

Milwaukee County Department of Health and Human Services Delinquency and Court Services Division POLICY & PROCEDURE	Original Date Issued: 12/15/2014	Reviewed 5/11/2015 By: MG/ DP <hr/> Last Revision: 5/13/2015	Section: ADMINISTRATION	Policy No: 020	Pages: 1 of 4
<input checked="" type="checkbox"/> Delinquency and Court Services Division Children's Court Services Network Purchase of Service Agencies	Effective Date: 05/25/2015	Subject: <p style="text-align: center;">Attendance and Reliability Policy</p>			

I. POLICY

Delinquency and Court Services Division (DCSD) is committed to having a productive and accountable workplace that meets standards and maintains a safe environment for staff and clients. This policy will provide guidelines for management's review of staff attendance, tardiness and overall reliability. The efficient operation of this department is directly dependent upon the ability of staff to be relied upon consistently to provide what is needed to maintain the safety of the workplace and the community. Guidelines for the corrective action that will be taken in the event an employee demonstrates excessive concerns with reliability as it relates to attendance and tardiness are included in this policy.

All employees are expected to be at work on time, ready to perform their assigned duties at their assigned work place.

Employee responsibilities include, but are not limited to:

- ❖ Attending work as scheduled
- ❖ Arriving to work on time each day ready to work
- ❖ Scheduling with their supervisor in advance for any time off needs
- ❖ Confirming that requested time off has been approved prior to taking the time
- ❖ Assure sufficient Vacation, Personal, accrued Holiday is available when requesting off

Attendance records; including number of times an employee was tardy, sick calls and unexcused absences will be reviewed by supervisory personnel routinely to determine patterns of absence that indicate possible misuse and employees will be informed if their performance does not meet established standards. Written records will be maintained of all Corrective Action initiated.

When an employee calls in sick, only sick allowance can be used. The exception to this rule is if there is no sick allowance balance. In that case absence without pay is substituted, or other time may be used if approved by the Divisions Administrator/Designee.

Misuse of Sick Time

Although employees are allowed to accrue sick allowance hours, supervisors and managers retain discretion to determine sick leave misuse. When an occurrence or discernible pattern of occurrences is found that demonstrates sick leave misuse, corrective action will be taken.

Employees that take sick leave on a Holiday that they are scheduled to work will be considered for immediate corrective action.

Examples of misuse of sick time may include but not be limited to:

- ❖ A situation where an employee calls in sick on a day in which he or she previously requested off, but was denied.
- ❖ An employee leaving the work site early.
- ❖ Calling in the day before or a series of days prior to or immediately following a major/minor holiday.
- ❖ An employee states they are sick after they have been given a management directive.

Family Medical Leave Act (FMLA) and Attendance/Reliability

All employees must:

- ❖ Comply with all department work rules and all DCSD Policies and Procedures while on leave. Follow the Milwaukee County FMLA policy to request leave and provide all necessary documentation as detailed in the FMLA policy. Employees are required to notify their immediate supervisor at the time of the FMLA leave request and provide the dates, if known, for the leave.
- ❖ If an employee absence necessitates four or more days and the employee does not request FMLA, FMLA may be requested on their behalf by management.

II. DEFINITIONS:

ATTENDANCE OCCURANCE: Any of the following:

1. **Unauthorized Absence** - Not reporting for or not completing a scheduled shift, including but not limited to; extended lunch and/or break periods; leaving early without approval by management; not coming to work; etc.
2. **Tardiness** - Failure to be at work site in the proper attire, ready to work, at the appointed time.
3. **Sick leave** – A sick leave “occurrence” is defined as the approved usage of sick allowance for one specific illness (i.e. may be more than one consecutive day of sick allowance usage due to an illness).
4. **Reliability** – Refers to the ability of an employee to be consistent in performance; ability to be trusted.

