

SECTION 9: ATTENDANCE

Revised: 7.31.23 to be in effect 9.1.23

A. GENERAL ATTENDANCE POLICY

Promptness and regular attendance are valued in our organization and vital to your successful and continued employment. We continue to strive for compassionate, quality service to all of our individuals we serve, our customers, our passengers and we need you to make that happen. When we are not at work, the burden falls on our co-workers/supervisors and negatively impacts their ability to perform their job adequately. We want to be fair and flexible, and we need you to be responsible and dedicated towards providing quality care.

Corrective measures utilized by this policy are designed to correct attendance issues using the least severe penalty possible to remedy the problem, relying on a more severe penalty if you don't resolve the matter voluntarily.

The attendance policy will use the most recent date of hire as a time frame for attendance review. Progressive discipline will be based on a rolling 12-month period based on your first occurrence.

This attendance policy looks at attendance patterns, not at reasons for absences/tardies. Therefore, all absences/tardies are counted, no matter the reason-the only exception to this being FMLA/LOA or other types of covered leave(s) outlined in your Personnel Handbook. Patterned absences, those that occur on the same day of the week or before/after weekends or holidays, may be cause for disciplinary action, up to and including termination.

For the purpose of this policy, we consider a scheduled shift to be from the start time of the shift to the end time of the shift; regardless of the length of time.

Following is the Attendance Point System which details the level of points you will receive for absences/tardies:

Attendance Point System	Within first 90 days	Beyond 90 days
Tardy= 1 point Unexcused Absence = 3 points Leave Early: <ul style="list-style-type: none">▪ Less than 3 hours = 1 point▪ More than 3 hours = 3 points No Call No Show = 11 points No PTO Hours = 3 points	5-7 points = Written Warning 8-10 points= Final Written Warning 11 or More Points= TERMINATION	10-14 points=Verbal Warning 15-17 points=Written Warning 18-20 points= Final Written Warning 21 or more points= TERMINATION

In situations such as a death of an immediate family member, hospitalization, the agency understands these circumstances can delay meeting the timelines outlined in this policy. It will be up to the Executive Director's discretion to approve the requested time off without being counted as an occurrence.

B. REQUEST FOR TIME OFF

An employee who needs to take time off work must make the request in writing and get approval regardless of employee status. Request for time off should be made as far in advance as possible. Any request presented less than 24 hours in advance will be considered an unexcused absence.

C. REPORTING

If you are unable to report for your scheduled shift, you must personally notify your immediate supervisor AND HR at XXX-XXX-XXXX (you must leave a message on the answering machine if it is before office hours at least one (1) hour prior to the start of your shift. If you do not notify your immediate supervisor or HR at least one (1) hour prior to the start of your shift your points will be doubled (for an absence). You must give notification each day you are absent and keep your supervisor informed on a daily basis in regard to your return unless you are on an approved leave of absence or have pre-arranged your absence with your supervisor.

D. TARDY

Our expectation is at the start of your scheduled shift you must be clocked in and ready to work. Tardiness is defined as clocking in seven (7) minutes after your scheduled shift starting time. You must call to report tardiness.

E. UNEXCUSED ABSENCE

Unexcused absences are defined as being unable to report to work for your scheduled shift without 24-hour advance written approval by your supervisor. You must call to report an absence. Multiple consecutive days of absences when scheduled to work, up to two (2) consecutive days, will be counted as three (3) points. (This does not apply to holidays and/or weekends. Weekends as it relates to this policy is considered Saturday and/or Sunday.)

If you are absent from work for three or more consecutive days, you must provide a physician's note that details the reason for your inability to work as well as provide medical approval of your ability to return. **If you are unable to return to work on the 4th calendar day from your first day absent, please contact the HR to discuss leave eligibility.** As allowed by law, your supervisor, however, may request a physician's note at any time they deem appropriate. Failure to provide medical evidence for a work absence of three days or longer, or where requested by your supervisor, may cause for disciplinary action, up to and including termination. All physician notes must be originals. No copies will be accepted. A fax from the physician is acceptable. If there are any restriction noted on the physician notes, it has to be submitted to your supervisor and HR. A determination will be made, based on your position, as to whether you will resume your daily tasks or wait until you are cleared by the doctor as having no restrictions.

In order to receive holiday benefits, you must work your regularly scheduled shift the day before and the day after the holiday, unless prior approval has been obtained for time off work.

