



Science in Action

Wisconsin Science Professionals Local 3732 Supplemental, July 8, 2009

FURLOUGH UPDATE

Agencies are beginning to disseminate their furlough plans to employees. Except for minor changes those plans contain the same parameters that the Office of State Employee Relations (OSER) laid out several weeks ago. (See page 3 of this [document](#) for those options). All of the options outlined violate Section 8/1 — Temporary Layoff of our current [contract](#).

The following language from our contract spells out what the employer is allowed to do during a temporary layoff (aka furlough). The operative part is highlighted.

8/1/1 The Union recognizes the right of the Employer to layoff employees in accordance with the procedures set forth in this Article. Such procedures, however, shall not apply to:

A. Temporary layoff of less than twenty one (21) consecutive calendar days; and/or

B. Seasonal layoff of seasonal employees; and/or

C. School year employees at institutions and schools, during recesses in the academic year and/or summer. Such employees shall be considered on an approved leave of absence without pay during these periods.

8/1/2 Under this Article, calendar days will exclude holidays identified under 12/12/1.

8/1/3 The Employer agrees that employee(s) on temporary layoff under A. above, shall continue to earn vacation and sick leave during each temporary layoff conducted by the Employer during the term of the Agreement.

8/1/4 Additionally, the Employer agrees to continue its payment of health insurance pursuant to Article XII, Section 1 for employees on temporary layoff.

This means that if they want to send us home on a temporary basis and avoid the headaches of at risk letters, bumping rights, and everything else that comes with permanent layoffs they must do so for less than *21 consecutive days*. In other words any "furlough" must be less than 15 working days and must occur within a 21 calendar day period. In our case the 8 furlough days would have to be taken during a three week period. The State would be able to pick those days to limit any unemployment insurance options.

OSER would like all of the unions to come to some kind of agreement outside the contract to allow for the options they've outlined. They have asked all the unions to enter into such agreements, and have hinted at "consequences" if we don't.

This is a member-to-member communication from the Wisconsin Science Professionals to its members pursuant to Wisconsin State Statutes 11.29. Members should check workplace rules regarding political action in the workplace before responding.



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At this time your union leadership is still discussing the issue, both with representatives of the State and our own legal counsel. We still need to have several questions answered before we would even *consider* negotiating some kind of deal. Some things to keep in mind while we continue to wait for the State:

- ◆ The timing and manner in which furloughs can be implemented are the only subject under discussion – not layoffs, not give backs.
- ◆ While OSER has asked for a side deal, no negotiations (either formal or informal) on such a deal have taken place.
- ◆ Any decision made will involve the entire *membership* of WSP. Not sure if you're a member contact membership@wspunion.org to check or click here for a [Membership Application Form](#).

Due to the complexity of issues and contracts, this entire process has dragged out for far too long. Although everyone would like an answer so we can move on, we all need to be patient. The last thing we should do is rush to a decision. We are working to get the best outcome for the members of WSP and we will continue updating the membership when we have new information. In the meantime here are a few questions we can answer:

Can I go ahead and take my furlough day?

We would advise members to hold off taking any days at least through the end of July to let the dust settle. We are hopeful that some resolution will be visible by then.

What if I'm being told I have to take a day?

In the cases where an agency is pushing ahead with its plan, we are advising our members to follow the requirements laid out by that agency to avoid any possible discipline. However if such requirements are being made we would like the effected employee to contact us at president@wspunion.org.

But some people are already scheduling and taking days. What about them?

Remember that the agencies, with OSER approval, can pretty much do what they want with the non-reps. It is also possible that another union may have contract language that allows what the State wants to do, or may have come to some sort of agreement with OSER.

When is this going to be settled?

That is unknown at the moment. There are still so many questions that need to be answered and as stated above it is our intention to involve the entire membership in the final decision making process.

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