

<p>Fifth Judicial District Department of Correctional Services</p> <p>Policy and Procedural Manual</p>		<p>Approval Date: 8/19/13 Approved By:</p> <p><i>Sally Kreame</i> Sally Kreame, Director Fifth Judicial District Department of Correctional Services</p>
<p>Division: Administration</p> <p>Unit(s): District Wide</p>	<p>Subject: Attendance Policy</p>	<p>Effective Date: 9/26/2013</p> <p>Revision Date: 6/13 Origination Date: 5/13</p>

PURPOSE

The purpose of this policy is to describe procedures on attendance, hours of work and accrued leave guidelines.

POLICY

Employees are expected to work and/or attend scheduled trainings/meetings from designated starting times through designated quitting times, unless a change is requested by, or approved by the appropriate supervisor. Any absence from employment which causes the employee to work less than the scheduled number of hours for the work week must be accounted for by the use of accrued leave (vacation leave, sick leave or compensatory time).

All staff is responsible for knowing their own accrued and available leave balances and are not to take leave that they do not have. It is the responsibility of the employee to ensure they have accumulated or will accumulate the necessary time for leave prior to making a request and before taking the leave. All leave, including vacation, holiday time, sick shall not be used in excess of the amount accrued and shall not be used until the pay period after it has accrued.

The type of leave that is appropriate for the specific absence shall be governed by the provisions of the current Collective Bargaining Agreement and policies and procedures specific to the type of leave.

PROCEDURE

I. Call in procedures and leave records

A. Application of leave.

1. Requests must be submitted as far in advance as possible. All absences from employment shall be documented and submitted on the appropriate "Request for Leave" form and in the appropriate electronic format. The Request for Leave shall be completed in advance for purposes of vacation leave and any other predictable absences (scheduled medical appointments, etc.), and immediately upon the employee's return to work in all other cases. If a leave request form is not received by the supervisor and in the HR Department, the employee risks not receiving compensation for the missed work hours.
2. A brief explanation of the reason for the leave shall be included in all Requests for Leave, except in the case of vacation leave.
3. Upon completion and submission by the employee, the Request for Leave is presented to the immediate supervisor for electronic approval.

4. Supervisors must have Leave Request slips turned into the Human Resources by no later than the Thursday before the pay period ends. Requests for Leave shall be forwarded with the time sheet for that pay period to the Personnel Technician or saved to the appropriate folder with the supervisor. One copy of each of the 'leave requests' may be retained by the employee and the supervisor.
5. All leave shall be taken in no less than one-quarter (1/4) hour increments and will be rounded to the nearest quarter. Leave shall be taken on a workday basis and shall not be taken in advance of accrual.

B. Approval of leave

1. The immediate supervisor's approval or designee is necessary for the granting of accrued leave. In addition, the approval of the Director, or, the Director's designee in his/her absence, is necessary for the granting of any unpaid leave. Approval to use leave is subject to the needs of the work location. Supervisors will approve/deny leaves of absence. While keeping track of leave is ultimately the responsibility of the staff person, management will ask staff if they have enough leave to cover said time when requesting leave to ensure they are following policy.
2. Employees requesting unscheduled leave shall contact their supervisor or On-Call if their immediate supervisor is unavailable.
3. In the event an emergency causes an employee to be absent without advance notice, the employee is required to notify his/her supervisor of the situation as soon as possible.
4. Failure to provide prompt notification is grounds for disciplinary action.

C. Notification of absence by employee

1. In the event that an employee will be absent from his/her duty station on any regular scheduled work day for any purpose other than performance of specific job duties, and leave for that absence has not been approved in advance, that employee shall notify the immediate supervisor explaining the circumstances requiring this absence as soon as possible but no later than 1 hour prior to the start time of the day on which he/she will be absent.
2. In the event that the immediate supervisor is not available at the time of the call, the employee shall call On-Call unless otherwise directed differently by the immediate supervisor.
3. All shift employees that are relieving another person/shift must call and directly talk to a supervisor or On-Call, leaving a voicemail is not permissible.
4. In the event an emergency causes an employee to be absent without advance notice, the employee is required to notify his/her supervisor of the situation as soon as possible.
5. Failure to provide prompt notification is grounds for disciplinary action.
6. An employee who reports late for work may be counted as absent without pay and may be subject to disciplinary action.
7. An employee, who is absent without notifying his/her immediate supervisor or another supervisor, if the immediate supervisor is unavailable, may be subject to disciplinary action.

