

<p>Milwaukee County Department of Health and Human Services Division of Youth & Family Services</p> <p>POLICY & PROCEDURE</p>	<p>Original Date Issued: 02/10/2014</p> <hr/> <p>Last Revision Date: 01/01/2018</p>	<p>Current Review Date: 12/18/2018</p> <p>Current Review By: DP/MG</p>	<p>Section: ADMINISTRATION</p>	<p>Policy No: 020</p>	<p>Pages: 1 of 7</p>
<p><input checked="" type="checkbox"/> Division of Youth & Family Services (DYFS)</p> <p><input type="checkbox"/> Detention Center</p> <p><input type="checkbox"/> DYFS Services Network</p> <p><input type="checkbox"/> Purchase of Service Agencies</p>	<p>Last Effective Date: 04/01/2019</p>	<p>Subject:</p> <p style="text-align: center;">Attendance and Reliability Policy</p>			

I. Policy

The Division of Youth and Family Services (DYFS) is committed to having a productive and accountable workplace that meets standards and maintains a safe environment for all staff and clients. This policy will provide guidelines for expectations of staff and management, in addition to parameters for review of staff attendance, tardiness and overall reliability.

For the purposes of this policy, reliability refers to the ability of any employee to be consistent in their performance and trusted to be at work. The efficient operation of this department is directly dependent upon the ability of staff to be consistently relied upon in order to provide what is needed to maintain the safety of the workplace and the community. In addition, guidelines for the Corrective Action that will be taken in the event an employee demonstrates unacceptable reliability, as it relates to attendance and tardiness, are also included in this policy.

II. Standards

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

B. Employee responsibilities include, but are not limited to:

1. All employees are required to use Dayforce HCM to clock in and out daily. Please refer to the Dayforce HCM Employee Reference Guide for specific details on how to navigate the Dayforce HCM system (Employee Guide distributed during orientation).
2. All employees (not designees) are to report to their work stations at their scheduled start time and clock in through their computer. Employees are also to clock out at the end of their scheduled shift through their computer.
3. All employees that leave the premises for their lunch period must punch in and out. If you do not leave the office, then Dayforce HCM will automatically punch the employee in and out.
4. If a Human Service Worker (HSW) or other identified staff are to start or end their day in the field, they must obtain prior approval from their supervisor (or designee). Approval must be requested at least one working day prior to, with any exceptions at the supervisor's discretion.
5. If starting or ending the day in the field occurs, then staff must use the mobile application on their work issued smart phone to clock in and/or out. This smart phone application is not to be used without prior supervisor authorization.
6. All employees are to arrive to work on time each day, ready to work.
7. All employees are to schedule all time-off needs with their supervisor in advance.
8. All employees must confirm that requested time-off has been approved prior to taking the time off.

9. All employees must ensure that they have sufficient vacation, personal and/or accrued holiday time available when requesting time off.

C. Flexible Work Schedule

DYFS allows for flexible work scheduling during the work week at the discretion of the employee’s immediate supervisor or designee. All staff are allowed to request a flexible work schedule on a weekly basis to meet unexpected operational and/or personal needs that must be approved through the employee’s supervisor or designee. Any time modified or flexed must take place within the same work week.

Modified Work Week: Only HSW employees are allowed to work nine (9) hour work days Monday through Thursday with a four (4) hour AM work schedule on Fridays, with DYFS Management approval.

Flexible Work Schedule: All staff are allowed to flex work time within the same work week. For example, staff whom attended an evening team meeting can modify their schedule on a subsequent day to accommodate for the additional time worked for the previously attended team meeting; or staff that had to modify their work schedule for 1-2 hours due to an emergency are allowed to make up those hours on another day during that same work week.

D. Minimum Staff Requirement:

Coverage standards are subject to change at management’s discretion. If there are not minimally one (1) HSW per unit for every eight (8) HSW’s, two (2) HSW Supervisors, and four (4) support staff available to work when scheduling vacation, compensatory, holiday time and/or leaves of absence, management will assign staff to work based on reverse seniority. Given this, staff should not leave any expiring paid time off to be used during “peak” periods, such as around major holidays, as they may be denied in order to meet minimum coverage needs.