III. PROCEDURE

A. Employee Responsibilities

1. To notify the designated departmental representative when expecting to be late or absent.

- ❖ Employee must follow the notification procedure outlined by the department.
- ❖ Each employee is expected to notify his/her supervisor no later than 30 minutes prior to the start of their respective shift. *Employee notification that occurs less than 30 minutes prior to the employee’s start time is subject to disciplinary action at the discretion of management and the employee’s attendance history.
- ❖ Each employee is expected to notify his/her supervisor via personal phone contact. If the supervisor is not available, a voicemail (VM) message can be left WITH a working phone number for follow-up with staff. *Failure to provide a VM AND a working contact number for follow-up does not constitute notification and is subject to disciplinary action at the discretion of management and the employee’s attendance history.
- ❖ Employees should **NOT send text messages or emails to report their absence or leave a message with another staff/team member.**
- ❖ Explain the reason for his/her absence
- ❖ Communicate the estimated date of return

Note: Failure to follow the departmental notification/call in policy will result in the employee being presumed absent without pay. If this occurs, sick time cannot be used and the employee will not be paid for the unexcused time off. Exceptions will be made, at the discretion of management, in the case of emergency or extraordinary circumstances **only**.

2. Notification of absence is to be made daily by the employee, personally, or as agreed upon with their supervisor. For extended absences notification should be as often as instructed by supervisor.
3. Any required/requested documentation, as required by DCSD, is to be provided prior to returning to work.
4. Maintain copies of any documentation regarding approved leaves.
5. Any employee arriving late for their assigned work shift or from an assigned lunch or break period must report **immediately** to their supervisor or designee. It will be the supervisor's sole discretion as to whether an employee will be allowed to use personal time to cover the tardiness.
6. When the illness of an employee necessitates leave of absence of **occurrences of four or more days**, the employee must request FMLA. In addition, the employee must provide a medical release to their immediate supervisor from a licensed physician or authorized practitioner stating the period of time the employee is/was unable to work because of illness at the time of return in order to resume work activity.

B. Supervisors Responsibilities or Designee:

1. Orient employee to attendance/reliability policy and work rules regarding notification/call in and time off processes.
2. Maintain call-in records for all employees supervised.
3. Consistently and routinely monitor employees' attendance/reliability and provide feedback.
4. Supervisors are required to discuss attendance/reliability issues with the employee when a discernible pattern exists.
5. A record of this discussion will be kept in the employee's personal file in Human Resources. Ways to resolving the problem will be discussed, including the availability of the Employee Assistance Program.
6. Initiate the corrective action process when an employee's attendance/reliability falls below acceptable standards.

C. Corrective Action:

Patterns of absences/reliability concerns that are considered particularly egregious may require referrals for immediate discharge, without going through the Corrective Action steps outlined below. Even though an employee provides a physician certificate for subsequent sick occurrences it will not "excuse" the absence, and will be counted as an attendance/reliability occurrence.

Initial Action: Five Attendance Occurrences:

A counseling session will be held with documentation placed in the employee personnel file, when an employee reaches five or more attendance/reliability occurrences within a 12 month period, or when management determines that patterns of absence indicate possible abuse in conjunction with off days, holidays, and etc.

Additional Attendance Occurrences after the fifth incident may result in the following progressive corrective action steps:

Step 2: Written Warning(s):

Issued when an employee with six or more attendance/reliability occurrences within the 12 month period or when management determines that the employees' patterns of absence indicate possible abuse in conjunction with off days, holidays, and etc. will be given a written warning.

Step 3: Final Warning:

Issued when the employee has 7 or more attendance/reliability occurrences within a 12-month period, or when management has determined that the employees' patterns of absence indicate possible abuse in conjunction with off days, holidays, and etc.

Step 4: Written Charges for Separation of employee are filed with the Civil Service Commission.

Issued when subsequent attendance/reliability occurrences take place after Step 3 or when management determines that the employees' patterns of absence indicate possible abuse in conjunction with off days, holidays, and etc.

Reviewed & Approved By: _____



B. Thomas Wanta, Division Administrator