

TRUMBULL COUNTY BOARD OF DEVELOPMENTAL DISABILITIES

Procedure

Section 4.4.a

EMPLOYEE ATTENDANCE

The regular attendance of each employee is vital to the effectiveness of the Board. Services are most effective when performed with the continuity provided by regular staff members as opposed to substitutes. The Board identifies and recognizes excellent attendance through an Incentive System. Leadership also recognizes that circumstances may prevent an employee from earning the incentive. Therefore, the following standards have been developed to clearly outline the Board's expectations regarding acceptable attendance and the actions that will be taken when an employee does not meet the standard.

I. Attendance Expectations

- A. An employee's attendance shall be considered unacceptable when an employee has more than three (3) occurrences of absence, documented or undocumented, in a quarter commencing September 1st of each calendar year or when an employee maintains a sick leave balance of less than two (2) working days.
- B. For purposes of this procedure, an occurrence shall be defined as an incidence of absence, whether documentation is required or not, which may be a portion of a day, a full day, or a succession of days which are separated by at least one (1) work day.

Follow up treatment of a documented, diagnosed condition shall not be considered an occurrence. Also, extensive treatment of a documented, diagnosed condition with prior notification shall only be considered one (1) occurrence.

The following types of time off from work are the only incidents of an absence not considered an occurrence for purposes of this procedure:

- 1. Bereavement
 - 2. Scheduled appointment which would allow an employee to report to work no later than one-half (1/2) hour after the start of the scheduled work day or allow an employee to leave work no later than one-half (1/2) hour prior to the end of the scheduled work day.
 - 3. Workers Compensation
- C. For purposes of this procedure, approved Family and Medical Leave Act (FMLA) shall not be considered unacceptable attendance as it relates to

the requirement of maintaining a sick leave balance of no less than two (2) working days.

- D. All employees are expected to report to work on time. If an employee reports to work any time after his/her scheduled starting time, they will be considered late. Three (3) times late in a quarter shall be considered unacceptable.
- E. An employee whose attendance or tardiness is unacceptable shall be subject to the progressive discipline.
- F. With the exception of the transportation department employees, when any employee is unable to report to work they must notify the Board office by leaving a message on the designated voice mail system no later than 6:30 a.m. on the day they will be absent or late. Employees reporting off must provide the following information: name; position; department; expected date of return; and reason for the absence, or late start. If the employee is not personally reporting, the name of the individual making the call must also be included. Transportation employees must follow departmental rules for reporting off work.
- G. Employees who fail to reach the voice mail system are responsible for personally notifying their immediate supervisor of the absence.
- H. If the employee will be absent more than one day, they are expected to report off each day as outlined above. Employees are encouraged to report off by 3:00 p.m. prior to the day of the absence.
- I. Employees may be required to furnish a satisfactorily written, signed statement to justify the use of sick leave. If professional medical attention is required by the employee or member of the employee's immediate family, a certificate, from a licensed physician, stating the nature of the condition may be required to justify the use of sick leave.
- J. For all instances of sick leave exceeding seven (7) consecutive calendar days, a physician's statement must be provided stating the employee may return to work without restrictions. If an employee fails to provide a return to work release prior to his return, the employee shall be sent home without pay, until the statement is provided.

II. Progressive Discipline

- A. Supervisors will review an employee's attendance on an ongoing basis to determine if an employee's attendance meets the standards set forth in this procedure.

- B. Employees who demonstrate unacceptable attendance or tardiness under this procedure shall be subject to the following progressive disciplinary procedures:

Step 1: Instruction and Cautioning – Non-disciplinary counseling not to be placed in employee personnel file; however, employee must acknowledge receipt in writing and said acknowledgement shall be placed in employee's personnel file.

A plan of corrective action will be developed and the substance of this discussion and/or plan of corrective action will be reduced to writing.

Step 2: Continued unacceptable attendance or tardiness may result in a written reprimand. Written Reprimand – Notice to be given in writing stating the reasons for the reprimand and a copy provided to the employee.

A plan of corrective action will be developed and the substance of this discussion and/or plan of corrective action will be reduced to writing.

Step 3: Suspension – Notice to be given in writing stating the reasons for the suspension, effective date of the suspension, and a copy to be provided to the employee.

Step 4: Discharge – Notice to be given in writing stating the charges to the employee and the effective date of the employee's removal from employment. A copy of the disciplinary action will be provided to the employee, Union Present and Grievance Chairperson.

- C. An employee's failure to provide a physician's statement, as required in paragraph J. above, for two (2) or more consecutive working days may also result in disciplinary action and/or forfeiture of sick pay for the leave in question. Falsification of either the signed statement or a physician's certificate shall be grounds for disciplinary action, which may include dismissal.
- D. All employees shall file the appropriate Request for Leave Form with their immediate supervisor the day they return to work. If an employee does not submit the form as required within 30 day of using sick, vacation, or personal time, the leave time will be considered "unauthorized" and the employee with be charged the amount previously paid on their next pay. The employee will also be issued an instruction and cautioning for not following these procedures.

- E. Written reprimands shall cease to have force and effect six (6) employment months from the effective date of the discipline provided there is no intervening discipline for attendance or tardiness. Suspensions of three (3) days or less shall cease to have effect twelve (12) employment months from the effective date of the discipline provided there is no intervening discipline for attendance or tardiness. Suspensions of four (4) or more days will cease to have effect eighteen (18) employment months from the effective date of suspension provided there is no intervening discipline for attendance or tardiness.
- F. Before any disciplinary action which may result in suspension or termination, an appropriate due process hearing will be conducted following the Board policy for either management employees or bargaining unit employees.
- G. When an employee submits a time sheet with missing days or hours worked, regardless of the reason, the employee will not be paid for the missing time and the time sheet will be returned to the employee. The employee will be paid for the missing time once they return the corrected time sheet to the fiscal department.

III. LEAVES OF ABSENCE WITHOUT PAY

- A. The Employer may grant a leave of absence without pay to any employee *only* if the employee has exhausted his or her accumulated sick leave (in situations where sick leave would be appropriate), personal leave and any authorized vacation.
- B. An employee must request leave of absence without pay PRIOR to the absence in writing and provide the request to their immediate supervisor. The request shall state the reasons for requesting the leave and the dates for which such leave is being requested.
- C. The supervisor will review and approve or deny the request based on programmatic need and staff coverage. If approved, the supervisor will sign the form and forward the form to the Superintendent for final approval. Leave of absence without pay shall not be taken without approval of the Superintendent.
- D. Employees who do not request leave of absence without pay prior to taking the time off shall be considered on unauthorized leave and subject to progressive discipline up to and including termination.

E. It is the employee's responsibility to ensure they have sufficient leave time available prior to requesting the time off. If the employee does not have sufficient time to cover their requested leave, they must follow the above procedures and request leave without pay.

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