

TEMPORARY POLICY GOVERNING FURLOUGHS DURING THE COVID-19 EMERGENCY

As previously announced, in light of the economic conditions and operational changes that have resulted from the COVID-19 pandemic, the College is implementing temporary furloughs for some employees for all or part of the Summer 2020 break. This *Temporary Policy Governing Furloughs During the COVID-19 Emergency* will apply to such furloughs.

Furloughs are **temporary unpaid leaves of absence from work**. The College reserves the sole right to determine the structure and length of any furlough.

Decisions regarding furloughs have been, or will be, communicated by Human Resources to affected employees. Furloughs typically will be scheduled for a defined period of time (e.g., a certain number of weeks or months). However, to respond to developing circumstances, the College reserves the right to impose new furloughs (for a definite period or indeterminate period of time), extend existing furloughs, or take other actions.

Furloughed employees continue as active employees of the College, with time on furlough generally counted for “length of service” determinations.¹ Furloughed employees will, to the extent possible, remain eligible for and enrolled in the same benefits as during regular periods of employment (see Benefits During Furloughs, below), unless otherwise specified by this Temporary Policy.

No employees may be furloughed without express written approval from Human Resources.

Vacation Leave, Other Paid Leave, Holidays and Sick Leave During a Furlough

The regular rules that apply to leaves continue to apply except as otherwise provided in this Temporary Policy.

During a furlough, the regular rules governing accrued or awarded vacation or other paid leave and unpaid leaves of absences apply. In general, there are no accruals or awards of paid leave while on an unpaid leave of absence.

Use of Vacation & Other Accrued Paid Leave While on Furlough

Employees have the option to use vacation or other paid leave while on furlough. Employees should note, however, that the use of vacation or other paid leave may impact eligibility for unemployment benefits for the week in which the paid leave is used. Additionally, employee shares of benefit premiums, including payments made to cover employee-paid premiums that were initially advanced by the College will be deducted from payments for paid leave used during a furlough (see Benefits During Furloughs, below). ***Employees who wish to use vacation***

¹ For example, furloughs will not affect length of service for purposes of determining accrual rates for vacation leave for hourly employees. However, where a Plan or Policy has its own specific provisions for calculating length of service, those provisions will continue to apply.

or other paid leave while on furlough should contact Melanie Hain in Human Resources at mhain@holycross.edu.

Sick Leave

During a furlough, the regular rules governing sick leave and unpaid leaves of absences apply. In general, paid sick leave cannot be used while an employee is on an unpaid leave of absence.

Holidays and Floating Holidays

During a furlough, regular rules governing Holidays and Floating Holidays apply. In general, Holidays are not paid while an employee is on an unpaid leave of absence² and Floating Holidays are not credited³ when an employee is on an unpaid leave of absence on the date of the Floating Holiday.

Other Leaves

For other leaves during a furlough, the regular rules governing the particular leave and unpaid leaves of absences will apply. For example, employees on an unpaid leave of absence are not paid for Jury Duty, Military Leave, College Closings for Inclement Weather, Paid Parental Leave, or other leaves permitted under state or federal law if the leave falls during the time of the unpaid leave of absence.

Benefits During Furloughs

In general, furloughed employees will remain eligible for and enrolled in their existing benefits plans as they otherwise would be in the absence of a furlough.

Where a benefit is paid for in whole or in part by an employee-paid premium contribution that is deducted from pay, the College will advance the amount normally paid by the employee. On resumption of paid employment, the amounts advanced by the College will be withheld from pay. Employee premium contributions that were advanced by the College will be deducted from the employee's paycheck for each pay period following the end of the furlough until the advanced contributions are recouped. FSA and HSA contributions made on a per-pay-period basis will be adjusted upon resumption of paid employment for each remaining pay period in 2020 to meet the employee's annual election for 2020.

² In general, employees have to be in a pay status on the scheduled working days immediately preceding and immediately following the Holiday to receive Holiday pay. However, and as an exception to the above general rule, if one (but not both) of the scheduled days immediately preceding or immediately following the Holiday is a furlough day, and the employee is in a pay status on the other day, the employee will receive Holiday pay.

³ Floating Holiday leave is awarded on the first day of the month in which the Floating Holiday falls.

For purposes of the summer 2020 furloughs, the College will continue to consider furloughed employees as active employees for the purposes of benefits and the following benefit vendors have agreed to honor the College's designation. As a result, furloughed employees will remain eligible for these benefits during summer 2020 furloughs⁴ as they otherwise would be in the absence of a furlough:

- Fallon Community Health Plan (medical benefits)
- Harvard Pilgrim Health Plan (medical benefits)
- Delta Dental (dental benefits)
- EyeMed (vision benefits)
- Benefits Strategies (flexible spending benefits)
- Sun Life (group insurance benefits, voluntary life insurance benefits, Long Term Disability insurance benefits)

In addition, employees will remain enrolled in any retirement plan in which they participate while on furlough. However, with regard to retirement plan contributions that are calculated as a percentage of pay, contributions will be affected proportionally. To the extent an employee makes voluntary contributions to the College's 403(b) retirement plan, they may wish to consider whether to adjust those contributions, which can be changed or stopped at any time by following the instructions [here](#). Contact Alan Hurley at ahurley@holycross.edu or 508-793-2426 or Erika Fradsham at efrasha@holycross.edu or 508-793-242 with questions.

