

SIDE LETTER BETWEEN AHS AND SEIU

RE: POLICY 3.19 ATTENDANCE AND PUNCTUALITY

AHS and SEIU agree to the following changes to the Attendance and Punctuality Policy

KEY

~~Deleted language~~

New Language

Unchanged Language

Comments

PURPOSE

To define Alameda County Medical Center (ACMC) attendance standards and to ensure consistent application of attendance standards.

To provide guidelines for dealing with incidents, patterns and excessive records of absence and tardiness.

POLICY

Employees have a responsibility to ACMC and their co-workers to be reliable and punctual in reporting for scheduled work. In the rare instance when it is not possible to avoid being late or absent from work, the employee must notify his/her supervisor as soon as possible of the anticipated tardiness or absence. Generally, this means calling the supervisor before the start of business (at the latest) on each day of absence and explaining the reason for the absence. Notification to the department/unit shall be made in accordance with department/unit policies and procedures.

Poor attendance and excessive tardiness are disruptive. Either may lead to disciplinary action, up to and including termination of employment.

Except under highly unusual circumstances, an employee who is absent for three (3) or more consecutive work days without notifying his/her supervisor will be deemed to have abandoned his/her position and may be terminated.

It is important for managers and work groups to be able to rely upon regular and consistent attendance by all employees, and to recognize that unexcused or excessive absences must be avoided in the interest of all employees and residents.

Special Note: In order to ensure fairness and consistency in the administration of this policy and use of these Guidelines, each Supervisor/Manager is responsible for reviewing each employee's record and analyzing each case independently in the application of these Guidelines.

The following guidelines are designed to provide managers with assistance in reinforcing the expectation that regular attendance must be maintained by every employee:

Excused Absence

This occurs when permission was sought by the employee for time off from work and such time off was approved in advance by the responsible manager. Managers/Supervisors shall not deny legitimate sick leave requests.

Tardiness

This occurs when an employee reports to his or her designated work area, ready for work, after the scheduled beginning of the assigned shift.

Punctuality in reporting to work is important for several reasons:

1. Other staff, customers and employees may be dependent on the services of the employee and are hampered by tardiness.
2. Tardiness can be interpreted by others as lack of commitment or dependability, and this reduces the trust needed for teamwork among employees.
3. Tardiness, when condoned and allowed to continue, tends to suggest that management has reduced its expectations. Therefore:

In determining whether an employee is "tardy," and the type of disciplinary action which may be appropriate, the manager's reasonable judgment should be used. When evaluating the level of disciplinary action, consideration should be given to whether an employee's tardiness occurs in conjunction with an unacceptable number of absence occurrences.

Managers and Supervisors shall monitor tardiness and attendance of all employees on a quarterly basis. When repeated infractions appear to exist, the manager or supervisor will consult with Human Resources prior to suspending or terminating an employee.

Unexcused Absence

This occurs when an employee fails to report for work when scheduled and/or fails to remain at work for the duration of the employee's shift and does not have prior management approval for the absence.

If upon the employee's return he/she offers a reason for the absence which is verified in writing and the reason precluded the employee from notifying the manager in advance, the absence may be considered an excused absence.

If an employee's advance request for an excused absence is denied, and the employee subsequently fails to report on the same day for reasons of illness, an emergency, etc., then verification may be required of the employee. If written verification is not obtained, the occurrence may be treated as an unexcused absence and any pay requested for such day may not be granted. Appropriate disciplinary action may be administered.

Absence Occurrence

Each absence of one or more consecutive days, regardless of its length, will be counted as one occurrence (Managers should check the MOU if an employee is represented.).

