



INTERNATIONAL FEDERATION OF PROFESSIONAL & TECHNICAL ENGINEERS AFL-CIO & CLC

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February 28, 2011

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To all Federal Government Workers represented by IFPTE:

Larry Chojnacki
MIDWESTERN

Attached you will find a detailed listing of Questions and Answers relative to a potential Federal Government shutdown, as well as sample bargaining language and a suggested action plan for Locals. This handbook is a compilation of answers to broad concerns of IFPTE members and their Locals. It was created with input from IFPTE leaders, from key Administration officials, and from other unions.

Ron Dicks
WESTERN

Misty Hughes-Newman
CANADIAN

As we issue this document, it is unclear whether actions by Congress may indeed cause a shutdown of the Federal Government and how extensive such a lockout of Federal employees might be. However, both sides of the Congressional debate seem adamant in their convictions, and compromise seems less likely as the waning days of the current Fiscal Year 2011 (FY11) Continuing Resolution (CR) approach. Our sincere hope at this point is that the shutdown does not occur; if it does, we hope that it will be brief and that the impact upon the women and men we represent will be minimal. Knowing that hope alone will not cause us to achieve these objectives, you can be assured that we will continue to work diligently toward the accomplishment of all of these goals.

John G. Lowden Jr.
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We note that not every Federal agency employee will be affected by a government shutdown; for instance, according to the Office of Management and Budget, employees involved in national security and the protection of life and property would continue to work during a shutdown. In addition, many agencies that do not primarily rely upon Congressional appropriations will remain at least partially open. We also emphasize that in the event of a shutdown, Federal employees will continue to receive insurance coverage, Social Security benefits, and retirement credit.

Charlie Trembley
NORTHEASTERN

Should you have any questions regarding the impact of a government shutdown upon you and your job, the first place to look for answers is to your Local Union Leadership. They have direct access to many levels of local

management, and are addressing Local issues with the broad view of all employees concerned.

If your Local leaders have any questions or concerns about the attached document or about any other issues related to the potential Government shutdown, we strongly encourage them to contact their IFPTE Vice Presidents and/or to contact our office directly. It is imperative that individual members work through Local leadership so that Local leaders and the IFPTE can provide the most effective and efficient service to members.

As we work to address your questions and concerns, it is blatantly apparent that there has never a better time to join your union, nor have the reasons to become actively engaged with your Local leadership been more obvious.

We are all working on these incredibly important issues, and we need and value the input of every person we represent – to enlist ideas and solutions from every person, to build upon our base of leadership at every level, and to reinforce our ability to influence decisions.

Thank you.



Gregory J. Junemann
IFPTE President

Federal Employee Lockout FAQs

The following frequently asked questions and answers have been directly excerpted from the Office of Personnel Management (OPM)'s Guidance and Information on Furloughs, available at <http://www.opm.gov/furlough/furlough.asp> and included as an appendix to this Guidance.

General questions:

Q. What is a furlough?

A. A furlough is the placing of an employee in a temporary nonduty, nonpay status because of lack of work or funds, or other nondisciplinary reasons. For most employees, there are two basic categories of furloughs, each involving different procedures. A furlough of 30 calendar days or less is covered under 5 CFR Part 752, adverse action procedures. A furlough of more than 30 calendar days is covered under 5 CFR Part 351, reduction in force procedures. All furloughs for Senior Executive Service members are covered under 5 CFR Part 359, Subpart H.

Q. For furloughs necessitated by lapsed appropriations, is an agency required to provide 30 calendar days advance written notice and an opportunity to respond prior to issuing a decision to furlough?

A. **No.** OPM's regulations provide for emergency adverse action furlough without the necessity for advance written notice proposing the action. Section 752.404 (d)(2) of 5 CFR provides:

The advance written notice and opportunity to answer are not necessary for furlough without pay due to unforeseeable circumstances, such as sudden breakdowns in equipment, acts of God, or sudden emergencies requiring curtailment of activities.

OPM's position that this regulation applied to lapsed appropriations was upheld by the Federal Circuit in *Horner v. Andrzejewski et. al.*, 811 F.2d 571 (Fed. Cir. 1987). Similarly, under 5 CFR 359.806 (a), the full notice period for career SES appointees may be shortened or waived in the event of unforeseeable circumstances, such as sudden emergencies requiring immediate curtailment of activities.

Q. In the event of lapsed appropriations, can an employee be furloughed without first receiving a written notice of decision to furlough?

A. Yes. While an employee must ultimately receive a written notice of decision to furlough, it is not required that such written notice be given prior to effecting the furlough. Issuance of prior written notice is preferable, but when prior written notice is not feasible, then any reasonable notice (telephonic or oral) is permissible.

