

Name of Policy: CWA and classified/non-union absenteeism

Policy Number: 3364-25-31

Approving Officer: President

Responsible Agent: Chief Human Resources Officer

Scope: University of Toledo – Main Campus hourly full-time and part-time non-probationary employees who earn sick time (CWA and classified/non-union)



Effective date:

September 15, 2023

Original effective date:

January 1, 2009

Keywords: attendance, absence, CWA, classified/non-union, work day, termination

	New policy		Minor/technical revision of existing policy
	Major revision of existing policy	X	Reaffirmation of existing policy

(A) Policy statement

Each employee is a very important team member at the university of Toledo. Regularity of attendance is essential to the successful performance of each of our positions and the efficient operation of our educational facility.

(B) Purpose of policy

As part of the university of Toledo's mission to provide excellence in its services to all constituents, it is imperative that all employees take responsibility for their daily attendance. The objective is to establish greater accountability for sick leave utilization. The university acknowledges that there are occasions when employees are not able to work due to personal or family illnesses. Such leaves will be reviewed to ensure utilization is consistent with the intended purpose.

It is imperative that this absentee control procedure be applied equitably to all employees who meet the eligibility definition below. The university of Toledo wants to maintain a fair and reasonable work environment, and give recognition to the important contributions of each employee to the university of Toledo.

(C) Application of policy and proper notification defined

This policy applies to all hourly full-time and part-time non-probationary employees who earn sick time (CWA and classified/non-union).

Proper notification defined: Employees who are unable to report to work shall be responsible for directly notifying their immediate supervisor or designee, within one-half hour prior to his/her reporting time. Existing departmental call-in procedures will continue. Employees will be informed of the names of supervisors and/or designees who are to be called concerning inability to work due to an illness. Employees shall be eligible for sick leave payment if they are prevented from calling in prior to the shift by acts of nature or other events documented by a police accident report, hospital admission, or emergency room slip. Each and every late call off will be considered a separate violation covered under corrective action.

(D) Definitions

Sick day: means an employee is not present or not in attendance for any portion of a scheduled shift or work day for a period of two hours or beyond due to sick time use.

Unauthorized unpaid time off: means an employee is not present or not in attendance for any portion of a scheduled shift; does not have any sick time in their sick time bank and unpaid time is not approved. The employee is required to ask for permission for time off without pay prior to taking the time off. If approval is not obtained prior to the time off or the employee takes the time off knowing it is unapproved, the employee will be subject to corrective action.

Late in/early out: means an employee who leaves work due to sick time reasons for a period of time less than two hours. If approved, this is equivalent to one-half of a sick day as defined above. If approval is not given, this will be treated as "job abandonment" and therefore subject to corrective action.

Management encourages staff to make medical appointments at the beginning or end of scheduled shift or work day whenever possible.

Providing the employee supplies their immediate supervisor with verification of a medical/dental appointment of those covered by article 22.2 of the CWA collective bargaining agreement within twenty-four hours, there will be no sick day assessment.

It is highly recommended that employees call their supervisors when they know they will be late or absent, as a courtesy. The supervisor may elect to replace the employee if they have not heard from the employee within two hours of the start of their scheduled shift or work day.

No call/no show: means an employee does not show for their shift/work day and does not call in. This behavior will be addressed via the discipline process and not assessed a sick day.

An employee that appears for work after two hours and has not called in, may be sent home without pay.

Rolling twelve month period: will be considered by beginning with the most recent occurrence of a sick day or its equivalent and counting twelve consecutive months backwards.

Shift or work day is defined as a scheduled period of time of at least four hours; unless a shift or work day has been established as less than four hours as of the effective date of this policy.

Exclusions:

Exclusions to this policy include:

- (1) approved late in/early out;
- (2) FMLA leaves of absence;
- (3) sick leave used for pregnancy and/or childbirth and related conditions;
- (4) sick leave used as personal leave;
- (5) unpaid medical leave; and
- (6) family leave as defined in article 22 of CWA contract.

In addition, the following time off shall not be assessed a point as a sick day:

- (1) funeral leave;
- (2) vacation time charged to earned sick time leave;
- (3) injury leave, regardless of whether or not a workers' compensation claim is filed, provided that one could reasonably deduce that it was work related and contracted at work, including a workplace exposure as categorized by a certified health care provider; and
- (4) administrative leave.

