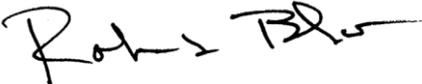




## Attendance & Leave Policy

POLICY NUMBER: 100-02	EFFECTIVE DATE: 10/1/2015	APPOINTING AUTHORITY APPROVAL: 
REPLACES POLICY DATED: 10/29/2010	AUTHORITY:	

### I. PURPOSE

This policy sets general requirements for DAS employees regarding attendance, usage of leave and absence management. DAS has specific policies dealing with topics such as work hours, leaves of absence, conduct and discipline, and other human resources related policies.

### TOPICAL INDEX

- 1.0 Call off
- 2.0 Tardy
- 3.0 Sick leave/Leave in Lieu of Sick
- 4.0 Physician's verification
- 5.0 Pattern Abuse
- 6.0 Other Leaves: Usage and Approval
- 7.0 Attendance at Retirement Seminars, State Interviews and Civil Service Testing

## II. POLICY

### 1.0 Notification of Absence (Call-off)

- 1.1 **DEADLINE:** An employee who is unable to report for work and is not pre-approved for leave must timely “call-off.” A call-off made beyond 30 minutes after the employee’s regularly scheduled start time is considered late. DAS Security and Radio Operators must call-off a minimum of one hour before the start of their shift.
- 1.2 **DOCUMENTATION:** Supervisors must complete the electronic “call-off” form each time an employee calls off work. Employees must answer all questions asked by the supervisor from the form, which is located: <http://das.ohio.gov/Portals/0/DASDivisions/DirectorsOffice/pdf/EmployeeCallForm.pdf>
- 1.3 **REASONS:** Call-offs are generally acceptable in the following situations:
  - 1.3.1 when calling off sick
  - 1.3.2 to deal with an unforeseen or emergency situation
- 1.4 **LEAVE USAGE:** Prior approval is required for other reasons/types of leave usage. Any variance from this policy requires written approval from the supervisor. If the employee requests personal leave for an unforeseen, personal, or emergency situation, the supervisor may require documentation. Call-offs requesting vacation leave are generally not acceptable due to disruptions caused by unexpected absences. Refer to Section 3.3 for using vacation leave in lieu of sick leave under certain circumstances.
- 1.5 **METHOD:** All call-offs must be made by the employee, unless extenuating circumstances exist. Call-offs by other persons on behalf of the employee are only acceptable upon a showing of inability of the employee to make the contact (e.g. hospitalization, loss of telephone service due to weather emergency, etc.). The default form of contact for call-off is telephone contact through live conversation or voice message. However, with advance notice to affected employees the receiving supervisor has discretion to allow call-offs to be made in one or more of the following ways: live contact telephone call, voicemail message, email, cellular text message or other agreed to and practicable means. Supervisors shall not require employees to make multiple contacts or use multiple mediums for any single call off. Notification must be made on a daily basis, unless otherwise instructed by the supervisor.
- 1.6 **RETURN TO WORK:** Employees shall notify their supervisor or manager whenever their ability to return to work changes or when there is a change in the date of return to work. Verification of medical or emergency circumstances may be required.

### 2.0 Tardiness

- 2.1 **DEFINITION:** Tardy means arriving for work after the regularly scheduled start time for fixed schedule employees and after the start window for flexible start

time employees. An employee may be tardy up to four (4) times per calendar month before being subject to disciplinary action.

- 2.2 LIMITS: Any single instance of lateness exceeding 30 minutes after start time or after the end of the start window will not be considered tardy but is deemed an absence. Rules concerning absences apply including notification and excuse.
- 2.3 MAKEUP: Employees must “make-up” any tardy by either flexing time with approval of the supervisor, and in conformance with the DAS Work Hours policy, or by taking leave.
- 2.4 MITIGATION: Mitigating circumstances will be considered prior to imposition of any discipline.

In cases where the employee submits a request for leave, and the tardiness is not excused, the supervisor will approve it FOR PAYROLL PURPOSES ONLY.

Employees experiencing attendance-related problems may benefit from services provided by the Ohio Employee Assistance Program (EAP). Employees may contact EAP at 1-800-221-6327 (toll-free statewide) or 614-644-8545 in Columbus.