D. Leave without pay

1. For part-time employees who do not accrue leave, the absence shall be accounted for as unpaid leave. For employees who accrue leave, unpaid leave may be granted only by prior permission of the Director.

2. An employee may request leaves of absence without pay through the District Director or designee. Approval must be obtained in advance for leave without pay.
3. If not approved, the employee's leave shall be unauthorized and the supervisor shall implement disciplinary action.

E. Tardiness

1. It is the employee's responsibility to contact their supervisor (or the Shift Supervisor or On-Call if their supervisor is unavailable) if they are going to be late for work.
2. Tardiness (not reporting to work at the scheduled shift start time) is subject to disciplinary action.
3. An employee who reports late for work may be counted as absent without pay and may be subject to disciplinary action if unexcused. If excused the employee may use vacation or comp time.
4. An employee who is absent without notifying his/her immediate supervisor or designee may be subject to disciplinary action.
5. If an employee calls and requests sick leave after the start of their shift the leave must be accompanied by a signed slip from an attending physician before paid leave will be approved. If not the leave will be considered unexcused and subject to discipline.
6. If an employee reports to work over an hour late, such absence may immediately be subject to a higher level of progressive action for rule violations and subsequent infractions will result in further progressive discipline.
7. The supervisor in consultation with the Assistant Director will consider the requests to have an incident of tardiness excused with verification/documentation provided within 48 hours of the incident. Examples of excused would be inclement weather, documented emergency, etc. Alarms not going off or oversleeping are not valid excuses. If the tardiness is excused, the employee may be allowed to use vacation, compensatory, or holiday time to cover time missed.
8. The supervisor may implement disciplinary action for all unexcused tardiness. The 5th Judicial District does not have a separate tardiness disciplinary track. Unexcused tardiness will be addressed with progressive discipline with other disciplinary behavior.

F. Sick leave

1. It is the employee's responsibility to contact their supervisor, a shift supervisor or On-Call informing the circumstances requiring their absence as soon as possible but no later than 1 hour prior to the start time of the day on which he/she will be absent. Non-scheduled sick leave shall be requested and approved as soon as is practical.
2. Employees working scheduled shifts/posts shall telephone their work location and speak directly to a supervisor or On-Call at least one hour prior to the start of their shift, but earlier if possible, in order for the supervisor to arrange for coverage.
3. An employee is to notify the appropriate supervisor each day of the absence unless the employee is hospitalized or otherwise approved by the supervisor.
4. All employees who miss three consecutive work days with no contact to their supervisor will be considered to have abandoned their employment.
5. A leave of absence request form shall be submitted by the employee the same day upon return to work from sick leave.
6. An employee on sick leave shall be expected to convalesce at his or her residence. Management recognizes that not all illness may require the employee to convalesce at home. If impractical/unable then the employee shall keep this supervisor informed as to where he/she is convalescing.