A “shift” is considered the time you are scheduled to work regardless of the length of time. Example – 8:00 am to 4:00 pm or 7:00 am to 1:00 pm.

F. NO CALL NO SHOW

No call no show is defined as not showing up for work and/or not contacting your supervisor to inform them of your absence. If you do not contact the supervisor/call the mainline within one (1) hour into your scheduled shift time, you will be considered a no call no show.

G. LEAVE EARLY

Leaving early is defined as leaving work prior to the scheduled ending time of your shift. If you are requested to leave due to census or for infection control purposes (i.e. sick at work) – this will not count towards your attendance. However, if you request to leave early without a 24-hours advance notice, this will count towards your attendance. See points scale. Leaving early without permission from your immediate supervisor or leaving the company premises or job site without approval during your shift is cause for immediate termination of employment. If an individual served is affected, this could be considered job abandonment.

H. NO PTO HOURS

For employees that are earning PTO hours, they are responsible for being aware of their balance and budgeting their time off accordingly. If you have exhausted your PTO hours, this will automatically be considered an occurrence and additional points will be added if you do not follow what is outlined in this attendance policy.

I. SCHEDULE CHANGES

An employee is expected to adhere to the work schedule established by their supervisor. Any schedule changes must be approved by management, submitted in advance on the **Attendance Request Form**. Once this schedule change is approved by the supervisor, this becomes your scheduled shift and subjects you to this attendance policy.

Example 1, an employee requests Tuesday off but requests to work on Thursday, their day off, instead. It is approved by management. The employee works Thursday and therefore the employee does not receive an occurrence.

Or

Example 2, same employee and same request as above but this time the employee calls in on Thursday without a 24- hours advance written notice. This would be considered an absence and this counted as three (3) points.

J. HOLIDAYS

Employees that are scheduled to work an unpaid holiday will receive pay at the same rate as overtime pay. Employees that are scheduled to work a paid holiday outlined on the agency calendar will be paid hours worked and holiday pay. Employees **may not** use Paid Time Off hours for holidays. PTO must be used for regularly scheduled work days.

K. JURY DUTY

The agency will pay a regular or temporary salaried or hourly employee's regular salary during jury duty. Proof of service must be submitted and jury fees must be relinquished to the agency.

L. EMERGENCY CLOSINGS

The agency will be open unless there is an emergency that would impact the health and safety of staff and individuals served. If the agency closes or an employee cannot get to work because of inclement weather, or an employee is not scheduled to work due to low census of individuals served, full-time employees **can choose** to use Paid Time Off (PTO) or take a day without pay. If transportation is cancelled, direct care staff must check with their supervisor whether they should report to work.

M. LAYOFF AND RECALL

The agency will attempt to provide regular and continuous employment for its employees. However, in the event it becomes necessary for the agency to reduce its workforce because of adverse economic conditions or changes in program or service emphasis, layoff may occur.

All employees will be selected for layoff based on demonstrated ability of past and current performance, ability to promote, and transferability of skills to other positions among service areas.

Employee benefits will not accrue during layoff. The employee will receive all accrued PTO hours, up to the maximum payoff, prior to the start of layoff.

N. LEAVE OF ABSENCE

The agency shall adhere to federal and state laws regarding military or other regulated leaves of absence. All other unregulated leaves shall be subject to the following provisions.

- Leave of absence is elective unpaid time off. Unpaid time off associated with Disability or Worker's Compensation or Bereavement is not considered a Leave of Absence. A written request for a leave of absence must be submitted to the employee's supervisor and Human Resource Coordinator to be approved by the Executive Director.
- Any regular full- or part-time salaried or hourly employee who has been working their regularly scheduled job and hours for the past three (3) months may seek approval for an unpaid leave of absence.
- In non-emergency situations, approval will be contingent upon work load and program coverage.
- Employee benefits will not accrue during a Leave of Absence.
- An employee may be able to return to work in the same position with the same salary and benefits (as defined in these policies) as the employee was receiving at

the time of the leave of absence began. This will be determined by the length of leave and availability of the job.

- Employees who accept or begin other employment while on leave may be considered to have terminated employment with the agency as of the date that the leave began.

O. FAMILY AND MEDICAL LEAVE OF ABSENCE

Employees who have been on full-time permanent employment status for at least one (1) year and have worked at least 1,250 hours the prior year are eligible for up to twelve (12) weeks (also calculated as 480 hrs.) of unpaid leave under the Family Medical Leave Act. The leave also entitles employees group health benefits (if agency carries the benefit) to be maintained during the leave as if the employee continued to work instead of taking leave. Employees are also entitled to return to their same or an equivalent job at the end of their FMLA Leave. FMLA is calculated on a rolling 12-month period starting from the date the employee first uses FMLA.