### **3.0 Sick Leave**

- 3.1 AUTHORIZED USAGE: Employees may use accrued sick leave for the following reasons:
  - 3.1.1 For absence due to personal illness, injury, or pregnancy-related condition of the employee or a member of the employee’s immediate family.
  - 3.1.2 Exposure of an employee to a contagious disease which could be communicated to and jeopardize the health of other employees.
  - 3.1.3 Examination of the employee, or a member of the employee's immediate family where the employee's presence is reasonably necessary, including medical, dental, psychological, or optical examination. Refer to the individual bargaining unit agreement for additional information.
  - 3.1.4 May be used in addition to bereavement leave for death of a member of the employee's immediate family where bereavement leave is provided. Such usage is limited to a reasonable time not to exceed five days of sick leave.
  - 3.1.5 Employees may elect to utilize sick leave to supplement an approved disability leave, workers’ compensation claim or childbirth/adoption leave.

### **3.2 PARTIAL DAY AND MULTIPLE DAY SICK LEAVE ABSENCES (REQUIRMENTS)**

- 3.2.1 When use of sick leave is not planned, employees shall notify the employer in accordance with this policy: See Notification of Absence (Call off). The employee must notify the supervisor of any projects or work due while they are out.
- 3.2.2 If sick leave continues past the first day, the employee will notify his/her supervisor or designee of the anticipated duration of the absence. The employee must call in everyday of the absence unless an alternate schedule for call off is arranged with permission of the supervisor. In the case of a condition exceeding 3 consecutive calendar days, a physician's verification statement may be required. After an employee has been under the care of a physician, or off for 3 consecutive work days, a return to work release may be required prior to the beginning of the first work shift.
- 3.2.3 Requests for an entire day of sick leave for routine medical or dental appointments are not acceptable unless there are extenuating circumstances that would prevent the employee coming to work before or after the appointment. Supervisors or managers have the right, as well as the obligation, to ask the time of the appointment.

### 3.3 REQUESTING LEAVE IN LIEU OF SICK LEAVE

- 3.3.1 Upon exhaustion of sick leave, employees can request to use accrued vacation, compensatory time or personal leave in lieu of sick leave. (Employees will generally be required to exhaust all leave prior to going into leave without pay status. Requests for leave without pay in lieu of sick leave will be reviewed according to criteria in DAS POLICY Leave without Pay)
- 3.3.2 Employees requesting other paid leave in lieu of sick leave must supply physician's verification within three days of returning to work.

## **4.0 Physician's Verification**

- 4.1 REQUIREMENTS: An employee may be required to provide a statement from a physician who has examined the employee or member of the employee's immediate family for all future illness. Leave for those employees who have been required to provide a physician's verification will be considered for approval only if the physician's verification is provided within 3 days after returning to work. (Placement on physician's verification is done by the assigned Human Resources Coordinator, in consultation with the Labor Relations Officer.) The supervisor or manager shall review sick leave balance for all assigned employees. Physician's verification may also be required for isolated uses of sick leave. In these cases, the supervisor will notify the employee of the requirement in conjunction with the employee call off.

## **5.0 Pattern Abuse**

5.1 **EXAMPLES:** Inappropriate and unauthorized use or abuse of sick leave may include, but is not limited to: before or after holidays; before or after weekends or regular days off; after paydays; on any specific day; following overtime worked; pattern of half days; in a continued pattern of maintaining zero or near-zero leave balances; or excessive absenteeism.

### **5.2 NOTICE OF PATTERN ABUSE**

5.2.1 When an employee demonstrates a pattern of leave abuse, the employee will receive a notification of pattern abuse from his or her supervisor or manager.

5.2.2 The employee's supervisor, in consultation with the Office of Employee Services, shall meet with the employee to discuss the employee's use of sick leave. The purpose of the meeting shall be to allow the employee the opportunity to discuss any extenuating or mitigating circumstances concerning the use of sick leave of which the supervisor or manager should be aware. This meeting is not for the purpose of requiring the employee to explain his/her prior use of sick leave or the employee's medical condition, nor is it to be considered as disciplinary in nature.

### **5.3 SICK LEAVE AND HOLIDAY PAY:**

5.3.1 Holiday leave can be forfeited by certain OCSEA employees when they use sick leave before and after the following Holidays: New Year's Day, Memorial Day, Independence Day, Thanksgiving and Christmas. This applies only in classifications which the employer designates as normally requiring overtime to cover an absence. Employees in this group must provide documented extenuating circumstances to maintain eligibility for holiday pay. See Article 26.04 of the collective bargaining agreement for more details. Ask your supervisor if you are affected.

