



## Legislative Coordinating Commission

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TO: Employees under the jurisdiction of the Legislative Coordinating Commission

FROM: Greg Hubinger  
Director

DATE: June 14, 2011

RE: Possible shutdown

The Legislature is taking steps to prepare for a possible shutdown July 1, 2011. While we are confident that budget negotiations will come to a timely resolution, we are preparing contingency plans should a shutdown occur.

While a number of questions remain unresolved, the following is a summary of the contingency plans at this time.

### Employment status

- The LCC has determined that it has the need for the services of all staff in order to fulfill its constitutional duties in support of the work of the House of Representatives and the Senate. In the event that the FY 12 LCC budget has not been enacted into law by July 1, 2011, the LCC plans to pay staff with funding carried forward from the fiscal year ending June 30, 2011, as authorized by Minnesota Statutes. It is our expectation that all staff will continue to report to work as usual. You should talk with your director regarding any scheduling questions.
- We estimate that there is sufficient funding available to maintain employees on the payroll through July 30<sup>th</sup>. We are continuing to analyze all expenditures and budget balances: If there are sufficient balances in FY 11 budgets, this date may be extended.

### Furlough

- Should the shutdown continue past July 30, 2011 it may be necessary to place a number of staff on a partial or full furlough. The exact terms of a furlough are not clear at the present time. We have set forth points below so that employees will understand the current thinking, realizing that these points are tentative and subject to change:
  - A furlough would be an unpaid leave of absence that would not exceed 29 days in length.
  - It may be necessary to place staff on a short furlough in order to manage cash flow. If this becomes necessary, you will be notified as soon as a determination has been made.
  - Once the Legislature receives its FY 12-13 appropriation, the current plan is to permit staff to substitute vacation leave, compensatory time or floating holidays for furloughed days. Sick time may be used by employees, but would require documentation that would support the use of sick hours.

- If an employee did not have sufficient hours to cover the furloughed hours, or the employee wished to take unpaid leave in order to save their vacation or comp time, Salary Savings Leave could be used for any unpaid time.

- Our current plan is to continue insurance benefits, and accrual of vacation, sick and length of service credit during a furlough. If an agreement is not reached in time to deduct the employee share of the insurance premium from a paycheck, employees would be required to provide a personal check to the Fiscal Services Office (for health, dental, long and short term disability, long term care, and pre-tax deductions.)

- We are working with the Legislative Auditor to manage this process for employees in that office who are covered by the Managerial and Commissioners Compensation Plan.

- Employees could be called back and be expected to report to work within 48 hours.

- Employees should consult the Minnesota Department of Employment and Economic Development website prior to applying for unemployment insurance benefits.

#### **Other considerations**

- If you have a dependent who is also a state employee who has received notice of lay off, please contact the Fiscal Services Office. If the dependent is not eligible for the six months of insurance continuation, and you are considering adding them as a dependent on your policy, you must notify the FSO within 30 days of receiving that notice.

- The Department of Administration and Capitol Security have been contacted regarding building access and security. We expect that employees with key card access will continue to have access in the event of a shutdown.

- In order to maximize the funding available, employee expense reimbursements will not be processed until an FY 12 budget is enacted.

- All purchases must have prior approval by the commission director, and must be for essential purposes only.

- Be aware that collective bargaining agreements and compensation plans apply to employees in the Executive Branch, and do not apply to legislative staff. Generally, you should not look to the Executive Branch for information about what will happen to legislative employees.

We will provide you with additional information as soon as it becomes available. In the meantime, contact your director with questions or concerns, and we will work to address them.

In this time of uncertainty, we would like to recognize that the work of each joint legislative office, and each employee, is important to the work of the Legislature. All of us are looking forward to the budget appropriations process being completed, and returning our focus to the duties of each of our offices.