Peak Period Coverage Standards include the following:

"Peak" Period Holiday Time Frames:
Week of July 4 th
Week of Thanksgiving
Week of Christmas
Week of New Year’s
Not included above = 50% staffing levels

E. Time-Off Categories

All employees are to request time off through Dayforce HCM. All requests will be sent to their immediate supervisor for approval. The immediate supervisor may also request dates via email.

For a list of paid time off days, please refer to the Milwaukee County website:
<https://countyconnect.milwaukeecountywi.gov/MCINT/Human-Resources/Benefits--Wellness/Leaves--Time-off> “Leaves and Time Off”.

F. Accrued Holiday and Compensatory Time

To ensure adequate staffing coverage and operational efficiency accrued holiday and compensatory must be scheduled off in advance.

1. Requests to be off using accrued holiday time or compensatory time shall be submitted in Dayforce HCM, minimally 48 hours in advance of the time requested.
2. Requests are not guaranteed and must be approved by your supervisor on a first come, first serve basis, in accordance with the established minimum staff coverage.
3. If there is less than a 48-hour notice for the request, staff will need, in addition to submitting the request to your supervisor, to speak directly to their immediate supervisor.
4. If the holiday or compensatory time has not yet been accrued, you may not use or schedule it to be used.

G. Bereavement Leave

Milwaukee County allows for bereavement, which is a period after a significant event in the family of an employee. Employees are allowed to use their sick accrual balances for periods of Bereavement Leave.

- Per Milwaukee County ordinance 17.18, bereavement leave allowances are as follows:
 1. Immediate Family of Employee: Spouse, child, brother, sister, parents, foster parents, step mother/father, step brother/sister provide the following time off: Critical Illness (3 Consecutive Days), Death (3 Consecutive Days plus Travel), Wedding (1 Day).
 2. Spouse of Employee's Immediate Family, i.e. the spouse of any of the members identified above (in G. 1.): daughter/son-in-law, brother/sister-in-law: Critical Illness (1 Day), Death (1 Day plus Travel), Wedding (No Provision).
 3. Immediate Family of Employee's Spouse: brother, sister, parents, or child of employee's spouse provide the following time off: Critical Illness (1 Day), Death (1 Day plus Travel), Wedding (No Provision).
 4. Other Close Relatives: aunt, uncle, first cousin, niece, nephew, grandparent, grandchild, great-grandparent, grand-nephew/niece, great aunt/uncle, ex-spouse/partner of the employee or spouse/partner provide the following time off: Critical Illness (No Provision), Death (1 Day plus Travel), Wedding (No Provision).
 5. Other causes for excused time: death of a fellow co-worker warrants ½ day, if approved by department head. Other significant, close personal relationships not explicitly covered by this policy may qualify for leave at the discretion of your manager or supervisor.
- Travel Allotment Provision
 - 74 miles or less: None
 - 75-150 miles: 1 extra day
 - 151+ miles allow: 2 extra days

H. Family Medical Leave Act (FMLA) and Attendance/Reliability

All employees must:

1. Follow the Milwaukee County FMLA policy to request leave and provide all necessary documentation as detailed in the FMLA policy.
 2. When using FMLA, employees are still required to notify their immediate supervisor *at the time of* the original FMLA leave request that they are requesting it.
 3. If possible, the employee is to provide the anticipated dates for the full leave in order to allow the supervisor to make any operational coverage adjustments needed.
 4. If an employee's regular non-FMLA absence necessitates three or more consecutive days and the employee does not request FMLA, FMLA may be requested on their behalf by management.
- ⚡ When FMLA is not an option due to the employee not meeting the work eligibility requirements, Civil Service Leave can apply.

