



DEPARTMENT OF HEALTH SERVICES HUMAN RESOURCES POLICY & PROCEDURE

TITLE: 401 – ATTENDANCE

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401.01 INTRODUCTION

The Department of Health Services (DHS) attendance policy applies to all permanent, project, and probationary employees. It is intended to establish uniform procedures and standards for employee attendance.

Regular and reliable employee attendance is essential for effective and efficient operations. Employees are expected to report for work as scheduled, on time and prepared to work. Employees are expected to remain at work for their entire schedule or until properly released. Unauthorized absences are disruptive and burdensome to coworkers. Such absences are therefore subject to progressive discipline.

401.02 DEFINITIONS

64-hour threshold: refers to the use of sick leave or other leave in lieu of sick leave exceeding 64-hours in a rolling 12-month period without prior notice. Absences beyond the 64-hour threshold will be deemed unauthorized if proper medical verification is not provided and subject to progressive discipline in accordance with this policy.

Absence: means any scheduled work time during which the employee is unable or unavailable to work.

Immediate family: means the employee's spouse and any of the following of the employee and the employee's spouse: parents, step-parents, grandparents, foster parents, children, step-children, grandchildren, foster children, brother/sisters and their spouses, aunts, and uncles, sons/daughters-in-law or other relatives provided they reside in the same household of the employee, as defined in [ER 18.01 \(4\), Wis. Adm. Code](#).

Probationary period: means the time period after hire but before an employee attains permanent status in the classification as defined in [ER 1.02 \(24\), Wis. Adm. Code](#).

Rolling 12-month period: refers to the previous 12 consecutive months for determining unauthorized absences and discipline. For example, an employee takes 8 hours of sick leave on March 8; the employee will have 56 hours remaining before considered exceeding the 64-hour threshold. The employee will earn back the 8 hours the following March 8 of the next year.

Tardiness: means an employee reports to work within two hours after the employees scheduled start time unless otherwise approved by the supervisor or designee.

401.03 ROLES AND RESPONSIBILITIES

(1) All employees are expected to:

- (a) Report for work as scheduled, on time, and prepared to work;
- (b) Remain at work for all scheduled hours or until properly released;
- (c) Follow proper call-in procedures when unable to report for work as scheduled; and
- (d) Be aware of sick leave usage as it pertains to the 64-hour threshold.

(2) Supervisors are expected to:

- (a) Notify part-time employees of prorated threshold levels;
- (b) Keep track of employee instances of tardiness;
- (c) Monitor leave usage to comply with this policy;
- (d) Ensure employee time has been properly recorded on the official time keeping system;
- (e) Communicate the reporting absences procedures; and
- (f) Establish and communicate work schedules to employees.

Appointing authorities may establish employing unit wide procedures to accomplish these supervisory responsibilities. Appointing authorities establishing such procedures should submit a written copy to the Director of the Bureau of Human Resources for recordkeeping purposes.

401.04 UNAUTHORIZED ABSENCES

Unauthorized absences are subject to leave without pay **and** progressive discipline, up to and including discharge. Under this policy, the following are considered to be unauthorized absences:

- (1) Use of sick leave or other leave in lieu of sick leave in excess of 64 hours in a rolling 12-month period for which an employee has not provided medical verification;
- (2) The fourth and any subsequent instances of tardiness each calendar year;
- (3) Attendance abuse (defined below); and
- (4) Being absent from work without approval, including but not limited to no call/no show, unauthorized leave without pay, taking extended or unapproved break/meal periods, leaving work prior to the completion of the employee's scheduled hours or leaving work before being properly relieved.