## **6.0 Other Leaves: Usage and Approval**

The employer reserves the right to limit the number of employees who are scheduled off work at any one time, including persons on leave, excluding employees on disability leave and subject to terms of law and collective bargaining agreements.

All requests for leave shall be made by submitting a completed request for leave (RFL) in advance of the absence (except for absences incurred due to call-off as described above).

6.1 **APPROVAL:** Approval of all requests for leave is at the discretion of the immediate supervisor or manager and will be done in conformance with any applicable collective bargaining agreements. In the event the leave is requested so far in advance that it is not operationally feasible to determine whether the leave can be granted, the supervisor or manager shall notify the employee and

arrange for future consideration. Supervisors and managers are reminded that their approval/certification requires that they verify the authenticity and accuracy of the request for leave with payroll records they approve and or certify.

- 6.2 CONFIRMATION: The employee must receive confirmation of approval prior to the usage of leave. If leave use is unplanned, the request for leave shall be completed as soon as the employee returns to work. In the case of an absence that extends over a pay period ending date, the employee should contact the supervisor or manager to make necessary arrangements for submitting a leave request. Failure to contact the supervisor or manager may result in delay of pay and may subject the employee to discipline.
- 6.3 LEAVE BALANCES: The employee is responsible for ensuring enough leave is available for all absences or else the employee may be subject to discipline. Employees can monitor leave totals provided on their bi-weekly pay stubs within the Ohio Administrative Knowledge System.
- 6.4 PERSONAL LEAVE: Bargaining unit employees shall refer to the applicable collective bargaining agreement regarding the use of personal leave. Use of personal leave for all other employees shall be charged in minimum units of two hours or the entire duration of the employee's scheduled shift if the employee is requesting to use personal leave for the entire shift. Personal leave may only be used in minimum units of less than two hours if the employee is using personal leave to supplement disability, workers' compensation or childbirth adoption leave. Personal leave shall generally be granted if an employee makes the request 48 hours in advance of an absence. In an emergency, the request shall be made as soon as possible and the supervisor or manager will respond to the request promptly. An employee may be required to provide documentation of the emergency.
- 6.5 VACATION AND COMPENSATORY LEAVE: Vacation and compensatory leave may be used when mutually agreed upon by the supervisor/manager and the employee, and must be done in conformance with all applicable laws and collective bargaining agreements. The supervisor or manager shall consider all requests for leave when approving or denying requests for vacation or compensatory leave.
- 6.6 LEAVE WITHOUT PAY/USING MORE LEAVE THAN AVAILABLE: Any permanent employee who is absent and has no leave available to cover that absence may be subject to discipline, unless the absence is covered under FMLA. Requests for leave without pay will not be approved if an employee has applicable leave hours available to cover the absence.
- 6.7 ABSENT WITHOUT LEAVE/UNEXCUSED ABSENCE: An employee that is absent and has not requested leave or has been denied paid leave, unpaid leave, or a leave of absence may be subject to discipline. (Refer to DAS 500-04 Conduct and Discipline Policy for more information). An employee must notify his or her supervisor of absences in advance unless extenuating circumstances exist. Failure to do so may be subject to discipline. If the absence is for three (3) or more consecutive days without notification, an employee may be subject to discipline, up to and including termination.

6.8 OTHER LEAVE: Consult other DAS policies in the Policy Index concerning other types of leave such as: Unpaid leave, FMLA, Disability leave, Military leave, Funeral Honors Duty leave, and Voluntary Cost Savings leave.

### **7.0 Attendance at Retirement Seminars, State Interviews and Civil Service Testing**

7.1 PERS SEMINARS: Employees who are within one (1) year of eligibility for full retirement may be released to attend a PERS information seminar during regular work hours.

7.2 CIVIL SERVICE TESTING: Employees may be granted time off without loss of pay for up to three examinations during any one calendar year.

7.3 INTERVIEWS FOR STATE POSITIONS: Full or part-time permanent employees may be released during work hours to attend interviews for positions paid by warrant of Director of the Office of Budget and Management (e.g. state agencies, boards and commissions). Release will be for a reasonable amount of time. Employees will be released for an unlimited number of interviews for DAS positions. Employees will be released for interviews with other agencies up to two times per year.

### **III. REVISION HISTORY**

Date	Description of Change
1/27/2004	Initial Policy issued
4/5/2004	Policy reformatted
10/29/2010	Policy Revised and retitled
10/1/2015	Policy Revised and retitled