- Three (3) occurrences of nonscheduled absences (i.e., not including vacation, holiday, etc) within a 60-consecutive-day period is cause for initiating a counseling discussion to the extent consistent with applicable federal and state law. Such counseling discussions should be documented. Further nonscheduled absences will result in further discipline up to and including termination to the extent consistent with applicable federal and state law.
- **Three tardies of 8 minutes or more during the 60 consecutive day period will count as a violation of this policy; however, tardies below 8 minutes will be counted as an occurrence when those tardies equal a cumulative 8 minutes.**
- If an employee corrects his or her attendance (excessive absence and/or tardiness) after counseling or disciplinary action, for the attendance problems but then subsequently returns to an unacceptable level of attendance, the manager should continue the disciplinary process. In determining whether disciplinary action is warranted the Manager should consider the length of time since the last attendance problems.
- **Once a non-scheduled absence or tardy has been counted in connection with an occurrence, that absence or tardy cannot be included in whole or in part in determining the existence of any subsequent occurrence.**

ATTENDANCE/TARDINESS Course of Action Guidelines

SITUATION	COURSE OF ACTION
Absenteeism Notification	Employee must notify direct Supervisor/Manager for all absences unless otherwise authorized.
Absence Notice Requirement	Except in the case of an emergency or other extreme circumstances, two (2) hours prior to shift. <u>Note:</u> This is a general rule. Employees should review their specific department's reporting procedures.
Non-Scheduled Absence	Not scheduled in advance, but approved.

ATTENDANCE/TARDINESS

Course of Action Guidelines

SITUATION

COURSE OF ACTION

Unauthorized Time Off

“No Show/No Call” – not paid. Appropriate disciplinary action taken.

Unpaid Time Off

Unpaid time off should be rare and will be based on Manager determination of operational need.

Leave Notice Requirement

Employee must request and receive advance approval except in case of extreme emergency. 24 hour minimum notice for vacation of less than one week. Two week minimum notice of vacation of more than one week. Vacation approval and notice requirement subject to Manager/Supervisor’s determination of operational need.

Health Care Provider’s Notes

Manager/Supervisor may request for absences of 3 consecutive working days or more or when Manager/Supervisor determines there are indications of excessive use of sick leave or sick leave abuse.

Absenteeism Occurrence

One day and/or multiple consecutive days of nonscheduled absence or unauthorized absence.

Excessive Absenteeism Defined

Three (3) occurrences within sixty (60) consecutive days. Multiple consecutive days of absence count as one occurrence.

~~Disciplinary Action per Occurrence of Absenteeism (Non-FMLA Occurrences) within a 60-day period. (Guidelines only.)~~

~~3 = Verbal counseling
5 = Written disciplinary action
6 = Probation/Suspension
7 = Termination~~

~~Tardiness Occurrence Defined~~

~~Each separate occurrence of tardiness is applicable.~~

Late/Tardy Defined

Failure to be at workstation at the scheduled time.

Tardy Notice Requirement of shift

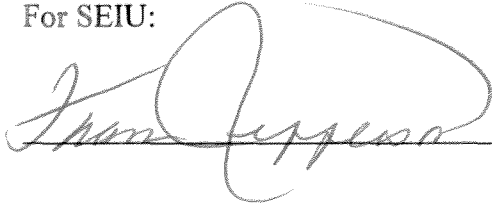
Employee required to notify Manager/Supervisor

~~Tardiness Disciplinary Action (per occurrence) within a 60-day period. (Guidelines only.)~~

~~3 = Verbal counseling
5 = Written disciplinary action
6 = Probation/Suspension
7 = Termination~~

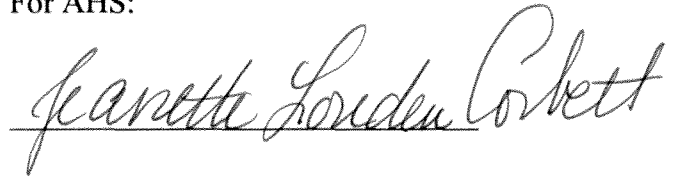
Note: Human Resources should be contacted prior to ~~suspending or~~ terminating any employee for attendance/tardiness.

For SEIU:

A handwritten signature in cursive script, appearing to read "Sean J. Apperson", written over a horizontal line.

Date: 05/14/2014

For AHS:

A handwritten signature in cursive script, appearing to read "Jeanette Louden Corbett", written over a horizontal line.

Date: 14 May 2014