

DEPARTMENT OF ADMINISTRATION
Bureau of Human Resources

May 8, 1991

HUMAN RESOURCES MEMORANDUM 13-91

TO: All Commissioners/Department Heads, Personnel
Officers

SUBJECT: Government Office Closures

Per legislative action, State Government offices and programs will be closed on Friday, May 10 and Friday, May 24.

These closures will affect all programs and offices except those that are approved by the Commissioner of Finance and the Commissioner of Administration to be essential and/or 100% federally funded.

The purpose of this memorandum is to provide information on the major points of this legislation, and to provide direction to all agencies to ensure compliance with this legislation.

Staffing of Essential and 100% Federally Funded Programs

All employees working in programs that are 100% federally funded are to work in accordance with their normal work schedules. Exceptions to this policy may be made when no work and/or no proper supervision will be available to these employees due to the general closure of State office buildings. Activities performed by all other employees, including employees working in split funded programs, will be shut down, except for essential services. **Staffing levels for all programs that are considered by agency heads to be essential and/or 100% federally funded must be submitted to this Bureau by close of business, Wednesday, May 8.**

Lists of employees scheduled to work must specify the program to be staffed, number of employees scheduled to work, class titles and funding source. Master lists of employees with federal funding attached to their positions have been enclosed to assist you in this portion of the effort.

Previously Scheduled Days Off Without Pay

These closures will require days off without pay for employees, some of whom may have already been scheduled to take one or both of these days off without pay.

Days off without pay resulting from the May 10th and May 24th closures are in addition to any other days off without pay, whether due to previous temporary layoff requirements or due to voluntary days off without pay under the Voluntary Cost Savings Programs. All days off without pay that are currently scheduled under either of these programs must be rescheduled immediately. Rescheduled days off without pay must be taken so as to realize the necessary savings in this fiscal year.

Additionally, appointing authorities must ensure that all employees complete all temporary layoff days on or before the last work day to be paid in this fiscal year. Employees who have not completed their obligation prior to the last work week to be paid in this fiscal year must be scheduled for all remaining layoff days during that week.

Compensation

No employees other than employees who are 100% federally funded will be paid for these days. Except for federally funded employees, no employee leave with pay will be allowed for May 10th or May 24th, including leaves that may have been previously scheduled.

All employees who are required to take either or both of these days off without pay will receive an additional day of compensation at the time that they leave State service. This compensation will be at the rate of pay for the applicable day or the rate of pay at the time they leave State service, whichever is higher.

Essential service employees who are required to work one or both of these days will, in lieu of pay, receive compensatory time off for hours worked on these days, plus an additional day of compensation at the time that they leave State service. The compensation due upon separation from State service will be at the rate of pay for the applicable day or the rate of pay at the time they leave State service, whichever is higher.

One or both of these days may not be a part of some employees' normal work week. Employees who are not normally scheduled to work on May 10th and/or May 24th will lose one day of pay during each affected pay cycle. In lieu of pay, these employees will receive compensatory time off, plus an additional day of compensation at the time that they leave State service. The compensation due upon separation from State service will be at the rate of pay in effect for the applicable day or the rate of pay at the time they leave State service, whichever is higher.

"Workday" for the Purpose of Implementation of this Legislation

A workday is considered to be 1/10th of the employee's authorized bi-weekly hours. If the authorized bi-weekly hours exceeds 80 for any employee, 8 hours will constitute a "day." The following examples are provided for guidance:

Example 1: Employee works 80 hours bi-weekly, but works 10 hours on one or both of the scheduled closure days. The employee's pay will be reduced by 8 hours. The two additional hours worked will be paid to the employee. The employee will receive 8 hours compensatory time plus 8 hours pay when separated from State service.

Example 2: Employee works 80 hours bi-weekly, but works only 4 hours on one or both of these days. The employee's pay is reduced by a full 8 hours. Since all hours not paid were worked (4 were worked on the target day and 4 were worked on other days), the employee receives 8 hours compensatory time, plus 8 hours pay when separated from State service.

Example 3: Employee works 40 hours bi-weekly (20 hours per week) and does not work on these days. Legislative intent is to capture 4 hours pay, but the employee has already worked 18 hours during the pay week. The employee receives 16 hours pay. Employee receives only termination pay for 2 hours not worked and not paid, and receives 2 hours compensatory time, plus 2 hours pay upon separation for hours worked but not paid.

Example 4: Employee is scheduled to work 80 hours bi-weekly, scheduled for 4 ten hour days, one of which is Friday. The employee does not work Friday (10 hours). The employee may: (1) reschedule 2 hours of work for another day that week, (2) lose 8 hours pay and cover 2 hours with compensatory time off or vacation, or (3) lose 10 hours pay. The employee will receive compensation for all hours not paid upon separation from State service.

Impact on High Three Years for Retirement Benefit Calculations

Involuntary days off without pay, whether due to the previously scheduled three temporary layoff days, the AFSCME reduced pay agreement, or due to these two days of office closures, will be treated as days worked and paid when calculating retirement service and high three years compensation.

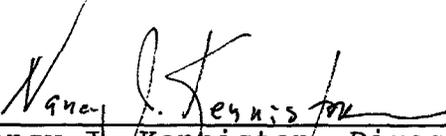
Pay Checks

Friday, May 10, and Friday, May 24, are scheduled paydays for Cycle B. Due to the closure of government offices and programs on these days, pay checks will be distributed to employees on Thursday, May 9, and Thursday, May 23. Pay checks will be dated for May 10 and May 24 as originally scheduled.

Notification of Employees

All agencies must take immediate action to notify all employees of these office closures and the impact on pay. Employees are to be informed not to report for work on either of these days, unless they are specifically notified to report to work.

Thank you.



Nancy J. Kenniston, Director
BUREAU OF HUMAN RESOURCES

Enclosure