

## **Custodial Operations Employee Attendance Policy**

**Revised 5/15**

**03.02.01**

**Issue No.10**

**Effective Date: 4/96**

**(E2Y)**

**Review Date: 5/17**

*Reference(s): UPPS 04.04.30 University Leave Policy; UPPS 04.04.40 Disciplining and Terminating Staff Employees, UPPS No. 04.04.41, Staff Employee Mediation and Grievance Policy and UPPS 04.04.43 Workers' Compensation Injuries, Illnesses and Claims.*

### **I. PURPOSE**

The purpose of this policy is to establish open communication and encourage pre-planning between employees and their supervisors to allow efficient scheduling of work, rescheduling when possible and accommodations if necessary. The policy explains procedures and definitions for Custodial Operations within the limits of the university's leave and other policies. It is also intended for use as a guideline and basis for action for management as they supervise their work groups regarding routine attendance issues. It is not intended to cover every circumstance that may occur. In these cases other university policy and procedure statements may apply.

### **II. EXPECTATIONS**

Employees are recognized as valuable assets hired to accomplish the business of the university and the State of Texas. Thus they are expected to meet the attendance policy and procedure requirements established by Custodial Operations as necessary for the department to meet the needs of the university.

### **III. DEFINITIONS**

- A. Absence – An absence is considered any amount of time away from a scheduled work shift to include arriving late and leaving early.
- B. Excused Absence
  - a. Any absence requested and approved at least 24 hours prior to use to include any leave provided by university policy such as funeral leave, jury duty, children educational activities leave, military duty, or workers' compensation leave due to an on-the-job injury or illness.
  - b. Any unscheduled illness-related absence if an employee notifies the Custodial Office before the start of their scheduled work shift or notifies their supervisor prior to leaving their assigned area in the case they are already at the workplace.. In both cases, the employee must provide a physician's excuse or written statement acceptable to the supervisor.

- c. Any unscheduled absence immediately after an approved sick leave appointment as a result of a physician's order not to return to work. In this case, the employee must notify the Custodial Office before leaving the physician's office and, upon returning to work, provide a physician's excuse covering the period of absence.
- C. Unexcused Absence – Per UPPS 04.04.30, "University Leave Policy", Section 04.08, an absence is considered unexcused if the employee does not secure appropriate approval in advance or does not provide acceptable documentation upon request. In this case, the employee is not eligible to use paid leave.

#### **IV. ABSENCE NOTIFICATION**

- A. Employees are expected to exercise professionalism and common courtesy at all times by personally notifying the Custodial Office at 512-245-2181 prior to the beginning of their scheduled work shift if they will be absent or tardy without pre-approval. The reason for the absence (sick, vacation, etc.) should also be stated in the notification to ensure proper documentation.
- B. Supervisors shall list all excused absences when they make their daily notifications to the Custodial Office and maintain the documentation to attach to the timesheets.

#### **V. DOCUMENTATION REQUIREMENTS**

Supervisors are responsible for maintaining timely, accurate documentation of their employees' attendance.

If appropriate documentation for an absence is not provided in a timely manner, the absence will be considered unexcused. This means the employee may not use their paid leave.

- A. Sick Leave
  - 1. Per UPPS 04.04.30, "University Leave Policy", Section 04.06, employees may take sick leave with pay when sickness, injury, or pregnancy and confinement prevent the employee's performance of duty or when the employee needs to care for an immediate family member with an actual illness; or to obtain medical or dental examinations as part of an employee's or immediate family member's personal health maintenance program. For purposes relating to regular sick leave, immediate family is defined as those individuals who reside in the same household and are related by kinship, adoption, or marriage, as well as foster children certified by the Texas Department of Protective and Regulatory Services. For the purpose of regular sick leave, the university considers the employee's minor children as immediate family, whether or not they are living in the same household.

An employee's use of sick leave for family members not residing in that employee's household is strictly limited to the time necessary to provide care and assistance to a spouse, child, stepchild or parent (not stepparent) of the employee who needs such care and assistance as a direct result of a documented medical condition.

2. 04.07 Children Educational Activities – Employees are allowed to use up to eight hours of sick leave each fiscal year to attend educational activities of their children in grades pre-kindergarten through 12<sup>th</sup>. Education activities are school sponsored, including parent teacher conferences, tutoring, volunteer programs, field trips, classroom programs, school committee meetings, academic competitions, and athletic, music, or other theater programs.
3. 04.08 If an employee wishes to use accumulated sick leave with pay during a continuous absence due to illness of more than three working days, he or she must provide the supervisor with a doctor's excuse or written statement of the facts pertaining to the absence that is acceptable to the supervisor.

A supervisor may require a doctor's excuse or other written statement of the facts concerning the illness that he or she finds acceptable if the sick leave usage is questionable, even if the absence is less than three continuous working days. When a doctor's excuse is provided, supervisors must rely on it in determining eligibility for sick leave usage.