An employee may use FMLA leave for: 1) their own serious health condition; 2) care of a child, parent or spouse's serious health condition; or 3) birth, adoption, or foster placement. A serious health condition is considered inpatient care such as an overnight stay at a hospital or a condition that requires continuing treatment. Leave taken for birth, adoption, or foster placement must be used within 12 months of the event.

The FMLA allows eligible employees to take leave in two ways:

1. *Continuous leave* means taking consecutive workdays as leave.
2. *Intermittent leave* involves the use of days or hours, broken down into increments, to care for a family member with a serious illness or to receive treatment for the employees' own serious illness.

The FMLA entitles eligible employees to both "intermittent" leave and, when medically necessary, "continuous" leave.

P. MILITARY FAMILY LEAVE ENTITLEMENTS

Eligible employees whose spouse, son, daughter or parent is on covered active duty or call to covered active duty status may use their 12-week leave entitlement to address certain qualifying exigencies. Qualifying exigencies may include attending certain military events, arranging for alternative childcare, addressing certain financial and legal arrangements, attending certain counseling sessions, and attending post-deployment reintegration briefings. FMLA also includes a special leave entitlement that permits eligible employees to take up to 26 weeks of leave to care for a covered service member during a single 12-month period. A covered service member is: (1) a current member of the Armed Forces, including a member of the National Guard or Reserves, who is undergoing medical treatment, recuperation or therapy, is otherwise in outpatient status, or is otherwise on the temporary disability retired list, for a serious injury or illness; or (2) a veteran who was discharged or released under conditions other than dishonorable at any time during the five-year period prior to the first date the eligible employee takes FMLA leave to care for the covered veteran, and who is undergoing medical treatment, recuperation, or therapy for a serious injury or illness.

An employee must give 30 days' notice if there is a foreseeable need for FMLA. If leave is requested for a serious health condition, the employee is required to provide certification of a health care provider justifying the need for FMLA. The employee has 15 calendar days to return it to the facility.

Employees are required to use accrued paid time off hours (PTO) as part of the 12-week FMLA leave unless Worker's Compensation is also running concurrently. **PTO, annuities or dependent care benefits will not be earned during the FMLA.**

"Fitness for Duty" certification is required upon return if leave was for the employee's own serious health condition. An employee is entitled to the same or equivalent position upon their return unless the person is unable to do essential functions with or without reasonable accommodation.

Q. NON-JOB-RELATED INJURY OR ILLNESS

Eligibility

This section applies to all Full-time and Part-time Employees.

An absence due to personal illness, injury or pregnancy which exceeds twenty (20) consecutive working days (pro-rated for part-time employees based upon full-time equivalency and converted to an hourly schedule) and during which time the employee is under a physician's care.

Unpaid-time-off begins after all accrued Paid Time Off (PTO) have been used.

Returning to Work

Prior to returning to work from an injury/illness, an employee must notify and submit a Return-to-Work certificate aka: Fitness for duty, doctor's release to the appropriate supervisor and Human Resource Coordinator. The doctor's release must indicate that an employee is able to resume normal work obligations. When possible and appropriate, the agency will cooperate with a doctor's written orders for restrictions placed on an employee in order to return to "light duty", if available, until the employee's return by their respective Supervisor, as long as the accommodations are reasonable and does not cause undue hardship on the organization. A Return-to-Work certificate may be obtained upon request to the Human Resource Coordinator.

When an employee is able to resume normal work obligations, the agency will attempt to assign that employee to the same or a substantially equivalent position. The agency does not guarantee a position will be available when an employee is released by a doctor to return to work. If a position is not available, the employee will be offered the next available position, if any, for which the employee is qualified. The position offered may not be the same salary and/or benefits (as defined in these policies) as the position held by an employee prior to a disability. An employee who is unable to resume their normal work obligations as outlined in their Job Description, the employee must request an accommodation in writing to the HR department for review. An accommodation request

does not require an employer to provide an accommodation or an exception to employer policies. The agency will not discipline, terminate, or retaliate against employees for requesting an accommodation.

An employee who accepts or begins other employment while on medical leave may be considered to have terminated employment with the agency as of the date of acceptance of other employment.