

DEPARTMENT OF ADMINISTRATION

Bureau of Human Resources

July 17, 1991

HUMAN RESOURCES MEMORANDUM 21-91

TO: All Agency/Department Heads and Personnel Officers

SUBJECT: Employment Actions Due to State Government Closures and HR/Payroll Processing Instructions

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 weeks of July 8 and July 15 and provide general instructions for payroll and HR processing for the immediate future.

SCHEDULE OF PAYROLL AND HR PROCESSING THROUGH AUGUST 2

CYCLE A

07-17-91 - 07-19-91	Agencies complete time and attendance (T&A) for pay period ending 07-13-91 - pay date of 07-30-91.
07-22-91	Accounts and Control reviews results of payroll edit run. In the evening, 07-30-91 pay date is processed.
07-23-91 - 07-26-91	Personnel actions are processed.
07-29-91 - 08-01-91	Agencies enter T&A transactions for pay period ending 07-27-91 - pay date of 08-13-91.
08-02-91	Accounts and Control reviews results of payroll edit run. In the evening, 08-13-91 pay date is processed.

CYCLE B

07-17-91	Agencies complete time and attendance (T&A) for pay period ending 07-06-91 - pay date of 07-23-91.
07-18-91	Accounts and Control reviews results of payroll edit run. In the evening, 07-23-91 pay date is processed.
07-19-91	Personnel Actions are processed.
07-22-91 - 07-25-91	Agencies enter T&A transactions for pay period ending 07-20-91 - pay date of 08-06-91.
07-26-91	Accounts and Control reviews results of payroll edit run. In the evening, 08-06-91 pay date is processed.

REDUCTION IN PAY DUE TO GOVERNMENT CLOSURE DURING THE WEEKS OF JULY 8 AND JULY 15

Employees will not be paid for lost time due to the closure of State Government. Only time actually worked will be paid.

Similar to days lost during the week of July 1, employees may choose to spread the reduction in pay over several consecutive pay periods.

The following summarizes procedures necessary for various groups of employees to follow to choose this option. Unless the provisions to spread the reduction in pay out among consecutive pay periods are followed, the reduction in pay must be taken in the pay check for the pay period that includes these days. Note that specific agreements and forms to be used are attached to this memorandum. Please read these agreements and forms.

MSEA and AFSCME Employees

The enclosed agreements specify how MSEA and AFSCME employees are to be treated.

Note that these agreements require some employees to sign new written agreements in order to defer the lost time over several consecutive paychecks, while for other employees, no new agreements are necessary. The following summarizes these agreements.

Cycle B employees who signed an authorization to defer days off over several pay periods: Agencies should continue to defer days off for time lost due to subsequent closures. No other choice is available to these employees.

Cycle B employees who choose to have one paycheck reduced for all time lost during the week of July 1: These employees may now choose to defer lost days for subsequent weeks by signing the appropriate form by the specified dates.

Cycle A employees: All Cycle A employees must choose their options for all periods of shutdown during the period covering July 1 through July 16 by completing the appropriate form by the prescribed dates.

CONFIDENTIAL EMPLOYEES

All confidential employees must sign the appropriate form (separate forms are enclosed for Cycle A and Cycle B) by the prescribed deadlines in order to defer lost wages over several consecutive paychecks. **Even if a confidential employee has already completed a form for the week of July 1, the employee must complete the appropriate Cycle A or Cycle B form.** This is necessary to ensure the proper authorization is received from all employees for all payroll advances.

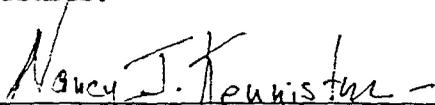
All reductions in pay for these close-down days, whether taken in one check or several, must be recorded under Special Pay #10 TEMP OFF. Due to the need for individual processing based on the above signed agreement, no automatic processing is possible. Agency payroll clerks are advised to see the MFASIS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

SAVINGS TO COUNT TOWARD THIRD YEAR PAY INCREASES

As with the savings from closures during the week of July 1, the savings realized 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

Both the MSEA and AFSCME labor agreements define layoff notification periods in work days. Days off due to the closure of Government are not work days for this requirement. Agencies must inform all employees who received layoff notices that the dates contained in these letters are extended by the number of days the employee did not work subsequent to receiving the notification due to these closures.



