



## Jefferson County

## Employee Administrative Rules & Regulations

### Time and Attendance

**Rule Number:** 5.1.X

Date Established: 1/15/2025

#### **1.0** PURPOSE

To establish a uniform Rule governing County employees who are Tardy, Absent Without Approved Leave, and Absent Without Leave (AWOL).

It will be the Rule of the Jefferson County Commission that employees who are absent from work without any form for accrued paid leave or without approved leave without pay will be marked, for payroll purposes, as Absent Without Leave (AWOL). Additionally, employees not arriving for work on time without approval for any form of paid leave or leave without pay will be marked as defined below. It will also be the policy of the Jefferson County Commission that employees marked as AWOL (Absent Without Approved Leave), or Tardy may be subject to discipline up to termination of employment.

#### **2.0** DEFINITIONS

##### **2.1** **Paid Time Off (PTO) includes:**

- a. Military Time is unpaid
- b. Vacation
- c. Sick
- d. Compensatory Time (Comp Time)
- e. Floating/Variable Holiday
- f. Vacation Leave Bank

##### **2.2** **Absent Without Leave (AWOL).** An employee is deemed AWOL when he/she is:

- a. unavailable for work as assigned/scheduled and does not have adequate Paid Time Off (PTO) or any other approved leave type to cover the duration of the leave.

##### **2.3** **Absent Without Approved Leave / Unauthorized Leave.** An employee is deemed "absent without approved leave" when the employee:

- a. is absent from work without prior authorization or proper notice in accordance with the requirements for the leave type used. Absence without approved leave is a violation of this Rule. For example, an employee takes an extended meal period without approval. The employee will be deemed unauthorized for

any amount of time outside their scheduled meal period and may be subject to further discipline.

- b. is thirty (30) minutes or more late arriving for the normally scheduled beginning of the shift without notifying their supervisor. The employee will be deemed Absent without approved leave from the beginning of the shift time regardless of available PTO.
- c. leaves their assigned work location prior to the scheduled end of the shift without receiving approval from their supervisor.
- d. To accommodate corrective employee behavior, each unauthorized absence will remain for a six (6) month rolling period.

**2.4 Compensatory Time.** Time earned in lieu of overtime may be utilized by the employee with supervisor approval at any time after the week in which it has been earned has ended. When requesting compensatory time, use the same process as requesting vacation leave. Please refer to the departmental rule for comp time.

**2.5 Job Abandonment.** An employee who has been absent five (5) consecutive days of work without approval or without notifying their immediate supervisor or department head will be considered to have abandoned their job in accordance with the Job Abandonment Rule. The department head or immediate supervisor will notify the County Attorney's Office, the HR Director and the Chief Compliance Officer immediately that the employee has abandoned his or her job. A disciplinary hearing may **not** be extended in such cases of job abandonment unless extenuating circumstances exist, as determined by the County Attorney's Office.

**2.6 Overtime.** Time worked, with prior approval, more than forty (40) hours in a work week.

**2.7 Tardy.** An employee is considered tardy when he/she:

- a. is late for work, without prior authorization, twenty-nine (29) minutes or less, and has adequate PTO to cover any time from the start of the shift. If the tardy expands to thirty (30) minutes or more, it becomes absent without approved leave. Unanticipated or emergency call-ins after an employee's scheduled start will be considered for approval or exception by the supervisor on a case-by-case basis.
- b. This Rule is violated when an employee exceeds three (3) tardies within thirty (30) days. To accommodate corrective employee behavior, each Tardy will reset within a thirty (30) day rolling period.

**2.8 Violation of Rule.**

- a. Exceeds three (3) tardies within thirty (30) days constitutes one (1) violation.

- b. Three (3) unauthorized leaves / unauthorized absences within six (6) months constitute one (1) violation.
- c. One (1) AWOL equals one (1) violation.

**3.0 PROCEDURE**

This rule addresses the Attendance and Leave Rule in accordance with Personnel Board of Jefferson County Rule 13 Attendance and Leave.

Timely and consistent attendance of employees is a critical expectation for the efficient performance of all Jefferson County operations. To ensure adequate staffing, positive employee morale, and to meet expected productivity standards throughout the organization, employees are expected to adhere to workplace scheduling and report absences in accordance with this Attendance and Leave Rule.

Employees are responsible for obtaining approval for absences from their supervisor in accordance with reporting and notice requirements. See the pre-approval timeline chart below. This approval includes requests to use appropriate accruals, as well as scheduled late arrivals to or early departures from work or emergency situations that may arise during the workday. While the Department makes every effort to accommodate requests, denial of requested leave may occur from time to time to accommodate operational needs. Employees failing to adhere to this Attendance and Leave Rule and/or applicable department policies for approved absences may be subject to disciplinary action up to and including dismissal.

Managers have the discretion to evaluate extraordinary circumstances resulting in a tardy, absence, or failure to clock in or clock out {if normally required to do so}. Any incident deemed to qualify as extraordinary circumstances will be communicated to the Payroll Coordinator by the manager.

**3.1 Reporting and Notice**

- a. Leave Requests - Employees are expected to request permission for planned absences and receive approval from their supervisors. It is the responsibility of employees to maintain awareness of their available leave balance in UKG READY. For operational purposes, sufficient advance notice from the employee is expected; this will allow proper coverage to ensure operational continuity.