I. Minor Holidays

1. Requests to be off on a Minor Holiday shall be submitted via email and approved by the employees supervisor at least 48-hours prior to the Minor Holiday. The supervisor will approve or deny the request and notify the employee of the decision. If there is less than a 48-hour notice for the request, staff will need, in addition to submitting the request to their supervisor, to speak directly to that supervisor.
2. Consistent with the scheduling of vacation time, staff that is planning to accrue a Minor Holiday may not request this time off until it has been accrued.
3. Minor Holiday utilization must be pre-approved. You may not call in on the day of the holiday and request it off.

J. Personal Time

1. Management recognizes the need to make reasonable efforts to allow for unplanned time away from work, while at the same time balance the needs of the operation and considerations for remaining staff.
2. Personal Time should be scheduled in advance and as timely as possible with the employee's supervisor. If the supervisor is not available, the Section Manager shall be notified.
3. Notice shall occur in person or by telephone - leaving messages of any other kind is not acceptable.
4. Management shall reserve the right to deny Personal Time requests based upon the minimum staff coverage needs consistent with the policies contained herein.

K. Sick Time

Legitimate use of sick time is allowed and must be approved by the employee's supervisor or designee. Sick time is accrued at 3.7 hours each 80-hour pay period (approximately 12 days per year) and is provided as a safety net to ensure continuity of pay should an employee become injured or ill. Sick time does not accrue nor is it available to use until an employee reaches six months of employment.

1. 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. Other time (vacation, personal, etc.) may be used if approved by the Divisions Administrator or designee.
2. An employee can provide a medical excuse for time they are out sick to allow that time to be documented as excused.
3. An employee's provision of a medical excuse after calling in sick does not negate the activity as an occurrence on the employee's record, however, can excuse the absence.
4. An occurrence is defined as one (1) to two (2) consecutive days, whether the days are excused or not.
5. If an employee is out for three (3) or more consecutive days, then FMLA must be applied for (see II.H) on the 3rd day.
6. Employees are allowed to request in advance up to three (3) hours per day to attend medical appointments and this is not considered an occurrence. Any additional time must be approved by the employees' immediate supervisor or designee.
7. Five (5) or more unexcused occurrences within a rolling year may result in disciplinary action.
8. Employees determined to have misused sick time will have disciplinary action.

Examples of Misuse of Sick Time

- An employee takes sick leave on a Holiday that they are scheduled to work.
- 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 without supervisor authorization.
- An employee calling in the day before (or a series of days) prior to or immediately following a major/minor holiday.

- An employee stating that they are sick and unable to carry out a task after they have been given a Management directive to do so.

L. Vacation Time

1. Vacation time utilization must be pre-approved by the employee's immediate supervisor or designee.
2. Vacation requests must be submitted minimally 48-hours in advance of the time requested.
3. All available vacation time must be scheduled in advance.
4. Requests for vacation will be reviewed and approved based on seniority.
5. If a minor holiday falls within a requested week, it will be assumed that the minor holiday is also being requested and will be approved as part of that week.
6. Requests received after the minimal 48-hour advance notice will be honored on a "first come, first serve" basis, in accordance with the established policy.
7. A waitlist will be created for staff requesting time off, for which they have not been approved. If time becomes available, it will be offered first to those on the waitlist based on established policy.
8. Adjustments/changes to approved vacation time requires 24-hour notice and must be submitted to the supervisor for approval in Dayforce HCM. If there is less than a 24-hour notice for the request, staff will need, in addition to submitting the request to their immediate supervisor, to speak directly with that supervisor. The supervisor will approve or deny the request and notify the employee of the decision.

M. Other

Extenuating Circumstances: Any extenuating circumstances beyond the scope of this policy will be reviewed by the Division Administrator.