Q. How should an agency determine the number of furlough hours for alternative work schedule (AWS) employees during a "shut-down" or "emergency" furlough? Can an employee reschedule a nonworkday that occurred during the furlough?

A. Employees would be furloughed for the number of hours they were scheduled to work on the days for which there was a lapse in appropriations. Each agency that has an AWS program should have a policy specifying how flexible and compressed work schedules must be established and when they may be changed. Normally, such schedules are established in advance of the pay period involved. Under such a policy, an AWS nonworkday scheduled to occur during a lapse in appropriations should not be changed after the pay period begins.

Q. How would the agency schedule a furlough for part-time employees?

A. Furlough of part-time employees must comply with the procedures of 5 CFR Part 752 or Part 351 if the employees are otherwise covered. In scheduling such furloughs, it would be equitable to compute the furlough days in the same proportion to those days scheduled for full-time employees, based on work schedules. (The hours of furlough might be computed as a percentage of the work schedule for full-time employees. For example, if an employee worked 64 hours a pay period, that would equate to 64/80 of a full-time work schedule, or 80%. This percent could then be multiplied by the number of hours which a full-time employee is furloughed during a pay period.) Again, if some part-timers in a competitive level are furloughed but not others, 5 CFR 752.404 (b)(2) would require that the notice of proposed action must tell the employees the basis for selecting those furloughed.

Q. What is the difference between an "excepted employee" and an "emergency employee?" (Note: an "excepted employee" is not to be confused with an employee in the excepted service)

A. The term "excepted employee" refers to employees who are excepted from a furlough by law because they are (1) performing emergency work involving the safety of human life or the protection of property, (2) involved in the orderly suspension of agency operations, or (3) performing other functions exempted from the furlough. See Appendix A for copies of OMB issuances which provide guidance on application of these criteria.

The term "emergency employee" is used to designate those employees who must report for work in emergency situations--e.g., severe weather conditions, air pollution, power failures, interruption of public transportation, and other situations in which significant numbers of employees are prevented from reporting for work or which require agencies to close all or part of their activities.

Q. If, during a lapse in appropriations, Federal agencies are operating under an "unscheduled leave" policy because of emergency weather conditions, which employees should report for work?

A. Excepted employees are required to report for work on time under these circumstances. Agencies and employees are reminded that, during a lapse in appropriations, all affected employees must be either (1) at work performing excepted activities (excepted employees) or (2) in a furlough status (nonexcepted employees). Therefore, agencies may change the status of employees as additional needs arise. In addition, if an excepted employee is unable to report for work because of emergency conditions, he or she must be placed in a furlough status until such time as the employee reports for work.

Q. May employees take other jobs while on furlough?

A. **Even while on furlough, an individual is an employee of the Government.** Therefore, the Executive Branch-wide standards of ethical conduct (the standards), at 5 CFR Part 2635, which include rules on outside employment, continue to apply to employees on furloughs. Additionally, there are statutes which prohibit certain outside activities. Agencies also have varying supplemental rules regarding the requirement for prior approval of outside employment, and some prohibit certain types of outside employment. Therefore, before engaging in outside employment, employees should review these regulations and then consult their own agency ethics official to learn if there are any agency-specific supplemental rules governing the employee.

Q. May an employee volunteer to do his or her job on a nonpay basis during a furlough period?

A. **No.** Unless otherwise authorized by law, an agency may not accept the voluntary services of an individual. (31 U.S.C. 1342)

Questions regarding Leave and Benefits:

Q. May an employee work on a furlough day in exchange for taking a day off at another time for religious observances?

A. No. The statute that permits employees to take compensatory time off for religious observances (5 U.S.C. 5550(a)) does not authorize an agency to accept the voluntary services of any individual on a furlough day. Periods of time worked in exchange for taking time off for religious observances must be scheduled on non-furlough days.

Q. Is furlough or leave without pay (LWOP) considered a break in service?

A. No, both mean the employee is in a nonpay, nonduty status for those days/hours. However, extended furlough or LWOP may affect the calculation of creditable service for certain purposes. (See Question 33 in the complete OPM Guidance, attached.)

Q. Will an employee continue to be covered under the Federal Employee Health Benefits (FEB.) program if the agency is unable to make its premium payments on time?

A. Yes, the employee's FEB. coverage will continue even if an agency does not make the premium payments on time.

Q. If employees request paid leave--i.e., annual, sick, court, military leave, or leave for bone marrow or organ donation--after receiving a furlough notice, can the requests be denied for those days that coincide with the dates of furlough? If an agency has already approved requests for these categories of paid leave before issuance of the proposed furlough notice, can the approval be rescinded and the employees furloughed on the days that coincide with the dates of furlough?

