

NEW JERSEY CITY UNIVERSITY
HUMAN RESOURCES
ATTENDANCE IMPROVEMENT POLICY

Good attendance on the part of all University employees is imperative in achieving Department goals and objectives. Attendance related problems such as excessive use or abuse of sick leave, unauthorized absences, etc., result in an ineffective allocation of capital and human resources.

A. ATTENDANCE

"Unsatisfactory Attendance" as used in this policy refers to the following violations:

Absence from work as scheduled without permission and/or without giving proper notice of intended absence.

Chronic or excessive absenteeism.

The accusation of chronic or excessive absenteeism is meant to address frequent and repeated absences, without consideration of the reasons. Generally, an employee would not be disciplined for chronic and excessive absenteeism until he or she had exhausted the annual sick leave allotment as well as Family and Medical Leave (federal law) and Family leave (state law) entitlements. In accordance with these regulations, employees without sufficient sick leave balances or other leave entitlements to cover their absences due to illness shall be subject to the appropriate sanction as specified in Section D. Employees in this category who call off sick on a holiday that they are scheduled to work may also be subject to discipline regardless of whether or not they are in pay status for the holiday.

Employees who have insufficient sick leave credits and who are absent or absent on sick leave for five consecutive work days shall be required to submit a doctor's verification of illness for all future absences charged to sick leave during that calendar year with exception of absences which were approved under Family and Medical Leave. When an employee's third incident occurs (absences not chargeable to the Family and Medical Leave or Family Leave), the department head shall immediately schedule a meeting with the employee. An incident is an absence of two or more consecutive days. Employees who show patterns of absenteeism may also be subject to review. The department head or their designee shall conduct the meeting and the employee may have his/her union representative present. During the meeting the department head or designee will review the employee's attendance leave record as well as the employee's disciplinary record for attendance-related infractions. The employee will be advised of the Department's expectation that the employee will improve his/her attendance and of the consequences of future absenteeism. Following the meeting, the department head or designee shall send the employee a notice memorializing the meeting and further advising the employee that he/she must submit appropriate medical verification for all future absences during that calendar year if the employee meets the criteria outlined in N.J.A.C. 4A:6-1.4(d) exclusive of absences charged to Federal Family and Medical Leave or State Family Leave. These notices are not considered disciplined. In instances where the department head believes that the employee is unable to perform the essential functions of his/her job, the department head shall immediately refer the matter to his/her superior or Human Resources for appropriate action. Additionally, these employees may be required to submit appropriate medical documentation if they call off sick on a holiday that

they are scheduled to work, provided such absences is not an approved family and medical leave or family leave.

If an employee in either of the above categories fails to submit the requisite medical documentation within with in a reasonable time after returning to duty status, the employee shall be placed in non-pay status for the period of the absence and shall be subject to disciplinary action as delineated in this policy.

(NOTE: For 40-hour workweek employees, eight hours of sick leave shall constitute one day, and for 35-hour workweek, NE and NL employees, seven hours of sick leave shall constitute one day.)

Failure to follow call-off or call-on procedures

(NOTE: Employees who report for duty after failing to follow the proper call-on procedure are subject to discipline, however, such employee can not be denied the opportunity to work his/her shift.)

Abuse of Sick Leave

In accordance with N.J.A.C. 4A:6-1.3(g), Sick leave may be utilized when an employee is unable to work because of personal illness, accident, exposure to contagious disease, care of a seriously ill member of the employee's immediate family. Abuse of sick leave constitutes the use of sick leave for a purpose not provided by N.J.A.C. 4A:6-1.3(g).

Employees suspected of abusing their sick leave privileges may be asked to submit appropriate medical documentation prior to returning to work. However, before an employee is charged with abuse of sick leave, the organizational unit must have substantial proof of same. If the employee fails to substantiate that the absence in question was for a purpose provided by N.J.A.C. 4A:6-1.3(g), the employee shall be subject to appropriate disciplinary action.

In instances where an employee is suspected of sick leave abuse, the employee may be referred to a State appointed physician to determine the extent of the employee's illness and duration of the absence. The cost of such examination shall be borne by the University. The University may also require an employee to be examined by a physician, designated and compensated by the organizational unit, as a condition of the employee's continuation of sick leave or return to work, as defined under N.J.A.C. 4A:6-1.4(g):

1. Such an examination shall establish whether the employee is capable of performing his or her work duties and whether return to employment would jeopardize the health of the employee or that of other employees.
2. The appointing authority shall set the date of the examination to assure that it does not cause undue delay in the employee's return to work.

If the State physician and the employee's treating physician disagree on the employee's ability to return to work, University policy dictates referral of the employee to a third physician, designated by the State, who will resolve the conflict.

N.J.A.C. 4A:6-1.10, Leave Without Pay, State Service: The entitlement under this provision is a PRIVILEGE not a right and may be granted by the Vice President with the approval of the supervisor.

B. UNAUTHORIZED ABSENCE

Employees who are absent from duty without permission or who fail to follow call-off procedures may be subject to disciplinary action. Only in documented emergency situations will employees be excused from disciplinary action. Determination of what constitutes an "emergency" will be made by the organizational unit.