Absences under (1) above will be considered authorized if the employee provides adequate medical verification to substantiate the need for the absence and has and uses sufficient accrued sick leave to cover the absence. Medical verification must indicate that the employee was seen by a medical provider on the same day as the absence, or the first day of the absence if out for more than one day. Medical verification must be submitted to the employer the first day the employee returns to work. Medical verification for absences below 64 hours will not be considered, unless the employer has determined the absence qualifies as attendance abuse. Other unauthorized absences under this policy will result in the employee receiving leave without pay. Employees wishing to make up absences within the same work week to avoid counting towards the 64-hours threshold may do so with prior supervisory approval.

Part-time Employees

Part-time employees are subject to the same guidelines as permanent employees except the 64-hour threshold will be prorated based on FTE. Part-time employees will receive written notice of his/her individual threshold limit for absences when they begin part-time employment.

Original Probationary Period

Employees who are on an original probationary period are subject to the same standards as permanent employees but are subject to a prorated absence threshold for the length of the probationary period. For example, a six-month original probationary employee will be limited to 32 hour absence threshold during the probationary period. For discipline related to original probationary period employees, see section 401.08.

Attendance Abuse

The employer will determine if an absence appears to be an abuse of the attendance policy regardless of whether the 64-hour threshold has been met. Examples of such determinations include but are not limited to: calling in sick on a day where the employee was denied vacation; consistently missing the same day of the workweek; calling in sick on or surrounding a holiday, sporting event, etc. When an absence is determined to be an abuse of the attendance policy, the employee may be subject to progressive discipline.

Unauthorized Leave Without Pay

Except where a leave of absence without pay has been pre-approved in accordance with administrative code, department policy or compensation plan provisions, employees must have and use applicable accrued paid leave to cover an absence.

Note: Absences approved under Family and Medical Leave Act and Americans with Disabilities Act are exempt from this policy.

401.05 TARDINESS

Tardiness applies to positions for which set work hours have been established and communicated to affected employees.

The clock identified as the designated clock in the work area will be the reference point for determining the time of arrival and departure. Employees are to notify their supervisor or designee as soon as they become aware they will be tardy and must notify them upon arrival.

An employee's first three instances of tardiness each calendar year will be disregarded in terms of progressive discipline and must be covered with paid leave, other than sick leave. After the third instance of tardiness each calendar year, any additional tardy is subject to progressive discipline and considered an unauthorized absence without pay from the start of the work shift up to the time of arrival.

Late arrival in excess of two hours is an unauthorized absence; employees may request to work the remainder of the shift, but authorization will be at the discretion of the appointing authority or designee.

401.06 REPORTING ABSENCES

An employee who will be absent must notify the employer according to employing unit procedures prior to the start of the shift. In the case of a medical emergency or if the employee is hospitalized, notification by another responsible adult is acceptable. Requests for discretionary time off including personal holidays and vacation are to be handled in accordance with DHS and employing unit procedures.

(1) Reporting Absences Procedures

Employees must notify the employer each day prior to the scheduled reporting time if unable to report to work at the scheduled time.

- (a) Calls must be made as early as possible but no later than 60-minutes prior to the beginning of the scheduled shift or as directed by the appointing authority as specified in the employing unit procedures.
- (b) Employees who receive prior authorization will not be required to call-in each day for those days covered by prior authorization. This will not be applied retroactively.
- (c) Employees who notify the employer after the start of their shift may only be eligible to use paid leave for remainder of their scheduled hours.

(2) Medical/Dental Appointments

Employees should make every effort to schedule medical/dental appointments for themselves and members of their immediate family at times other than during work hours. When that is not feasible, employees are to provide as much notice of **preplanned** medical/dental appointments as possible. If an employee provides at least 72 hours notice to the employer and can provide verification of such medical appointment, the absence will not count towards the 64-hour threshold. If the medical appointment cannot be verified, the absence will count towards the 64-hour threshold. Proper verification of appointments will be as determined by the employing unit.

401.07 SICK LEAVE USAGE

Sick leave usage is authorized only for the purposes identified in [ER 18.03, Wis. Adm. Code](#). Sick leave can be used in the pay period in which it has been earned.