A. The answer to both questions is **yes**, and this guidance applies whether it is a "shut-down" or "emergency" furlough or a "save money" furlough. . .

In a "shut-down" or "emergency" furlough, all paid leave during a furlough is canceled because the necessity to furlough supersedes leave rights. The Antideficiency Act (31 U.S.C. 1341 et seq.) does not allow authorization of any expenditure or obligation before an appropriation is made, unless authorized by law. Paid leave creates a debt to the Government that is not authorized by the Act. Therefore, agencies are instructed that during a lapse in appropriations, all paid leave during a furlough must be canceled and employees must be either (1) at work performing excepted activities or (2) furloughed.

Q. If an employee is on leave under the Family and Medical Leave Act of 1993 (FMLA) during the furlough, does the leave count towards the 12-week entitlement to FMLA leave?

A. An employee who is on approved Leave Without Pay (LWOP) under the FMLA on days that coincide with the period of furlough will continue to be charged LWOP. Consistent with law and regulations, the LWOP taken under the FMLA is part of the 12-week entitlement. However, an employee who was scheduled during the furlough to take paid leave under the FMLA (i.e., an employee chooses to substitute annual leave or sick leave, as appropriate, for unpaid leave under the FMLA) must be placed on furlough instead. Since the paid leave was canceled, the period of absence may not be used to reduce the 12-week entitlement to FMLA leave.

Q. Are employees entitled to unemployment compensation while on furlough?

A. It is possible that employees may be eligible for unemployment compensation, especially if they are on consecutive furlough days. State unemployment compensation requirements differ. Agencies or employees should submit their questions to the appropriate State office.

Questions Specific to Administrative Law Judges

Q. How do agencies effect adverse action furloughs of administrative law judges?

A. 5 U.S.C. 7521 provides that adverse action furloughs of 30 calendar days or less may be taken against administrative law judges, "only for good cause established and determined by the Merit Systems Protection Board on the record after opportunity for hearing before the Board." Procedures for implementing such an action are described in 5 CFR 1201.137-141.

Q. Is it possible for the Office of Personnel Management (OPM) to issue one consolidated notice to the Merit Systems Protection Board (MSPB) regarding the furlough of all administrative law judges due to a lapse of appropriations?

A. In reviewing the requirements of the law at 5 U.S.C. 7521 and applicable regulations at 5 CFR 930.214 and 5 CFR 1201.137- 141, we believe that the authority to issue a notice to MSPB is vested solely in the respective employing agencies and, therefore, it is not appropriate for OPM to issue one consolidated notice to MSPB regarding the furlough of all administrative law judges due to a lapse of appropriations. When an agency determines that it is necessary to furlough administrative law judges, it should follow the procedures set out at 5 CFR Part 1201 to the extent permitted under a lapse of appropriations. We encourage agencies employing large numbers of administrative law judges to contact MSPB in an effort to streamline the process as much as is legally possible.

Labor Management Relations Implications

OPM's Guidance and Information on Furloughs makes clear that many of the actions agencies may find necessary are protected by the management rights section of the Federal Labor Relations Statute. OPM stresses that agencies and unions should work together in order to meet this with the least possible disruption, and that employees and their representatives have an important stake in this area and their suggestions can be valuable. OPM also states that agencies should work with their partnership councils in planning and implementing changes required by reduced budgets.

Q. What is an agency's obligation to bargain when it becomes necessary to furlough employees?

A. The decision to furlough employees is a management right protected from collective bargaining by 5 U.S.C. 7106 (a)(2)(A). **However, the agency must bargain over the impact and implementation of its decision and over appropriate arrangements for employees adversely affected by the furlough, unless the matter of furloughs is already "covered by" the agreement.** See, in this connection, 47 FLRA Nos. 96, 99 and 114, and other cases in which the Authority has applied its "covered by" doctrine to determine whether the agreement provisions relieve the agency of any duty to bargain on impact and implementation on this matter. If in doubt, prudence dictates that the agency give adequate notice and bargain on impact and implementation rather than run the risk of being ordered to pay back pay to furloughed employees as a remedy for committing a refusal-to-bargain unfair labor practice.

Q. Does an agency have to bargain over its decision as to which activities would be excepted from a furlough under the Office of Management and Budget's (OMB) guidelines?