C. TARDINESS

Failure to report to work on time is tardiness. Factors to consider when determining appropriate disciplinary action include (but are not limited to) the amount of time late, effect of starting work assignment on time (delays and/or special transportation requirements) causing overtime on 24/7 day coverage jobs, causing rescheduling of daily assignments, and amount of time between infraction (decreasing, constant, or interval).

D. SANCTIONS

The following penalties shall be imposed for unsatisfactory attendance infractions:

<u>INFRACTION</u>	<u>SANCTION</u>
1 st Step	Official Written reprimand
2nd Step	Up to 3 working days suspension without pay
3rd Step	Up to 5 working days suspension without pay
4th Step	Up to 15 working days suspension without pay
5th Step	Up to Removal

Employees who hold titles with the workweek designation of "NL" are assigned managerial or professional supervisory responsibilities. In view of the foregoing, such employees are held to a higher standard of performance and conduct. The following shall be the only disciplinary sanctions imposed when disciplining NL employees:

- Official Written Reprimand
- Suspension without pay for up to five (5) days
- Suspension without pay in increments of five (5) days up to a suspension of six months without pay
- Demotion, and
- Removal

When imposing suspensions on such employees, they must be suspended for the entire workweek or in increments of entire workweeks.

E. DETERMINING THE APPROPRIATE SANCTION

To determine the appropriate sanction for attendance infractions, the employee's disciplinary record will be reviewed for attendance-related infractions for the twelve (12) month period immediately preceding the infraction in question. The number of unsatisfactory attendance disciplinary actions sustained against the employee during the aforementioned twelve (12) month period plus the infraction in question shall determine the employee's step and sanction as

described in this policy under paragraph D.

F. CONCLUSION

The sanctions set forth in this policy have been established to maintain the principles of progressive discipline by placing the employee on notice regarding the seriousness of the offense and the consequences of like behavior.

Implementation of the policy and procedures set forth herein shall result in a University wide method for addressing infractions. This standardized and uniform system will provide fair and equal treatment for all employees. With the cooperation of all concerned, the entire University will benefit in effectiveness and in the quality of work life.

**ATTENDANCE POLICY
Offenses and Penalties**

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Offense	1st infract.	2nd infract.	3rd infract.	4th infract.	5th infract.	6th infract.	7th infract.
Unsatisfactory attendance: Absent from work as scheduled without permission and/or without giving proper notice in intended absence.	OWR	Up to 3D	Up to 5D	Up to 15D	Up to R		
Unsatisfactory attendance: Chronic or excessive absenteeism	OWR	Up to 3D	Up to 5D	Up to 15D	Up to R		
Unsatisfactory attendance: Failure to follow call-off or call- on procedures	OWR	Up to 3D	Up to 5D	Up to 15D	Up to R		
Unsatisfactory attendance: Abuse of sick leave	OWR	Up to 3D	Up to 5D	Up to 15D	Up to R		
Employee resignation without giving 14 days notice	RNGS						
Abandonment of job as a result of absence from work as scheduled without permission for five consecutive work days.	RNGS						
Failure to return from approved leave for 5 consecutive work days at expiration of leave of Absence.	RNGS						
Refusal or failure to work overtime without a reasonable excuse	OWR	OWR	Up to 3D	3D-10D	10D-R	R	
Leaving assigned work area without permission but not creating a danger to persons or property.	OWR-5D	5D-R	Up to R	R			
Leaving assigned work area without permission creating a danger to persons or property	Up to 5D	6D to R	R				
Unreasonable Unexcused lateness of less than 15 minutes (3 times in a 30 day period)	OWR	Up to 3D	15D-R	R			
Unreasonable Unexcused lateness of 15 minutes or more	C – 1 D	2D – 5D	6D-15D	20 D to R			

Human Resources Office

N.J.A.C. 4A:6-1.4 SICK LEAVE PROCEDURES: STATE SERVICE

- (a) The provisions in this section are applicable to State service.
- (b) An employee whose work schedule is other than a 24-hour or shift coverage shall, by the scheduled reporting time, notify a contact person designated by the agency of any absence due to illness.
- (c) An employee whose work unit requires 24-hour or shift coverage shall, at least one hour before the scheduled starting time, notify the designated contact person of any absence due to illness. In case of sudden illness or emergency, exceptions may be granted by the designated contact person.
- (d) An appointing authority may require proof of illness or injury when there is a reason to believe that an employee is abusing sick leave; an employee has been absent on sick leave for five or more consecutive work days; or an employee has been absent on sick leave for an aggregate of more than 15 days in a 12-month period.
- (e) In case of sick leave due to exposure to a contagious disease, a death in the employee's immediate family or to care for a seriously ill member of the employee's immediate family, reasonable proof may be required.
- (f) Failure to follow sick leave notification and verification procedures may result in a denial of sick leave for that specific absence, be considered an abuse of sick leave and/or constitute cause for disciplinary action.

N.J.A.C. 4A:2-6.2 RESIGNATION NOT IN GOOD STANDING

- (a) Any employee who is absent from duty for five or more consecutive business days without the approval of his/her superior shall be considered to have abandoned his/her position and shall be recorded as a resignation not in good standing.
- (b) Any employee who has not returned to duty for five or more consecutive business days following an approved leave of absence shall be considered to have abandoned his/her position and shall be recorded as a resignation not in good standing.

I certify that I have been advised of these N.J. Department of Personnel and New Jersey City University regulations:

Employee Signature

Date