III. Definitions

An attendance occurrence is any of the following:

1. **Cancelled Overtime/Additional Shift** – Cancellation of an overtime or additional shift.
2. **Misuse of Sick Leave** – When management, in conjunction with Human Resources, determines that patterns of sick leave indicate abuse (i.e. before or after holidays, sick leave taken for more than one (1) day every time, always on a Friday or Monday, every other day, etc.)
3. **No Call/No Show** – Not reporting to work and not calling to report the absence.
4. **Tardiness** – Failure to be at the work site in the proper attire, ready to work, at the appointed time.
5. **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.
6. **Occurrence** – 1-2 consecutive days will count as one occurrence. The 3rd day requires an FMLA application.

IV. Procedure for Notifications

A. Employee Responsibilities

1. To notify his/her immediate supervisor (or designee) when expecting to be late or absent according to the notification procedure outlined by the department.

When:

- 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 Corrective Action at the discretion of management and with consideration for the employee's attendance history.

How:

- Each employee is expected to notify his/her supervisor via personal phone contact. If the supervisor is not available, a voicemail message can be left WITH a working phone number for follow-up with the employee.
- HSWs must ALSO contact the supervisor's desk at 414.257.7993 to report their absence.
- Failure to provide a voicemail AND a working phone number for follow-up does not constitute notification and is subject to Corrective Action at the discretion of management with consideration for the employee's attendance history.
- Employees should not leave a message with another staff/team member to relay to their supervisor.

What information to provide:

- Explain the reason for his/her absence, i.e. FMLA, sick, personal, etc.
- 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. Any required/requested documentation, as required by DYFS, is to be provided prior to the employee's return to work.
3. Any employee arriving late for his/her assigned work shift or from an assigned lunch or break period must report **immediately** to his/her 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.
4. When the illness of an employee necessitates a leave of absence **occurrence of three or more days**, the employee must apply for FMLA. In addition, the employee must provide a medical release to his/her 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. Supervisor Responsibilities (or Designee):

1. Orient all assigned employees to the attendance/reliability policy standards 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 after five (5) occurrences.
5. A record of this discussion will be kept in the employee's personnel file and with Human Resources.
6. The discussion will include methods to resolve the problem, including the availability of the Employee Assistance Program (EAP).
7. Initiate the Corrective Action process when an employee's attendance/reliability falls below acceptable standards.

C. Corrective Action Process:

1. **For Employees that have Completed Probation**
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.

The following actions will be taken with any employee who has unexcused occurrences within a rolling year time frame. A rolling year is the 12-month period dating backward from the most recent incident/occurrence. Incidents/occurrence occurring earlier than 365 days prior to the most recent incident are not included in the calculation.

Step 1: Counseling

A counseling session will be held with documentation placed in the employee personnel file, when an employee reaches five (5) attendance/reliability occurrences within a 12-month rolling period, or when management in conjunction with Human Resources determine that patterns of absence indicate possible abuse when considered in conjunction with off days, holidays, etc.

Additional Attendance Occurrences after the fifth (5th) incident may result in the following progressive corrective action steps:

Step 2: Written Warning(s):

Issued when an employee has six (6) or more attendance/reliability occurrences within the 12-month rolling period.

Step 3: Final Warning:

Issued when the employee has seven (7) or more attendance/reliability occurrences within a 12-month rolling period.

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.

2. For Probationary Employees

Probationary employees are employees who are new to their role with Milwaukee County. Probationary employees are generally those who have worked less than six (6) months/1,040 hours excluding overtime, but this varies by position. (See Civil Service Rule V, Section 5 for more details). Failure to comply with the guidelines could result in immediate separation from employment for probationary employees.

V. Documentation and Records

Attendance records, including the number of times an employee was tardy, number of sick calls, and unexcused absences, will be reviewed by supervisory personnel routinely. Written records will be maintained of all Corrective Action initiated, with copies provided to the employee.

Corresponding Materials

Dayforce HCM Employee Reference Guide

Dayforce HCM Managers Reference Guide

Attendance and Reliability Policy – Attachment I: Supervisor (or Designee) Guide

Reviewed & Approved By:



Mark Mertens, Division Administrator