A. **No.** Although agencies are encouraged to discuss this issue with unions in partnership, such a decision is nonnegotiable because it relates to the determination of the agency's mission and/or because it relates to the assignment of work. Both of those areas are reserved to management by 5 U.S.C. 7106(a). However, an agency would have to bargain, if requested to do so, by the exclusive representative (union), over the impact and implementation of management's decision. See, e.g., Social Security Administration, 22 FLRA 868.

Q. In the event of a lapse of appropriations necessitating a "shutdown" furlough, what is an agency's obligation to bargain?

A. Although the circumstances are more urgent than those described [above], **agencies still have a duty to notify the union and bargain upon request on whatever negotiable impact and implementation proposals the union may submit. Because the agency must act by a date certain,**

whatever bargaining that takes place must be accomplished in the little time available before action is necessary. If agreement isn't reached in the time allowed, the agency should tell the union what actions it will take. Although the union may try to invoke the services of the Federal Services Impasses Panel (FSIP), it is unlikely that, in the circumstances posed by this question, the Panel will have time to get involved. But whether or not the FSIP gets involved, the agency can justify its actions--as the Federal Labor Relations Authority (FLRA) put it in Treasury, 18 FLRA No. 61--where "consistent with the necessary functioning of the agency."

Some of the urgency could be reduced if the agency, as it approaches the lapse of its appropriation, were to notify the union of the actions it plans to take were certain scenarios to take place and ask the union for its views and suggestions. That is, **nothing prevents the parties from bargaining in advance of a looming crisis so as to eliminate any need for bargaining when the crisis actually occurs.** FLRA has frequently held that there is no need to engage in I&I bargaining on matters already "covered by" the agreement.

Q. What steps should an agency take to meet its obligation to bargain?

A. Under the labor-management statute, the agency must give the union "adequate" notice of its intent to furlough employees who are represented by the union. "Adequate" is not defined and the Federal Labor Relations Authority determines what is adequate notice based on the nature of the action taken by the agency and amount of time it judges adequate to bargain. These statutory notice requirements may have been augmented or modified by any negotiated agreements.

Action Plan for Locals

- Schedule a special membership meeting to explain the reality of the Federal Government Lockout. Encourage employees to participate by calling and writing their representatives in both the House and Senate, and by enlisting the support of friends and family.
- Work with Labor/Management Partnerships and/or Management to negotiate lockout plans, i.e. furlough notices and schedules, RIF plans, etc.
- Establish member committees or assign members and union leadership to the following tasks:
 - Media relations - to inform other members, affiliates, local tradespeople, the press, public and network TV, and radio;
 - Coalition building - to enlist the help and support of the state AFL-CIO, other affiliates, local merchants, and community groups;
 - Peer counseling and information, including fact sheets, media reprints, local newsletters, OPM information, etc.
- Contact the State Unemployment Office and ask if it would be possible to have a representative come to the Local office to register all members who are furloughed. If not, get as much information as possible to assist furloughed members in applying for unemployment compensation benefits.
- Contact the local utility offices (preferably in person) and ask if the utility company would be willing to maintain accounts and continue service in the event government employees did not receive paychecks for up to two months and could not pay their bills. The Local could supply a list of names of its members to the utility company. Try to get an Agreement. Contact all utilities: gas, electric, telephone, water, cable.
- Establish a plan under which furloughed employees can provide free child care for those employees who are deemed essential and who must report to work but who won't get paid until appropriations measures are passed.
- Contact temporary employment agencies to get information for members.



Guidance for Collective Bargaining on Furloughs and Other Agency Actions during Periods of Lapsed Appropriations

The following provides a first analysis and initial guidance for locals and councils in the event emergency furloughs and related actions are actually taken under this budget crisis. Since each agency may have situations that will not be exactly like another, locals should feel free to add to or modify these bargaining proposals in order to best fit their needs.

A balanced approach by union negotiators will assure minimum adverse impact of agency actions on the affected employees while recognizing that some agency actions simply cannot be avoided. The choice of strategy and proposals must be tailored by each Local according to the circumstances its bargaining unit is facing.

General Strategy

Unions have the right to bargain over widespread "appropriate arrangements" for employees adversely affected by the exercise of a management right, including furloughs. This obligation to bargain is limited to proposals that are not inconsistent with "applicable laws, rules or regulations." The guidance herein is intended to help negotiators put forward legitimate proposals, thereby avoiding wasted resources in pursuit of matters that would eventually be determined to be non-negotiable.

An important special consideration in circumstances of a lack of funding is the exemption for "emergency furloughs." This means, among other things, that the **typical minimum 30-days advance notice given to employees does not apply**. However, other procedures which can be accomplished without violating the Constitutional prohibition against spending money, e.g. continuing to pay employees absent appropriations, (see provisions of Anti-Deficiency Act for statutory prohibition), remain mandatory subjects of bargaining.

