



CITY OF HOUSTON

Executive Order

Subject: **Implementation and Administration of a Furlough Plan**

E.O. No.

1-27

Effective Date:

12/03/2010

1. AUTHORITY

- 1.1 Article VI, Section 7a, of the City Charter of the City of Houston; & Chapter 14-172 of the Code of Ordinance.

2. PURPOSE

- 2.1 To establish the practices and guidelines governing the implementation and administration of a Furlough Plan for City of Houston employees.

3. DEFINITIONS

Furlough - Unpaid leave of absence without pay that will not be regarded as an unauthorized leave for attendance purposes and shall not affect the employee's accrual of sick, vacation and personal leave or eligibility for health insurance or other benefits. For the purposes of furlough, 1 day is typically equivalent to 8 hours. If an employee is on a flex schedule (i.e., works 4 ten hour days) and his/her supervisor agrees that there will be no disruption to operations, the employee may be changed to a traditional work schedule for that workweek so he/she can be furloughed for 8 hours. Leave taken under such a plan shall not be counted as absence for any evaluation or disciplinary action purposes. Furlough days taken shall be coded to identify as voluntary or involuntary furlough days.

4. SCOPE

- 4.1 This Executive Order applies to all City employees and departments.

5. PROCEDURES

- 5.1. Upon the determination of budgetary necessity, the Mayor may announce a Furlough Plan and direct the Human Resources Department to issue a procedure for each type of furlough authorized in accordance with Chapter 14-172 of the Code of Ordinances. In the Furlough Plan, the Mayor will specify:
- 5.1.1 The date(s) either or both program(s) will be activated and implemented;
 - 5.1.2 The limited duration of time either or both furlough program(s) shall be in effect;
 - 5.1.3 Whether furloughs will be city wide or department specific;

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- 5.1.4 Whether furloughs will be voluntary, involuntary, or both;
 - 5.1.5 The civil service systems and respective employee groups, pay grades or classifications affected;
 - 5.1.6 The minimum and maximum number of days or hours to be taken as furlough, and
 - 5.1.7 The time period during which furloughs must be taken.
- 5.2 Employees of specified departments will be requested (if the furlough is voluntary) or required (if the furlough is involuntary) to complete the number of furlough days set forth in the Furlough Plan. Furlough hours may only be used for a Furlough Plan announced by the Mayor.
 - 5.3 Furlough may be taken in single- or multiple-workday increments; partial day increments are not allowed.
 - 5.4 Employee must submit their furlough schedule requests in writing, using the HR Form 206, to their supervisors, in accordance with the timetable specified in the Furlough Plan. Employees who request to take more than one furlough day per pay period must ensure their written requests acknowledge and document their desire to take more than one day in a pay period.
 - 5.5 Furlough schedule requests must be reviewed, approved and signed by the immediate supervisor and the department director or designee (designee may not be in a classification in a pay grade lower than pay grade 30) to ensure adequate coverage for operations and providing services and to ensure compliance with the Furlough Plan.
 - 5.6 If an emergency situation arises where a supervisor requests or requires the employee to work on a day previously scheduled as a furlough day, employees are encouraged to reschedule voluntary furlough days. The employee and his/her supervisor are responsible for ensuring that involuntary furlough days are rescheduled.
 - 5.7 If an employee suffers a bereavement that would otherwise entitle him or her to funeral leave on a day scheduled as furlough, he or she may reschedule the furlough day.
 - 5.8 If an employee is ill on a day scheduled as furlough, he or she may count that as furlough and forgo using sick time or use sick time as usual. He or she is encouraged to reschedule the day if the furlough is voluntary and is required to reschedule if the furlough is involuntary. If an employee is ill for more than one consecutive day, only the first day may be used as furlough time unless requested as a furlough by the employee and subsequently approved by the supervisor. In this situation, the day(s) would be coded as furlough, not sick time.
 - 5.9 Supervisors and managers are responsible for ensuring that in a work week (Saturday through the following Friday) when furlough is taken, overtime is not used to cover an employee's position when he or she is on furlough and furloughed employees may not work overtime in another work week to offset the monetary impact of furlough time.
 - 5.10 Supervisors and managers are responsible for ensuring that, in a work week (Saturday through the following Friday) when furlough is taken, the combination of worked hours, paid leave hours and furlough hours does not exceed 40 hours per week, regardless of the exempt/non-exempt status under the Fair Labor Standards Act. Employees in exempt classifications lose their exempt status during weeks that contain furlough time

and must be treated as non-exempt employees during those weeks. Employees may not “volunteer” to come to work on a furlough day, work in excess of their regularly scheduled hours and may not conduct any city work at home or any location on a furlough day.

- 5.11 Employees will retain full benefit coverage while on furlough; however, depending on the duration of the furlough, employees will be required to pay the employee portion of all benefit contributions and are responsible for making arrangement to cover any other deductions.
- 5.12 Employees may not take vacation, holiday, sick or any other paid leave time in lieu of furlough, except as noted above.
- 5.13 Employees who fail to complete involuntary furlough requirements may be subject to disciplinary action, including suspension without pay.
- 5.14 Supervisors who fail to ensure that their employees complete involuntary furlough requirements or who fail to manage overtime use appropriately may be subject to disciplinary action.