might enable us to speed up the approval process in the event of a conflict with the mission/coverage due to many requests on the same date (e.g., July 3, July 5).

ANSWER: Yes, this is fine as long as the employee is clear of the required number of furlough days and hours.

10. **QUESTION:** In the event that we have annual leave requests and furlough requests for the same day, in considering mission/coverage, do both requests carry the same weight? Or do furlough requests take precedence? Again thinking about the days in July.

ANSWER: Agencies should make every effort to accommodate employees while meeting programmatic needs. That said, annual leave may be denied, since agencies must capture the savings associated with furlough to ensure ADA compliance. In the rare situation where annual leave may need to be denied, employees should be afforded as much advance notice as possible.