Therefore, **agencies are required to meet their bargaining obligations despite the pending budget crisis**. It is important to maintain momentum in the bargaining. Union negotiators must keep the bargaining process moving, since when further bargaining is not fruitful, an impasse exists.

The mechanism for resolving impasses in the federal sector lies with the Federal Service Impasses Panel. Agencies and unions must comply with the Panel's impasse-resolution procedures, including delaying implementation of proposed changes to conditions of employment until the Panel has issued a decision in each case, absent an "overriding exigency." It is extremely important that unions file a request for Impasse Panel assistance before the

announced implementation date of furloughs because doing that in most cases legally prevents agencies from implementing the proposed changes, (such as furloughs), until the Panel has acted, "absent an overriding exigency." An example, however, of an "overriding exigency" is continuing operations in violation of the Anti-Deficiency Act.

Under these circumstances, this is clearly a situation in which lengthy bargaining would not be beneficial to employees. We recommend bargaining **as expeditiously as possible**. Remember, in any case where negotiations are being initiated, the local area office of the Federal Mediation and Conciliation Service (FMCS) should be advised. Where negotiations lose momentum, the union should call upon the services of the FMCS, if available; and if implementation is imminent, refer the matter to the FSIP very quickly—and in all cases prior to the announced effective date.

In most cases, bargaining should not last more than week before the FSIP is asked to assert jurisdiction over any remaining issues.

RECOMMENDATION: Demand bargaining on furloughs immediately. Begin bargaining as soon as possible. If ground rules are needed, spend no more than one day on them, then go on to the furloughs even if you have to do it without signed ground rules. Ground rules can be referred to the FSIP as a separate or related dispute, including a proposal that the Panel's decision on ground rules proposals be applied retroactively.

Although the substantive decision to furlough involves a management right and also may involve an illegal act of expenditure of monies not appropriated, and therefore may not be negotiable, there may be aspects of the negotiations which do not involve such a right or illegal actions. Therefore, do not limit bargaining demands to bargain only on the narrower "impact and implementation" of the proposed agency actions. Instead, make an all-encompassing demand like "This is IFPTE Local ___'s demand to bargain to the fullest extent of the law on the actions being proposed by the agency."

Sample Bargaining Proposals for Furloughing Employees During Emergency Periods

The purpose of this collective bargaining agreement is to implement steps and actions which will minimize or eliminate the adverse effects on bargaining unit employees should funds not be appropriated or approved by Congress.

Accordingly, the parties herein have agreed to cooperate to the maximum extent feasible in adapting agency actions and reducing the impact of the budget cuts or failure to provide funding by Congress on employees.

1. All union proposals herein which are not mandatory subjects of bargaining by virtue of some interference with a "management right" under 5 U.S.C. are intended as "appropriate arrangements" under 5 U.S.C. §7106(b)(3) for employees adversely affected by the exercise of one or more management rights.
2. Employees who are furloughed during a lapse in appropriations will be retroactively paid and otherwise compensated when appropriations are approved to the extent provided by law and regulation. The agency will grant employees who suffer a loss of pay because of furloughs, administrative leave equal to the lost time when an appropriation measure is enacted.
3. Nothing in this collective bargaining agreement necessarily reflects the agreement of IFPTE Local ___ to furloughs or other actions having a negative impact on employees, the performance of the agency mission, or the public interest. Nothing in this agreement is intended to waive or limit any statutory rights of individual employees which may exist in the absence of this agreement.
4. Cost-cutting actions; such as forced sabbaticals, absences, freezes, etc., will be terminated at the point where funding is restored or provided, or needed budgetary savings have been reached.
5. No changes to conditions of employment will be implemented in the collective bargaining unit except as agreed to by the parties to the collective bargaining agreement. The union does not agree to reopen or waive any contractual provisions that may conflict with actions proposed by the agency.
6. Health Coverage. The employer will continue to provide the full employer contribution to health benefits under the Federal Employees Health Benefit Program for employees affected by a furlough.
7. Employment Assistance. Affected employees will be provided assistance by the employer in locating outside employment so as to avoid or minimize income lost as a result of the employer's proposed action. Such assistance will include, among other things, the following:
 - a. administrative leave to contact federal job placement officials and private employment agencies;
 - b. invitations to local human resources officials to interview employees at the work-site;
 - c. use of agency facilities for group and individual meetings to pursue outside employment; and

d. waivers of restrictions on outside employment to the extent permissible under applicable law and government-wide regulations. If approval of outside employment is required, the employer will—

- i. decide cases on the basis of the employee's explanation of the outside employment, within 2 days of the employee's oral explanation; or
- ii. if documentation is requested, decide the case on not later than 2 workdays after the documentation is provided.

e. administrative time and counseling to apply for unemployment benefits.

