

DEPARTMENT OF ADMINISTRATION

Bureau of Human Resources

July 8, 1991

HUMAN RESOURCES MEMORANDUM 20-91

TO: All Agency/Department Heads and Personnel Officers

SUBJECT: Employment Actions Due to State Government Closure and  
the FY 91/92 Budget

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The purpose of this memorandum is to provide agencies with information and instructions concerning employment actions to be taken as a result of the closure of State Government during the week of July 1 and the FY 91/92 budget.

Holiday Pay for July 4

All employees who would have been in pay status immediately prior to and after the July 4th holiday if it were not for the closure of State Government will be paid for the holiday.

Reduction in Pay to Employees for the Close-down Period

Employees will not be paid for lost time due to the closure of State Government. To minimize the impact on employees, employees may choose to spread the reduction in pay over several consecutive pay periods. No employee will be allowed to choose this option unless the employee explicitly agrees to this option in writing.

Attached are forms that are to be used for all employees represented by the MSEA as authorization to spread these pay reductions over several consecutive pay periods. Note that there are separate forms for cycle A employees and cycle B employees. Additionally, a similar form is attached for confidential employees.

Due to payroll processing deadlines, all employees in Cycle B agencies must indicate agreement by signing the appropriate form and returning it to their agency payroll office by 5:00 P.M. July 9th. No guarantees can be made to defer reductions for cycle B employees if employee authorization is not received by this deadline. Cycle B employees may verbally contact their agency payroll office in the event that a signed agreement cannot be delivered by this deadline. In all cases, an agreement must be signed for permanent record.

Employees in Cycle A agencies must submit the appropriate signed agreement to their payroll offices by close of business, Friday, July 12.

Instructions for employees represented by AFSCME and MSTA are not available at this time.

Again, unless an employee explicitly agrees to spread the reduction in pay out among consecutive pay periods, the reduction in pay must be taken in the pay check for the pay period that includes the week of July 1.

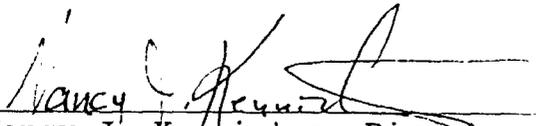
All reductions in pay for these close-down days, whether taken in one check or several, must be recorded under Special Pay # 10 TEMP OFF. Due to the need for individual processing based on the above signed agreement, no automatic processing is possible. Agency payroll clerks are advised to see the MFASIS electronic message board for complete processing instructions.

#### Savings to Count Toward Third Year Pay Increases

The savings realized as a result of the closure will be applied towards any savings necessary to fund general salary increases and other wage adjustments contained in the third year of the collective bargaining agreements.

#### Layoffs

All agencies are to implement all layoffs that have been approved in the budget for FY 91/92 immediately. In most cases, this will require beginning formal notification procedures required by collective bargaining agreements or the Civil Service rules. Questions may be directed to the Bureau of Employee Relations or the Bureau of Human Resources as necessary.

  
Nancy J. Kenniston, Director  
BUREAU OF HUMAN RESOURCES

**MEMORANDUM OF AGREEMENT**

The State of Maine and the Maine State Employees Association agree as follows:

1. All employees who would have been eligible for holiday pay for July 4 but for the shutdown of State government will receive holiday pay for July 4. Those not otherwise eligible will not receive holiday pay.
2. The savings realized to the State as a result of the closure will be applied towards any saving necessary to fund the third year of the Collective Bargaining Agreements.
3. Employees will not receive payment for any lost time during the shutdown but will receive payment only for time actually worked or except for holiday pay as provided in paragraph 1.
4. Employees may elect to receive payment in advance for work to be performed in subsequent pay periods, without additional compensation at that time. Under this option, the State will deduct one day of pay from the paycheck covering the period of July 1, 1991 to July 7, 1991, and from the paychecks for the subsequent pay periods as necessary to make up the difference in pay received for the period State government was closed. The rate of pay deducted is the rate in effect at the time the pay reduction is taken.
5. Payments made pursuant to paragraph 4 shall constitute an advance payment for time to be worked at a later date without additional compensation at that time.
6. If an employee leaves State service prior to working any remaining days for which pay has been advanced, the remaining portion of the advance will be deducted from wages owed to the employee.
7. Employees selecting the option in paragraph 4 must inform their agency payroll office by 5:00 p.m. on Tuesday, July 9, 1991 for cycle B employees and by 5:00 p.m. on Friday, July 12, 1991 for cycle A employees in order to meet the payroll processing deadline. Cycle B employees must sign the agreed upon form by Tuesday, July 9; cycle A employees must sign the form by Friday, July 12. Those cycle B employees who are truly unable to provide written notification by Tuesday must give verbal notification by the July 9 deadline and follow up in writing by Friday, July 12.
8. Employees who cannot be contacted will only be paid for the holiday and any time actually worked during the period from July 1, 1991 to July 7, 1991.
9. Under no circumstances shall this be interpreted to limit employees' rights to challenge the effects of the July 1 - July 7 closure of State government.
10. MSEA agrees not to challenge the offering and implementation of this option as a violation of the Collective Bargaining Agreements or SELRA.

ate: July 8, 1991

Kenneth Walo  
for the State: Ken Walo

Mary Anne Turowski  
For MSEA: Mary Anne Turowski

PAY CYCLE A EMPLOYEES

An agreement has been worked out between MSEA and the State of Maine to give employees an option on how to address pay issues resulting from the closure of State Government from July 1, 1991 through July 7, 1991.