Nancy J. Kenniston, Director
BUREAU OF HUMAN RESOURCES

MEMORANDUM OF AGREEMENT

MSEA

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

1. The savings realized to the State as a result of the closures will be applied towards any saving necessary to fund the third year of the Collective Bargaining Agreements.
2. Employees will not receive payment for any lost time during the shutdown but will receive payment only for time actually worked, except for holiday pay for the 4th of July.
3. Cycle B employees who elected pursuant to the July 8, 1991 memorandum of Agreement to receive advance payments shall also receive advance payments in the paycheck covering the period of July 7 to July 20, such that the State will deduct one day of pay from the pay check covering the period of July 7 to July 20, and from the paychecks for the subsequent pay periods as necessary to make up the difference in pay received for the periods State government was closed. The rate of pay deducted is the rate in effect at the time the pay reduction is taken.
4. Cycle B employees who did not elect advance payments pursuant to the July 8, 1991 Memorandum of Agreement may elect to receive payment in advance for work to be performed in subsequent pay periods, without additional compensation at that time. The State will deduct one day of pay from the pay check covering the pay period of July 7 to July 20 and for the pay checks from the pay checks for the subsequent periods as necessary to make up the difference in pay received for the periods State government was closed. The rate of pay deducted is the rate in effect at the time the pay reduction is taken.
5. Cycle B employees making the election in paragraph 4 must notify their agency payroll office by 5:00 p.m. on Tuesday, July 23. Employees must sign the agreed upon form by that time. Those employees who are truly unable to provide written notification by Tuesday must give verbal notification by the July 23 deadline and follow up in writing by Friday, July 26.
6. Cycle A 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 periods of June 30, 1991 to July 13, 1991, one day from the paycheck covering the period of July 14, 1991 to July 27, 1991, and from the paychecks for the subsequent pay periods as necessary to make up the difference in pay received for the periods State government was closed. The rate of pay deducted is the rate in effect at the time the pay reduction is taken.
7. Cycle A employees selecting the option in paragraph 6 must inform their agency payroll office by 5:00 p.m. Wednesday, July 17, 1991. Employees must sign the agreed upon form by that time. Those who are truly unable to provide written notification by that time must give verbal notification by that time and follow up in writing by Tuesday, July 23, 1991.
8. Payments made pursuant to paragraph 3 - 7 shall constitute an advance payment for time to be worked at a later date without

additional compensation at that time.

9. If an employee leaves State service prior to working any remaining days for which pay have been advanced, the remaining portion of the advance will be deducted from wages owed to the employee.
10. Employees who cannot be contacted will only be paid for the holiday and any time actually worked during the periods of State closure.
11. Under no circumstances shall this be interpreted to limit employees' rights to challenge the effects of the July, 1991 closures of State government.
12. MSEA agrees not to challenge the offering and implementation of this option as a violation of the Collective Bargaining Agreements or SELRA.

Date: July , 1991

Kenneth Walo
For the State: Ken Walo

Mary Anne Turowski
For MSEA: Mary Anne Turowski

PAY CYCLE A EMPLOYEES

MSEA

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 July, 1991 closures of State Government.

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 during the closures 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, and one (1) day's pay from my pay check for the period ending 7/27/91, but otherwise receive full payment for these periods. 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 Wednesday, July 17, 1991, in order to meet the payroll processing deadline. This is true even if you had previously informed your payroll office of your option concerning the first shutdown.

If you choose this alternative, you must sign this form and return it to your payroll office by 5:00 p.m. on the first workday State government reopens. Those who are truly unable to provide written notification by writing by the day State government reopens must give verbal notification by that day and follow up in writing by Tuesday, July 23, 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 periods of closure.

July, _____

Date

Employee Signature

PAY CYCLE B EMPLOYEES

MSEA

An agreement has been worked out between MSEA and the State of Maine to provide that employees who selected the advance payment option pursuant to the July 8 Agreement will receive an advance for the second closure of State government and that employees who did not elect the option can do so for the second closure by Tuesday, July 23 at 5:00 p.m.

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.

Unless you had previously selected the advance payment option, you will only receive pay for actual time worked during the closure of State government unless you select the following option:

I agree to deduct one (1) days pay from my pay check for the payroll period ending 7/20/91 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 23, 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 23, 1991 deadline and follow up in writing by Friday, July 26.