8. Flexible workplace. Employees whose work may be performed off-site will be permitted to work at home in order to save expenses associated with the job, up to the amount of income employees will lose as a result of the employer's proposed action(s). Savings to the employer that may result from the flexible workplace arrangement will be applied toward the required budgetary savings at the source of the employer's proposed action.

9. Performance-related Actions.

a. Employees shall not be held accountable for effects of a furlough occurring during or as a result of the absence of the employee from work. Allowances for the effects of intermittent employment on assigned work will be made when applying the performance appraisal system.

b. Employees shall not be subject to adverse performance ratings solely as a result of any measures due to the failure to approve or appropriate funds; such as, forfeiture of performance awards, lower ratings, performance related discipline, etc.

10. Call-in. Employees who are in a furlough status will not be subject to orders or other work-related instructions.

11. Parking.

a. Employees shall be rebated the amount of parking fees, if any, for days they are furloughed and would otherwise have paid but for the furlough.

b. Spaces otherwise available to employees absented through furlough will be provided to bargaining unit members who request such spaces where parking space on government-controlled premises is allocated among employees.

12. Child Care.

- a. Employees who are unable to obtain part-time child care at an affordable price will be allowed to bring their child(ren) into the office. The employer will provide additional space for child care.
- b. Where child care is available to employees by government-sponsored or subsidized child care operators through the employment relationship, child care charges will be reduced by the ratio of salary lost to normal salary by virtue of the furlough.

13. Compressed Workweek and Flextime. Employees performing work that is not schedule-dependent will be permitted to adjust their workweeks to reduce the number of days they are required to be at work.

14. Furlough Adjustment Arrangements.

- a. Beginning with the first pay period under a furlough, the employer will re-compute the employee's scheduled annual salary to arrive at the employee's anticipated earnings. The employer will then re-determine the employee's income tax bracket and adjust the amounts withheld from actual bi-weekly/-monthly earnings according to the new anticipated earnings. Each employee will be provided notification of completion of this re-evaluation, including the days of furlough and pre- and post-furlough tax brackets.
- b. The employer will survey employees to determine the number of dependents claimed for purposes of income tax withholding. Should an employee indicate a change in dependents, the withholding will be adjusted as of the first paycheck received for a pay period beginning in FY 2011.
- c. Employees may make adjustments to previously designated contributions under the Combined Federal Campaign. Should an employee indicate a change in such designations, the withholding will be adjusted as of the first paycheck received in the next pay period.
- d. Health insurance premiums may be prorated, at the election of an employees, so that a larger amount is withheld during a period of greater pay. For example, if an employee is paying \$100 in bi-weekly insurance premiums, but is furloughed for 2 days during the second pay period in a month, the employee can opt to have the \$100 decreased in that pay period by 2/-10 and that dollar amount allocated to pay periods during which no furlough is effective. The number of such pay periods will not be unreasonably low, and need not occur during FY 2011.

e. Employees may make allowable adjustments to their participation in the life insurance program. Should an employee indicate a change in such designations, the withholding will be adjusted as of the first paycheck received in the next pay period.

f. Employees shall be provided the opportunity for employer-provided budget and credit counseling to help them adjust to the furloughs.

- i. The employer will provide or arrange for such counseling during regular work hours as administrative absence at the permanent duty location; employees will be permitted to request confidential individual interviews for this purpose.
- ii. Upon the request of an employee, the employer's representatives will meet with the employee, creditors, and credit rating organizations to work out a revised bill payment plan based on the employee's anticipated salary reduction caused by the furlough.
- iii. Upon the request of the employee, the employer shall provide notification of furlough and the resultant decline in income to parties designated by the employee. The wording of such notice may be provided by the employee, so long as the information contained is factually accurate.

15. Official Time.

- a. Where IFPTE Local __ representatives' use of official time is based on a specified formula or period, it will not be reduced due to furlough of such representatives from what it would have been in the absence of the employer's proposed action(s); and
- b. Due to the increased need for representational activity resulting from the proposed agency actions, additional reasonable official time will be approved as necessary.

16. Job-Sharing. Employees possessing transferable skills and qualifications required for performing the work of a required position will be permitted to share jobs. Such employees will agree on how to divide the required work hours between them, such that the total hours required and authorized by the employer will be covered.

