



Chuck Alexander, *Executive Vice President*

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January 9, 2009

State Board,

Today at approximately 2:00pm the Department Of Personnel Administration issued the attached memorandum detailing the implementation of the Governors order to furlough State employees. As we have indicated to you previously, CCPOA was preparing legal action in the event this came to pass. At the time this memo is being written, the finishing touches to our legal papers are being finished, and we anticipate filing an action against this "plan" in Superior Court Monday morning, January 12, 2009.

Upon filing our complaint and receiving a docket number of said filing, we will post our legal brief on the CCPOA web page. If we receive any further information, we will notify you as soon as possible.

Chuck



MEMORANDUM



DATE: January 9, 2009

TO: Agency Secretaries
Undersecretaries
Directors

FROM: **David A. Gilb**
Director
Office of the Director
(916) 322-5193; FAX (916) 322-8376

SUBJECT: State Employee Furlough per Governor's Executive Order S-16-08

To reduce current spending to ensure that essential services of the State are not jeopardized and the public health and safety is preserved, the Department of Personnel Administration, under the Governor's authority and at the direction of the Governor, has developed a furlough plan that will result in the closing of general government operations on the first and third Fridays of each month, beginning this February. As such, these unpaid furlough days are not work days and employees shall not report to work. The first furlough day under this plan will be February 6, 2009.

DPA will post details on its website early next week and send a memo to personnel offices with additional information.

For operations that cannot close, Agency Secretaries (and Directors who do not report to an agency) may request approval from DPA to use a "self-directed" furlough for specific positions. There will be two types of self-directed furlough:

- Employees take two furlough days each month but on days chosen by the employee and approved by the supervisor. For example, revenue-generating positions may be considered for this type of furlough.
- Employees accrue two furlough days per month to be taken when feasible. Furlough days that cannot be used within the same month must be taken within two years following the end of the furlough program. Furlough days will not be cashed out. Posted positions in 24/7 facilities such as prisons and hospitals automatically qualify for this self-directed furlough and do not require prior approval from DPA.

Salaries will be adjusted to reflect the unpaid furlough days, but benefits will remain the same (i.e., the furlough will not affect payouts for unused leave, service credit, health and retirement benefits, etc.)

Please note: The state continues to meet with representatives for state employees about the impact of this program and will notify you of any further developments.