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 do not notify their agency payroll office by Tuesday, July 23, 1991 will only be paid for time actually worked during the closure of State government.

July, _____
Date

Employee Signature

CYCLE B CONFIDENTIAL EMPLOYEES

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

If you signed an authorization for advancement of wages covering the first closure of State government, you must sign this form, which will provide for an advance of wages in the paycheck covering the pay period July 7 to July 20, 1991. If you did not opt for advancement for the first closure, you can nevertheless opt for an advancement in the paycheck covering the period including the second closure of State government. You will only receive pay for actual time worked during the closure unless you select the following option:

I agree to deduct one (1) day's pay from my paycheck for the payroll period of July 7 to July 20 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 must notify their agency payroll office by 5:00 p.m., Tuesday, July 23, 1991 in order to meet necessary payroll processing deadlines, and must complete this form and submit it to their agency payroll office by 5:00 p.m., Friday, July 26, 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 any time actually worked during the periods of State government closure.

Date

Signature

10. AFSCME agrees not to challenge the offering and implementation of this option as a violation of the Collective Bargaining Agreement of SELRA.

11. This Agreement supercedes and replaces the July 9, Agreement between the parties.

Dated: July 16, 1991

Kenneth Walo
For the State: Ken Walo

Don Cameron
For AFSCME:

PAY CYCLE A EMPLOYEES
AFSCME

An agreement has been worked out between AFSCME and the State of Maine to give employees an option on how to address pay issues resulting from the July closures of State government.

All employees will be paid for the July 4th 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 during the closures 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, and one (1) days pay from my paycheck for the period ending 7/27/91, but otherwise receive full payment for these periods. 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 periods that State government was closed. I understand that payment for any lost time as a result of the closures 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., Wednesday, July 17, 1991 in order to meet the payroll processing deadline. This is true even if you had previously informed your payroll office of your option concerning the first shutdown.

If you choose this alternative, you must sign this form and return it to your payroll office by 5:00 p.m., Wednesday, July 17, 1991. Those who are truly unable to provide written notification by Wednesday, July 17, 1991, must give verbal notification by that day and follow up in writing by Tuesday, July 23. 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 periods of closure.

July
Date

Employee Signature

AFSCME
MEMORANDUM OF AGREEMENT

The State of Maine and the American Federation of State, County, and Municipal Employees, Council 93 agree as follows:

1. The savings realized to the State as a result of the closures will be applied towards any saving necessary to fund the third year of the Collective Bargaining Agreements.
2. Employees will not receive payment for any lost time during the shutdowns but will receive payment only for time actually worked, except for holiday pay for the fourth of July.
3. Cycle A 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 periods of June 30, 1991 to July 13, 1991, one day from the paycheck covering the period of July 14, 1991 to July 27, 1991, and from the paychecks for the subsequent pay periods as necessary to make up the difference in pay received for the periods State government was closed. The rate of pay deducted is the rate in effect at the time the pay reduction is taken.
4. Cycle A employees selecting the option in paragraph 3 must inform their agency payroll office by 5:00 p.m., Wednesday, July 17, 1991. Employees must sign the agreed upon form by that time. Those who are truly unable to provide written notification by that time must give verbal notification by that time and follow up in writing by Tuesday, July 23, 1991.
5. Payments made pursuant to paragraph 3 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. All employees who would have been eligible for holiday pay for July 4th but for the shutdown of State government will receive holiday pay for July 4th. Those not otherwise eligible will not receive holiday pay.
8. Employees who cannot be contacted will only be paid for the holiday and any time actually worked during the periods of state closure.
9. Under no circumstances shall this be interpreted to limit employees' rights to challenge the effects of the July 1991 closures of State government.

CYCLE A 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 during the closures unless you select the following option:

I agree to deduct one (1) day's pay from my paycheck for the payroll period of June 30 to July 13, one (1) day's pay from my paycheck for the payroll period of July 14 to July 27, but otherwise receive full payment for these periods. 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.

Even if you have already signed an advancement authorization for the first government closure, you must notify your agency payroll office in order to receive any advance. All Cycle A employees must notify their agency payroll office by 5:00 p.m., Wednesday, July 17, 1991 in order to meet necessary payroll processing deadlines, and must complete this form and submit it to their agency payroll office by 5:00 p.m., Tuesday, July 23, 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 periods of State government closure.

Date

Signature