(E) Corrective action

For the purposes of corrective action, the following table describes the corrective action intervals and summarizes the action required:

Corrective Action Intervals for Sick Days

Sick day levels	5	7	9	11	13	16
Actions required	Verbal counseling	Written warning 1	Written warning 2	Suspension on paper 1	Suspension on paper 2	Termination

Disciplinary action issued for violation of the sick leave program will be on a separate track of corrective action and cannot build on prior performance issues. However, management can take attendance into account when determining the level of discipline for performance/code of conduct/non-attendance related issues and when the employee has demonstrated a pattern of attendance problems.

Termination hearing: Any employee who is recommended for discharge based solely on attendance shall be entitled to a pre-disciplinary hearing where the employee may give his/her version of the events at issue. No other levels of corrective action for attendance are entitled to a pre-discharge hearing.

(F) Redemption program

If an employee goes a full ninety calendar days, starting with the last sick day, without any early out's, late in's, sick days, or unauthorized unpaid days off (e.g. the employee works all assigned shifts without incident), the employee will be eligible to remove the last one sick day and have the last formal corrective action for attendance removed, if applicable.

The redemption period (ninety calendar days) will start over with the next sick day equivalent or early out.

Any approved non-FMLA leave of absence or any approved full-time FMLA will extend the ninety calendar day timeframe equal to the amount of time on an approved non-FMLA/full-time FMLA.

The request for redemption must be initiated by the employee except in the case of a termination for attendance. Employees may request the removal of one sick day by completing the sick day removal form and submitting it to their supervisor or manager.

Any request to management will be reviewed ninety calendar days back from the date of the request.

In the event that an employee is determined to be at termination status for attendance only, the manager or supervisor will take the initiative to look for a redemption period.

(G) Belief of abuse

If the employer has reason to believe that sick leave is being abused, the employer reserves the right to initiate an investigation for possible corrective action. The employer may require documentation to support the employee's call off due for sick leave.

Sick leave abuse includes, but is not limited to, a pattern of using sick leave before and after weekends, before and after holidays, before and after normal days off, on certain days of the week, or in a manner inconsistent with the request, e.g. for personal reasons.

Abuse of sick time will be addressed as a non-attendance issue and subject to the corrective action policy and/or collective bargaining agreement.

(H) Incentives

Employees who have a minimum of two hundred forty hours accumulated sick leave in a calendar year, and who do not exceed the maximum hours annually as outlined below, may qualify for "attendance incentive" time off which is not the same as "comp" time.

Sick time hours used annually	Attendance incentive hours
0.0 hours used	20 hours
0.1-8 hours used	16 hours
8.1-16 hours used	12 hours
16.1-24 hours used	8 hours

Part-time employees who are at least 0.5 FTE or greater are also eligible for the incentive program on a pro-rated basis and must have a minimum of one hundred twenty hours accumulated sick time.

Qualifications for the incentive are based on union/non-union and FTE status as of December 31.

Both sick time hours used and the incentive available will be processed on a pro-rated basis for all employees FTE 0.5 – 0.99.

Attendance incentive time must be requested by the employee and approved by the supervisor much the same as any request for time off. The request must be submitted within forty-eight hours of the time requested. Unused attendance incentive time will not be carried over from one calendar year to the next. Any hours left in the “attendance incentive bank” will be paid out by the second pay period following December 31.

<p>Approved by:</p> <p><i>/s/</i></p> <hr/> <p>Gregory Postel, MD President</p> <p>Date: September 15, 2023</p> <p>Review/revision completed by:</p> <ul style="list-style-type: none"> • <i>Chief Human Resources Officer</i> • <i>Senior Leadership Team</i> 	<p>Policies superseded by this policy:</p> <ul style="list-style-type: none"> • <i>None</i> <p>Original effective date: <i>January 1, 2009</i></p> <p>Review/revision date: <i>October 13, 2016</i> <i>March 27, 2019</i> <i>October 7, 2019</i> <i>September 15, 2023</i></p> <p>Next review date: <i>September 15, 2026</i></p>
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