The employer will not require medical verification to use sick leave up to the 64-hour threshold. After this threshold is exceeded, employees may choose to submit medical verification as described in section 401.04.

Sick leave used for a death in the immediate family, in accordance with [ER 18.03 \(4\), Wis. Adm. Code](#), will not count against the 64-hour threshold.

401.08 DISCIPLINARY GUIDELINES

Discipline for violation of this attendance policy will be administered in accordance with DHS Policy and Procedure 502 - Discipline as follows:

1. Discipline will be progressive and cumulative from the first violation until a rolling 12-month period has been free of attendance work rule violations. The 12-month period is measured from the date of the most recent violation that resulted in discipline. *Note:* If the 12-month period is interrupted by a formal leave of absence, the leave of absence will extend the 12 month period.
2. Discipline given under this policy will be for DHS Work Rule violations of:
 - Work Rule #1 “Disobedience, insubordination, inattentiveness, negligence, or refusal to carry out written or verbal assignments, directions, or instructions.”; and
 - Work Rule #14 “Failure to give proper notice when unable to report for or continue duty as scheduled, tardiness, excessive absenteeism or abuse of sick leave privileges.”
3. With the exception of original probationary period employees, violation of the DHS attendance policy will make an employee subject to progressive discipline as follows:
 - First Step: Written reprimand
 - Second Step: Written reprimand in-lieu of a one (1) day suspension*
 - Third Step: Written reprimand in-lieu of a three (3) day suspension*
 - Fourth Step: Five (5) day suspension without pay
 - Fifth Step: Discharge

Note: Discipline at the second and third steps will carry the same weight and effect of a suspension for progressive discipline purposes.

4. In administration of progressive discipline, employees will be permitted to offer mitigating evidence that may be considered prior to imposition of discipline.
5. Progressive discipline will be followed unless the facts of the specific situation warrant a different level of discipline. Each unauthorized absence will be considered a violation of this policy. If an employee has subsequent violations before discipline has been imposed on a prior violation, the violations will be considered together, and may result in an accelerated level of discipline.
6. An original probationary period employee who violates the attendance policy will normally be terminated.

401.09 JOB ABANDONMENT

If an employee fails to report for work as scheduled and fails to contact the employer for a minimum of five (5) consecutive working days (i.e. no call/no show), the appointing authority will consider the employee's position abandoned and will treat the employee as having resigned from his or her position. In such cases, the appointing authority will notify the employee in writing that the employee is being treated as having effectively resigned as of the end of the last day worked in accordance with [ER 21.03, Wis. Adm. Code](#).

Note: Before taking abandonment action, the Bureau of Human Resources and Employment Relations Section must be contacted for review and approval.

401.10 ABSENTEEISM PROGRAMS

Appointing authorities considering incentive and/or disincentive programs must acquire the Director of the Bureau of Human Resources approval prior to implementation. Programs in effect at the time of this policy being implemented will need to be resubmitted for review.

401.11 REFERENCES

[Chapter 111, Wis. Stats.](#)

[Chapter 230, Wis. Stats.](#)

[Chapter ER 1, Wis. Adm. Code](#)

[Chapter ER 18, Wis. Adm. Code](#)

[Chapter ER 21, Wis. Adm. Code](#)

[DHS HR Policy and Procedure 307 – Probationary Periods](#)

[DHS HR Policy and Procedure 409 – Family and Medical Leave](#)

[DHS HR Policy and Procedure 402 – Leaves of Absences](#)

[DHS HR Policy and Procedure 501 – Work Rules](#)

[DHS HR Policy and Procedure 502 – Discipline](#)

401.12 ADMINISTRATIVE INFORMATION

This policy was created on December 2, 2012 to establish a consistent and uniform attendance policy across DHS. This policy supersedes all previous DHS attendance policies. Where it is in conflict with other departmental policies or procedures on attendance, this policy shall govern.

401.13 ATTACHMENTS

[Template Attendance Tracker](#)