In general, the following pre-approval timelines will apply:

<b>Leave Duration</b>	<b>Minimum prior notice</b>
1-3 days	1 day
3 -5 days	3 days
More than 5 days	5 days

*Supervisors may waive minimum prior notice requirements for extraordinary circumstances; However, any such exceptions will be documented.*

- b. Call-in Procedure – Employees must request permission for unplanned absences / leave requests as soon as possible, but at least thirty (30) minutes prior to the start of the shift and receive approval from their supervisors. Acceptable forms of requesting permission are as follows:
- Phone call – Call the immediate supervisor’s mobile or office phone. If a supervisor is not available, leave a voice message and call the supervisor at the next level of your chain of command.
  - Text or Email message – Text your immediate supervisor your name and contact information, date/time of leave and expected return. Also specify late arrival or all-day leave request, the reason for unplanned leave request, and type of leave (vacation, sick, FMLA) requested.
- c. Same-Day Sick Leave Requests - Employees are expected to notify their respective supervisor at least thirty (30) minutes prior to the start of their shift if they are requesting Sick Leave for the same day as their request.
- At the time of notification, the employee must inform their supervisor if the absence is due to a documented approved leave of absence (FMLA). To ensure appropriate tracking of leave utilization and absenteeism, the employee must notify the FMLA / Extended Medical / Disability provider. Previously approved leaves of absence are not subject to additional documentation requirements for the duration of approved leave. However, in accordance with the Personnel Board of Jefferson County Rule 13.10e the Appointing Authority may require a doctor's certificate or other written evidence to substantiate the need for sick leave for all other sick leave usage. An employee that has FMLA approval for continuous leave must bring a return-to-work certification, if attempting to return outside the previously approved window. Employees are not authorized to return to work without certification.
  - In addition to the reporting requirements for leave requests, employees may be required to provide a doctor's certificate or other written evidence upon return to work. The manager may instruct the employee to request FMLA according to HR Rules. Additionally, employees with more than six (6) months of service with accrued sick leave balances of less than twenty-four (24) hours will be required to submit a doctor's certificate or other written evidence for each absence, regardless of duration.
  - The Department Head may waive documentation requirements for employees who have recently experienced a major qualifying event.

- d. Clocking In/Out - Employees are required to follow established guidelines for recording their actual hours worked. A missed clock in/out is a violation of this Rule, is subject to disciplinary action, and includes:
- Failure to clock in/out on the designated time clock (i.e. Kronos station) at the beginning and/or end of the assigned shift.
  - Failure to accurately and timely report time worked.
  - Clocking in/out early (or late) for an assigned shift without prior approval.

Employees are required to clock in and out according to the scheduled shift times unless authorized by their supervisor. They should advise their supervisor immediately if a missed punch or error at the time clock is encountered.

- e. Tardy - Employees are expected to notify their supervisor at least thirty (30) minutes prior to the start of their shift if they will be late for work. Employees with adequate Paid Time Off (PTO) to cover the reported absence from the start of the shift until the clock in will be considered tardy. Employees failing to provide notice prior to the start of the shift will be considered absent without approved leave, and those without adequate PTO to cover the reported absence will be considered AWOL from the start of the shift until the clock in.
- Incidents of not following the County and department notification procedures, including No-Call/No-Show, will be addressed in accordance with the Progressive Discipline Rule.
- f. Probationary Employees are defined as employees within the first twelve (12) months of employment with Jefferson County. Generally, adherence to time and attendance requirements are evaluated during three (3), six (6), nine (9), and twelve (12) month performance evaluations. However, it may be necessary in certain circumstances to address violations or patterns of poor performance outside the normal review structure. (see Personnel Board of Jefferson County Rule 14 Performance Appraisal Ratings). Employees exhibiting patterns of attendance abuse should be counseled and made aware of expectations pursuant to the Time and Attendance Rule. Those probationary employees who, despite performance management, continue to violate this Rule will be subject to discipline up to and including termination.

### 3.2 Progressive Discipline Process

Supervisors are responsible for monitoring their employees' attendance on a regular basis and addressing unsatisfactory attendance in a timely and consistent manner. Employees failing to adhere to Tardy, Unauthorized Leave/Absence, and AWOL AO will be subject to escalating disciplinary action.

Progressive Violations of Rule	
1 <sup>st</sup> Violation	Step 1: Request for Contemplated Discipline (1-3 day suspension)
2 <sup>nd</sup> Violation	Step 2: Request for Contemplated Discipline (3-5 day suspension)
3 <sup>rd</sup> Violation	Step 3: Request for Contemplated Discipline (5-day suspension up to termination)

### 3.3 Holiday / On-Call

Emergency operations require designated staff to be available when scheduled. Employees will not be approved for vacation once the two-week on-call schedule has been approved unless approval is given for extraordinary circumstances by the Manager.

If an on-call employee becomes sick, notice must be given to the supervisor in accordance with normal time and attendance policies so that alternate assignments can be made.

### 3.4 Overtime

Employees who have signed up for over-time shifts and have received notification from their supervisor that they are scheduled for the shift are subject to the same notification and absence procedures as normally scheduled shifts, except that the absence will not be counted in the total number of days absent when considering progressive discipline.

However, employees reporting off more than 3 times in a rolling 12-month period for scheduled overtime shifts will not be eligible to sign up for a period of 3 months following the third absence.

## 4.0 RETROACTIVE LEAVE ADJUSTMENT PROHIBITED

Except as provided for in Administrative Order 07-02, the Payroll Manager shall not retroactively change a County employee's AWOL designation to another pay code without County Attorney review and approval.

This Rule does not apply to absences covered by Family and Medical Leave (FMLA) or leave provided as reasonable accommodation under the Americans with Disabilities Act (ADA). These exceptions are described in separate Rules.