G. Verification of Need for Absence Due to Illness (Sick slip)

1. Supervisors will monitor an employee's use of sick leave, (including any leave taken for care and necessary attention of family members as well as vacation in lieu of sick leave) and watch for habitual patterns or signs of suspected abuse.
2. Some possible patterns or signs of abuse may include but not limited to, calling in sick in conjunction with a day off, frequency of use same day of the week, proceeding or following scheduled leave, following a denial of a requested day off, exceeding the State average sick leave usage, etc.
3. In doing so, the supervisor may meet with the employee and determine the nature of the absences. Based on excessive usage or cause, and without mitigating circumstances, a supervisor may place the employee on a sick slip and require a medical certificate or other appropriate verification for a period of six (6) months. This will require the employee to provide written physician's verification for all future absences. Hours which are classified as FMLA certified or bereavement leave shall not be counted.
4. The supervisor will notify the employee in writing that he/she has been placed on medical certification. This medical certification verification shall include:
 - a. The date the person was actually under the care of an authorized healthcare provider.
 - b. A legible statement from the provider as to why the employee was unable to perform his or her work duties.
 - c. Signed by attending physician or other authorized healthcare provider. Signature of a nurse that has not been authorized by the physician or other office staff is not sufficient. Failure to provide written medical verification is unacceptable and employees must submit immediately upon return to work or be subject to discipline.
 - d. Anticipated date when the employee will be able to return to full duty and clearly stated restrictions if present.
5. In general, an employee who misses 3 continuous days of sick leave will be required to bring in medical verification (Doctor's note) immediately upon returning to work unless otherwise not required by immediate supervisor.
6. When the supervisor notifies the employee in writing that medical certification will be required, the following procedures must then be followed.
 - a. The supervisor shall inform the next higher authority and the Personnel Technician of the names of the employees that have been notified that medical certification will be required for uses requested for six (6) months.
 - b. If an employee who has been notified that medical certification will be necessary returns to work without providing medical certification, the absence shall be designated as leave without pay and may be subject to discipline. If the absence is for a non-medical reason, the employee will discuss the details with the supervisor as soon as possible. The supervisor may waive the need for verification for the use of leave in cases involving death in the immediate family.
 - c. Failure to provide medical certification as required under this section may also result in discipline up to and including discharge.
7. Nothing in this procedure shall prohibit a supervisor from reviewing an employee's sick leave usage at any time and taking necessary action. The supervisor may request medical certification or other appropriate verification from any employee prior to leave being taken or upon return to work.

8. It is not the Department's intent nor shall the above policy be construed in any such way as to constitute harassment of employees. This policy is intended as a vehicle by which the Department may monitor sick leave usage.

H. Annual Leave

1. All staff is responsible for knowing their own accrued and available leave balances and are not to take leave that they do not have. It is the responsibility of the employee to ensure they have accumulated or will accumulate the necessary time for leave prior to making a request. All leave, including vacation, holiday time, sick time, shall not be used in excess of the amount accrued and shall not be used until the pay period after it has accrued.
2. An employee will schedule his/her earned vacation with supervisory approval. All employees are responsible for ensuring that they have accumulated, or will accumulate, enough leave time to meet their requested time off. When employees take vacation but do not have enough leave accrued to cover the absence, it is considered to be an unauthorized absence and may be subject to disciplinary action. While keeping track of leave is ultimately the responsibility of the staff person, management will ask staff if they have enough leave to cover said time when requesting leave to ensure they are following policy.
3. It is the employee's responsibility to schedule his/her vacation to avoid reaching the maximum entitlement, which results in no additional accrual.
4. Staff that relieves a post/assignment as part of the 24-hour operation may cancel leave requests, but only if done at least 14 days in advance of the date of the leave in order to avoid a coverage/schedule conflict.

I. Work hours and meals:

1. The standard work week is forty (40) hours for a full-time employee. All employees shall be granted an unpaid meal period of at least thirty (30) minutes in duration or, at the employer's discretion, a paid meal period in those situations where qualified relief is not available. Where practical, the employer will attempt to schedule the meal period at approximately the middle of each shift. If an employee works less than 5 hours and 30 minutes or if determined impractical by their immediate supervisor, they may claim "No Lunch" for purposes of timekeeping.
2. Employees are expected to work from their designated start time to the conclusion of their assigned quitting time. The immediate supervisor must approve changes in work hours. Supervisors are responsible for notifying the employee and HR of any official changes in work schedules. Employees will be given a 14-day notice on permanent changes to their work schedules. Employees may waive this 14-day notice.
3. Employees are expected to report to work at the beginning and leave at end of their assigned period of work. Employees are not permitted to report to work and then park their vehicle, or pull their vehicle to the front of the facility prior to checking out.
4. No work shall be performed until the employee is in pay status. Should an emergency or significant situation develop while waiting to start shift and it would be necessary for the employee to assist, employees shall immediately be considered to be in pay status and shall respond appropriately. In such situations, the supervisor shall be notified as soon as possible.
5. There may be situations in which a work emergency may occur or the supervisor requests that the employee works longer to resolve necessary unfinished business and the employee will be compensated accordingly.