AMENDED

March 25, 2015

**S. 382**

Introduced by Senators Matthews, Hutto, Williams, Courson, Hayes, Nicholson, Malloy, Pinckney, Setzler and Jackson

S. Printed 3/25/15--H.

Read the first time February 17, 2015.

**A** **JOINT RESOLUTION**

TO AUTHORIZE THE AGENCY HEAD OF SOUTH CAROLINA STATE UNIVERSITY TO INSTITUTE A MANDATORY FURLOUGH PROGRAM OF UP TO SEVEN DAYS IN FISCAL YEAR 2014‑2015, AND TO PROVIDE CERTAIN REQUIREMENTS FOR THE FURLOUGH PROGRAM.

Amend Title To Conform

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. (A) Notwithstanding any other provision of law, in Fiscal Years 2014‑2015 and 2015-2016, the agency head of South Carolina State University may institute a mandatory employee furlough program of not more than twenty working days in each fiscal year. The program must meet the requirements provided in subsection (B).

(B) The furlough must be inclusive of all employees of the university or within a designated department or program regardless of source of funds, place of work, or tenure status, and must include employees in classified positions and unclassified positions in the designated area. A furlough program also may be implemented by pay band for classified employees and by pay rate for unclassified employees. Law enforcement employees, employees who provide direct patient or client care, and front‑line employees who deliver direct customer services may be exempted from a mandatory furlough. If the furlough includes the entire university, the furlough must include the agency head. Scheduling of furlough days, or portions of days, shall be at the discretion of the university, but under no circumstances shall the university close completely. If an employee participates in a voluntary furlough program in Fiscal Year 2014‑2015 or Fiscal Year 2015-2016, the furlough days taken voluntarily must count toward the furlough days required by the mandatory furlough authorized in this section. During this furlough, affected employees shall be entitled to participate in the same state benefits as otherwise available to them except for receiving their salaries. As to those benefits which require employer and employee contributions, including, but not limited to, contributions to the South Carolina Retirement System or the optional retirement program, the university will be responsible for making both employer and employee contributions during the time of the furlough if coverage would otherwise be interrupted; and as to those benefits which require only employee contributions, the employee remains solely responsible for making those contributions. Placement of an employee on furlough under this provision does not constitute a grievance or appeal under the State Employee Grievance Procedure Act. The university may allocate the employee’s reduction in pay over the balance of the fiscal year for payroll purposes regardless of the pay period within which the furlough occurs. The university is encouraged to consult the State Division of Human Resources of the Budget and Control Board in the development of the furlough plan to ensure that the plan meets the requirements of this section. The university shall report information regarding furloughs to the State Division of Human Resources as requested.

SECTION 2. This joint resolution takes effect upon approval by the Governor.

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