An absence is considered "unexcused" if the employee does not secure appropriate approval in advance or does not provide acceptable documentation upon request. In this case, the employee is not eligible to use paid leave.

- B. Other Paid Leave – Documentation must be provided as outlined in UPPS 04.04.30, "University Leave Policy" such as a jury duty certificate or military orders.

## **VI. POLICY THRESHOLDS – New Employees**

- A. Each employee that has worked less than six (6) months for the department is allowed to accumulate up to three (3) unexcused absences and/or days of Leave without pay (LWOP) within a continuous rolling six (6) month period of working days.
- B. In cases where an employee has exceeded the maximum allowable unexcused absences within the first six months of worked time on the job they may be subject to dismissal.

## **VII. POLICY THRESHOLDS - Employees**

- A. Each employee that has worked in excess of six (6) months for the department is allowed to accumulate up to six (6) unexcused absences within a continuous rolling six (6) month period.
- B. An accumulation of seven (7) or more unexcused absences within a continuous rolling six (6) month period will result in disciplinary sanctions for the employee as noted below. The "continuous 6 month period" is defined as the immediate 6 months prior to each unexcused absence. For example, *if an unexcused absence were assessed on August 6<sup>th</sup> the continuous 6 month period for that absence would date back to February 6<sup>th</sup>.*

### **C. SCHEDULE OF SANCTIONS**

The following schedule outlines the minimum sanctions to be imposed for accumulated excessive unexcused absences. Greater or lesser sanctions may be imposed if so warranted in the judgment of the Director, Custodial Operations.

**7** unexcused absences in a continuous rolling six month period results in a verbal reprimand.

**8** unexcused absences in a continuous rolling six month period results in a recommendation of written reprimand.

**9** unexcused absences in a continuous rolling six month period results in a recommendation of a 3 day suspension without pay.

**10** unexcused absences in a continuous rolling six month period results in a recommendation of termination.

D. In all instances of disciplinary action, the Supervisor shall try to determine if there are any extenuating circumstances that should be considered before a disciplinary decision is made. For example, *if the employee has an illness requiring continuous treatment during their work shift, it may benefit the employee and the department to transfer them to another shift.*

Prior consultation with the Director, Custodial Operations and the AVP, Facilities is required for written reprimand and suspension recommendations before being finalized. Human Resources may be consulted as appropriate.

It is important to understand that the university is not required to hold a job open for an absent employee for an indefinite period of time. The university may terminate the employment of an absent employee for business reasons.

Prior consultation with the Director, Custodial Operations, AVP, Facilities, and Human Resources is required for any termination recommendations before being finalized.

D. All notices of reprimand, suspension, and termination must be in writing to the employee and contain the language: *"You have the right to appeal this disciplinary action through the grievance procedures as appropriate in UPPS No. 04.04.41, 'Staff Employee Mediation and Grievance Policy' within ten (10) working days of receipt of this letter. Contact Human Resources if you have questions or need assistance."*

All disciplinary documents will be placed in the employee's department file. A copy of all letters of reprimand, suspension, and termination will be placed in the employee's official personnel file located in Human Resources.

#### **VIII. LEAVE WITHOUT PAY**

Per UPPS 04.04.30, "University Leave Policy", Section 13.04, except for disciplinary suspensions, military leave, workers compensation situations, or an unexcused absence, employees must exhaust all accumulated paid leave entitlements (including sick leave) before receiving permission to go on leave without pay.

#### **IX. LONG TERM ABSENCES** – In addition to the guidelines and basis for actions outlined above, the

university may terminate the employment of an absent employee based upon the business needs of the department. The department will determine each situation on a case-by-case basis and identify the business reasons that justify terminating the employee under these circumstances.

In evaluating the business needs of the department, factors such as the following should be considered:

- whether the nature of the injury or illness prevents the employee from performing the essential functions of his or her position with or without reasonable accommodation. The employee is responsible for providing a medical prognosis showing when he or she can return to work;
- whether other persons are available to perform the duties of the employee's position during the employee's absence;
- whether the employee can perform job duties in a timely manner enabling the employee's department to accomplish its mission; and
- the impact of the employee's absence on other employees (e.g., an increased workload on other employees).

#### **X. JOB ABANDONMENT**

A. Per UPPS 04.04.40, "Disciplining and Terminating Staff Employees", Section 07.03, the university considers any employee who abandons his or her job resigned from employment and will remove the employee from the university payroll effective the employee's last day worked or the last day of approved leave. Job abandonment occurs in either of the following situations:

- An employee fails to report for duty on the first regular workday after a leave without pay.
- An employee is absent for three consecutive workdays without notifying his or her supervisor.

NOTE: Prior to beginning the official termination process, the supervisor will make a good faith effort to establish contact with or ascertain the whereabouts of the employee before separating the employee.

#### **XI. CERTIFICATION STATEMENT**

This policy has been reviewed by Human Resources and approved by the following individuals in their official capacities and represents Custodial Operations policy and procedure from the date of this document until superseded.

Associate Vice President for Facilities

Director, Custodial Operations