All employees will be paid for the July 4 holiday.

Any savings realized as a result of the closure will be applied towards any savings necessary to fund the third year of the Collective Bargaining Agreements.

**In addition to the holiday pay, you will only receive pay for actual time worked unless you select the following option:**

I agree to deduct one (1) days pay from my pay check for the payroll period ending 7/13/91 but otherwise receive full payment for this period. I further agree that any remaining lost time will be deducted at the rate of one (1) day per pay period for subsequent pay periods at the rate of pay in effect at the time the pay reduction is taken as necessary to make up the difference in pay received for the period that state government was closed. I understand that payment for any lost time as a result of the closure is an advance payment for time to be worked at a later date without additional compensation at that time.

**If you select the above option, you must inform your agency payroll office by 5:00 p.m. on Friday, July 12, 1991 in order to meet the payroll processing deadline.**

If you choose this alternative, you must sign this form and return it to your payroll office by Friday, July 12.

The purpose of providing this option is to spread out loss of pay over several pay periods instead of making employees absorb the entire amount in a single payperiod.

Employees who cannot be contacted will only be paid for the holiday and any time actually worked during the period from July 1, 1991 to July 7, 1991.

July, \_\_\_\_\_  
Date

\_\_\_\_\_  
Employee Signature

PAY CYCLE B EMPLOYEES

An agreement has been worked out between MSEA and the State of Maine to give employees an option on how to address pay issues resulting from the closure of State Government from July 1, 1991 through July 7, 1991.

All employees will be paid for the July 4 holiday.

Any savings realized as a result of the closure will be applied towards any savings necessary to fund the third year of the Collective Bargaining Agreements.

In addition to the holiday pay, you will only receive pay for actual time worked unless you select the following option:

I agree to deduct one (1) days pay from my pay check for the payroll period ending 7/6/91 but otherwise receive full payment for this period. I further agree that any remaining lost time will be deducted at the rate of one (1) day per pay period for subsequent pay periods at the rate of pay in effect at the time the pay reduction is taken as necessary to make up the difference in pay received for the period that state government was closed. I understand that payment for any lost time as a result of the closure is an advance payment for time to be worked at a later date without additional compensation at that time.

If you select the above option, you must inform your agency payroll office by 5:00 p.m. on Tuesday, July 9, 1991 in order to meet the payroll processing deadline.

If you choose this alternative, you must sign this form. Those who are truly unable to provide written notification by Tuesday, must give verbal notification by the July 9 deadline and follow up in writing by Friday, July 12.

The purpose of providing this option is to spread out loss of pay over several pay periods instead of making employees absorb the entire amount in a single payperiod.

Employees who cannot be contacted will only be paid for the holiday and any time actually worked during the period from July 1, 1991 to July 7, 1991.

July, \_\_\_\_\_  
Date

\_\_\_\_\_  
Employee Signature

CONFIDENTIAL EMPLOYEES

All employees will be paid for the July 4 holiday.

Any savings realized as a result of the closure will be applied towards any savings necessary to fund authorized general wage increases.

In addition to the holiday pay, you will only receive pay for actual time worked unless you select the following option:

I agree to deduct one (1) days pay from my pay check for the payroll period including the week of July 1 but otherwise receive full payment for this period. I further agree that any remaining lost time will be deducted at the rate of one (1) day per pay period for subsequent pay periods at the rate of pay in effect at the time the pay reduction is taken as necessary to make up the difference in pay received for the period that state government was closed. I understand that payment for any lost time as a result of the closure is an advance payment for time to be worked at a later date without additional compensation at that time.

All Cycle B employees (employees who received a pay check this week) must notify their agency payroll office by 5:00 P.M., Tuesday, July 9, 1991 in order to meet necessary payroll processing deadlines. All Cycle A employees (employees who will receive a pay check next week) must complete this form and submit it to their agency payroll office by 5:00, Friday, July 12, 1991.

The purpose of providing this option is to spread out loss of pay over several pay periods instead of making employees absorb the entire amount in a single pay period.

Employees who cannot be contacted will only be paid for the holiday and any time actually worked during the period from July 1, 1991 to July 7, 1991.

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Date

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Signature