17. Furlough Notices.

- a. Furlough notices must provide employees with all information to which they are entitled by law.
- b. Furlough notices will be delivered to individual employees by certified mail, return receipt requested, at their last known address. The date of signature on the return receipt will be the date the notice period begins.
- c. Notices will indicate to employees that the action being considered will not be implemented until bargaining obligations have been fully met, including Impasse procedures.
- d. Notices will indicate the actions and steps which the agency has identified to lessen the Impact of the furlough on employees, including a copy of this collective bargaining agreement.



Information List : Who To Call for Help

Labor Resources – National

IFPTE

202-239-4880

www.ifpte.org

AFL-CIO

202-637-5000

www.aflcio.org

AFL-CIO Department of Community Services

202-974-8150

AFL-CIO Human Resources Development Institute

202-639-6203

Other Resources – National

National Legal Aid and Defenders Association

202-452-0620

www.nlada.org/

National Foundation for Consumer Credit

800-388-2227

www.nfcc.org

Veterans Administration Information

202-273-4800

www.va.gov

Social Security Administration

(Information on Medicare, Supplemental Security Income & Disability)

800-772-1213

www.ssa.gov

National Housing Counselors

(Referrals to FHA, HUD Forbearance Counseling)

202-708-1422

www.hud.gov

Department of Health and Human Services
202-690-7000
www.dhhs.gov

State Labor AFL- CIO Resources and State Government Directories
(Includes State Employee Services, Public Assistance Agency, Public Utility
Commission, Unemployment Compensation and Worker Compensation)

ALABAMA

Alabama State Federation, AFL-CIO
334-834-1061
www.al.aflcio.org

Alabama Directory
www.info.alabama.gov

Alabama Department of Industrial Relations, Unemployment Claim Information
866-234-5382
http://dir.alabama.gov/contacts/UC_QA_INFORMATION.aspx

CALIFORNIA

California State Federation, AFL-CIO
510-663-4000
www.calaborfed.org/

California Directory
www.ca.gov

California Employment Development Department, Unemployment Claims
800-300-5616
http://www.edd.ca.gov/unemployment/filing_a_claim.htm

COLORADO

Colorado State Federation, AFL-CIO
303-433-2100
www.co.aflcio.org/statefed

Colorado Directory
www.colorado.gov/

Colorado Department of Labor & Employment, Unemployment
Insurance Division
303-318-9000

<http://www.colorado.gov/es/Satellite/CDLE-UnempBenefits/CDLE/1248095315427>

CONNECTICUT

Connecticut State Federation, AFL-CIO
860-571-6191
www.ctaflcio.org

Connecticut Directory
www.ct.gov

Connecticut Department of Labor Unemployment Benefits Program Information
860- 263-6000
<http://www.ctdol.state.ct.us/progsupt/unemplt/unemployment.htm>

FLORIDA

Florida State Federation, AFL-CIO
850-224-6926
www.flaficio.org

Florida Directory
www.florida-gov.com/

Florida Agency for Workforce Innovation Unemployment Compensation Claims
800-204-2418
http://www.floridajobs.org/unemployment/uc_emp_claims.html

HAWAII

Hawaii State Federation, AFL-CIO
808-597-1441
www.hawaficio.org

Hawaii Directory
www.hi.gov

Hawaii Department of Labor & Industrial Relations Unemployment
Insurance Claims
808-643-5555
<http://hawaii.gov/labor/ui>

IDAHO

Idaho State Federation, AFL-CIO
208-321-4814
www.id.aficio.org/idahostatefed

Idaho Directory
www.idaho.gov/

Idaho Department of Labor Unemployment Insurance Benefits
<http://labor.idaho.gov/dnn/Default.aspx?tabid=681>

ILLINOIS

Illinois State Federation, AFL-CIO
217-544-4014
www.ilafcl-cio.org

Illinois Directory
www.il.gov/

Illinois Department of Employment Security
800-244-5631
<http://www.ides.state.il.us/individual/online-services.asp>

INDIANA

Indiana State Federation, AFL-CIO
317-632-9147
www.in.afclcio.org/statefed

Indiana Directory
www.in.gov/

Indiana Department of Workforce Development Unemployment Insurance
800-891-6499
<http://www.in.gov/dwd/2334.htm>

KENTUCKY

Kentucky State Federation, AFL-CIO
502-696-9002
www.kyafclcio.org

Kentucky Directory
www.kentucky.gov

Kentucky Office of Employment & Training Unemployment Insurance Claims
502-875-044
<https://uiclaims.des.ky.gov/>

