Board Policy No. 232

Attendance

ADOPTED: 3/28/1990 **RECENT AMENDMENT:** 6/12/2019 **SEE ALSO:** 232A	**SUBJECT CATEGORY:** SECTION 200 HUMAN RESOURCES **SUBSECTION:** GENERAL **CONTROL DEPARTMENT:** HUMAN RESOURCES

I. PURPOSE:

The purpose of this policy is to establish attendance guidelines for District employees. This policy shall comply with applicable local, state and federal laws, regulations and District collective bargaining agreements.

II. PERSONS AFFECTED:

All District employees. District collective bargaining agreements shall take precedence over this policy if a conflict exists. Represented employees should review their collective bargaining agreement and/or speak to their Union representative for additional clarity on attendance guidelines as applicable.

III. DEFINITIONS:

"Absence" means any day an employee fails to report to work when scheduled that is not otherwise categorized as approved time off or protected leave. Examples of approved time off can include approved vacation days, floating holidays, birthday holidays and management leave. Examples of protected leave can include Family Medical Leave Act (FMLA), Kin Care, California School Partnership Act or California Family Rights Act (CFRA).

"**Early Departure**" means the failure to work a complete workday due to an unscheduled, unexcused early departure.

"**Pattern Absence**" means any absences that are excessively reoccurring. For example, but not limited to, an employee who calls in absent on the day before or after weekends, holidays or vacation days or absences following a payday. Whether such a pattern exists depends upon the particular facts of each case. Pattern absences must be confirmed and approved by the Executive Director of Human Resources and Labor Relations or designee.

"**Failure to Notify**" means the employee's failure to notify his/her direct supervisor when he/she is going to be tardy within fifteen (15) minutes of scheduled start time, return from scheduled breaks or when he/she is departing early.

"**No Call/No Show**" means the employee's failure to report to work as scheduled without any notification to his/her direct supervisor.

"**Approved Time off**" means pre-approved protected leave or time off that an employee has requested and for which the employee has received approval from his/her supervisor, or designee.

"**Tardy**" means the failure of an employee to report to assigned work or work area and be prepared to start work at the scheduled start time, including returning from breaks and meal periods.

"Work Schedule" means a consistent schedule set forth by the District for all District employees that is based on the District's business needs. Work schedules can either be set or changed by the Department on an "as needed" basis or through bid or bidding process.

"Workday" means a twenty-four (24) hour period in which eight (8) hours (or as defined by collective bargaining agreements) of work is performed. The District's workday begins at 12:00 AM and ends at 11:59 PM.

IV. POLICY:

A. General:

1. Regular attendance, dependability and punctuality is required of all District employees to ensure operating needs are met to deliver safe, reliable and sustainable transit service to the public. The District establishes employee work schedules, including start times and locations, according to business needs and requirements. District employees are expected to work their assigned hours and days, per the work schedule established by the District.

2. Requests for approved time off such as, but not limited to, vacation, floating holidays, and bereavement, or other approved scheduled time off such as military leave, medical leave, or jury duty must be made as far in advance as possible.

   It is the employee's responsibility to request time off, submit his/her request ahead of time, where applicable, and confirm the request was approved in order to ensure operational continuity. The District reserves the right to deny time off requests, consistent with applicable law, and change requested time off dates due to business necessity.

3. Unanticipated absences, tardy incidents, and/or early departures are disruptive to District operations, burden staff, and negatively impact District customers who rely on dependable service. Excessive absences, tardy incidents, pattern absences and early departures are grounds for disciplinary action, up to and including termination of employment.

Additionally, reliable attendance is a requirement when considering an employee for promotions, transfers, performance evaluations or rehire, and may impact an employee's career advancement at the District.

4. Department Heads and Directors are responsible establishing work schedules for employees in their department. All employees are accountable for their responsibilities and commitments to the District. Department Heads are also responsible for ensuring staff accountability for reliable attendance by monitoring absences, pattern absences, tardiness and early departures, and for taking the appropriate corrective action as described in the administrative regulation.

B. Job Abandonment:

If an employee fails to report for work without any notification to his/her direct supervisor, the employee may be considered to have abandoned his/her employment with the District. Failing to notify his/her direct supervisor is considered serious and may result in accelerated disciplinary action. It is the employee's responsibility to notify his/her direct supervisor each and every day that s/he is unable to work. After three (3) working days of "no call/no show", the employee may be terminated for job abandonment.

Exceptions may be provided for emergency situations and will be reviewed on a case by case basis by the Executive Director of Human Resources or designee.

V. AUTHORITY:

A. General Manager's Authority:

The General Manager is directed to issue the necessary Administrative Regulations and create the necessary forms and systems required to provide uniform procedures for all departments and oversee and monitor all aspects of attendance at the District.