For employees eligible to participate in the College's Defined Contribution (Pension) Retirement Plan, credit for any year of service is premised on hours of active service during the Plan year, which is the calendar year. This determination is made at the end of the Plan year and the College will determine at a later date whether it might be necessary and appropriate to make adjustments to address the effects of furloughs.

Employees who contribute from pay to a Flexible Spending Account (FSA) or Health savings account (HSA) will also be impacted by being on an unpaid leave. On return from furlough, FSA contributions will be recalculated to match the original annual FSA election amount. HSA These employees can also adjust their contributions. HSA contributions can be changed at any time. Contact Alan Hurley at ahurley@holycross.edu or 508-793-2426 or Erika Fradsham at efrasha@holycross.edu or 508-793-242for more information.

For purposes of the *College of the Holy Cross Qualified Tuition Reduction Plan*, the College will disregard furloughs in determining whether an employee is designated as "full-time" for purposes of Plan eligibility.

⁴ However, continued eligibility for and enrollment in particular benefit plans is subject to the terms of this Temporary Policy and any controlling Plan Document for a particular benefit.

Access to College Information Systems, Including Email, During Furloughs

Access to College systems and College supplied materials is provided to enable employees to perform the business of the College. Employees who are on furlough must not work (see **Employees Must Not Perform Work While Furloughed**, below). Since the employee must not perform work while furloughed, they generally will not need to access College information systems other than limited access to College email, HRIS self-service, and KRONOS for personal or furlough-related purposes.

Although employee access to College email, HRIS self-service, and KRONOS will not be discontinued, the College reserves the right to discontinue access if it deems such action appropriate, including where an employee fails to comply with this or other College policies.

Access to network drives and other systems will be discontinued for furloughed employees. However, Human Resources or the department head, with concurrence from Human Resources, may request that access be temporarily restored, if necessary.

To facilitate working from home during the COVID-19 emergency, employees may have been permitted to take laptops, other computer peripherals, books, ledgers and records home during the COVID-19 emergency. These materials are provided by the College to facilitate continuation of its business, and given that employees on furlough are not permitted to perform work, these materials should be returned by furloughed employees for the duration of the furlough period. However, supervisors and department heads may exercise discretion regarding requiring the return of College-owned materials, taking into account factors such as the length of the furlough and the sensitivity or value of the materials. Employees who are permitted to retain College equipment or materials during a furlough period must refrain from using or accessing such equipment or materials, except to the extent necessary to conduct essential personal (non-Holy Cross-related) business only.

Employees Must Not Perform Work While Furloughed

Employees are not permitted to perform any work while furloughed. Supervisors must communicate and enforce this rule without exception. A furloughed employee may occasionally check email for notices from the College related to the furlough itself or to address personal (non-Holy Cross-related) matters. There is no exception to this policy and employees who perform work while on furlough may be subject to disciplinary action.

Unemployment Eligibility During Furloughs

Eligibility for unemployment benefits is determined by the Department of Unemployment (DUA) Assistance of the Commonwealth of Massachusetts. The summer furloughs implemented by the College are the result of the impact of the COVID-19 pandemic and there is information on how the DUA will process claims resulting from the COVID-19 pandemic at the [DUA website](#). The DUA also has an Benefits Calculator at [this site](#), which employees can use to

estimate their benefit amount. The College does not, and cannot, make any commitment or determination regarding unemployment eligibility or benefit amounts.

Furloughed Employees and Employee Contact Information

At the time of furlough, Human Resources will confirm the furloughed employee's contact information on record in the Human Resources Information System (HRIS). If this information is inaccurate, the employee can provide updated information which will be added to the HRIS record. If an employee's contact information changes while the employee is on furlough, the employee must provide the College with their new contact information by sending email to hr@holycross.edu or contacting Melanie Hain, mhain@holycross.edu or 508-793-2354.

Recall Following Furlough

Letters sent to furloughed employees will indicate the scheduled end date for their furloughs. The College will attempt to give as much advance notice as reasonably possible in the event their return-to-work date changes. Employees must return to work on the date specified by the College. Failure to respond to a recall notice, or failure to return to work on the date specified by the College, may be considered a "voluntary quit." If a return-to-work date poses a problem, the employee should promptly seek to make alternative arrangements with their supervisor.

Employees may be recalled to work on a different schedule (working hours, shift or weeks/months of work, location or duties) than the schedule they had prior to the furlough. The College will provide notice specifying any such new arrangements. Failure to return to work to an altered arrangement may also be considered a "voluntary quit."