MAINE

Maine State Federation, AFL-CIO
207-622-9675
www.maineaflcio.org

Maine Directory
www.maine.gov/

Maine Department of Labor, Unemployment Benefits
207-623-7900
<http://www.maine.gov/labor/unemployment/benefits.html>

MARYLAND & DISTRICT OF COLUMBIA

Maryland State & DC Federation, AFL-CIO
410-269-1940
www.md.aflcio.org/mddcstatefed

Maryland Directory
www.md.gov/

Maryland Department of Labor, Licensing, & Regulation, Division of
Unemployment Insurance
410-949-0022
<http://www.dllr.state.md.us/employment/unemployment.shtml>

DC Directory
www.dc.gov/

Metropolitan Washington Council, AFL-CIO
www.dclabor.org

MASSACHUSETTS

Massachusetts State Federation, AFL-CIO
781-324-8230
www.massaflcio.org

Massachusetts Directory
www.mass.gov/

Massachusetts Office of Labor & Workforce Development, Division of
Unemployment Assistance
617-626-6800

NEW HAMPSHIRE

New Hampshire State Federation, AFL-CIO
603-623-7302

www.nhaflcio.org

New Hampshire Directory

www.nh.gov/

New Hampshire Department of Employment Security

800-266-2252

Unemployment Insurance System

<https://nhuis.nh.gov/claimant/>

NEW JERSEY

New Jersey State Federation, AFL-CIO

609-989-8730

www.njaflcio.org

New Jersey Directory

www.nj.gov/

New Jersey Department of Labor & Workforce Development,

609-292-7162

Division of Unemployment Insurance

http://lwd.dol.state.nj.us/labor/ui/ui_index.html

NEW YORK

New York State Federation, AFL-CIO

212-777-6040

www.nysaflcio.org

New York Directory

www.ny.gov/

New York State Department of Labor Unemployment Insurance Division

<https://ui.labor.state.ny.us/UBC/home.do>

OHIO

Ohio State Federation, AFL-CIO

614-224-8271

www.ohaflcio.org

Ohio Directory
www.oh.gov/

Ohio Department of Job & Family Services Office of
Unemployment Compensation
614-995-7066
<http://unemployment.ohio.gov>

OKLAHOMA

Oklahoma State Federation, AFL-CIO
405-528-2409
www.ok.aflcio.org/statefed

Oklahoma Directory
www.ok.gov/

Oklahoma Employment Security Commission
<https://unemployment.state.ok.us/>

800-555-1555

OREGON

Oregon State Federation
503-585-6320
www.oraflcio.org

Oregon Directory
www.oregon.gov/

Oregon Unemployment Insurance
<http://www.oregon.gov/EMPLOY/UI/index.shtml>

PENNSYLVANIA

Pennsylvania State Federation, AFL-CIO
717-238-9351
www.paafICIO.org

Pennsylvania Directory
www.pa.gov/

Pennsylvania Unemployment Compensation
http://www.uc.pa.gov/portal/server.pt/community/uc_pa_gov/11449

RHODE ISLAND

Rhode Island State Federation, AFL-CIO
401-751-7100
www.ri.aflcio.org

Rhode Island Directory

www.ri.gov/

Rhode Island Department of Labor and Training Unemployment Insurance

401-243-9600

<http://www.dlt.ri.gov/ui/>

TENNESSEE

Tennessee Labor Council AFL-CIO

615-269-7111

www.tn.aflcio.org/statefed

Tennessee Directory

www.tn.gov/

Tennessee Department of Labor & Workforce Development,

Federal Claims Unit

866-331-1271

<http://www.tn.gov/labor-wfd/Claimants/appintro.html>

VIRGINIA

Virginia State Federation, AFL-CIO

804-755-8001

www.va.aflcio.org/vaaficio

Virginia Directory

www.virginia.gov/

Virginia Employment Commission Unemployment Services

866-832-2363

<http://www.vec.virginia.gov/vecportal/unins/insunemp.cfm>

WASHINGTON

Washington State Labor Council, AFL-CIO

206-281-8901

www.wslc.org

Washington Directory

www.wa.gov/

Washington Employment Security Department Unemployment Benefits

800-318-6022

<http://www.esd.wa.gov/uibenefits/apply/eligibility/am-i-eligible.php>

WISCONSIN

Wisconsin State Federation, AFL-CIO
414-771-0700

www.wi.aflcio.org/statefed

Wisconsin Directory
www.wi.gov/

Wisconsin Unemployment Insurance Division
608-266-2999
<http://dwd.wisconsin.gov/uiben/>

