

TITLE: <b>ATTENDANCE POLICY</b>		<b>CITY OF APPLETON POLICY</b>
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#### I. **PURPOSE**

The purpose of this policy is to: communicate attendance expectations to all employees; provide attendance guidelines and standards for employees to ensure maximum productivity and morale; and establish consistent guidelines and standards for supervisors to follow when managing employees' attendance, with an emphasis on prevention rather than discipline.

#### II. **POLICY**

It is the policy of the City of Appleton to require regular, reliable and punctual attendance. Attendance is an essential requirement of every job. The City of Appleton operates to provide essential services for residents and visitors to meet its mission of serving community needs and enhancing the quality of life. In order to provide these services, all employees are expected to report to work regularly, on time, and physically and mentally fit to perform their job.

A Collective Bargaining Agreement with more specific language than what is in the policy shall be the language applied.

#### III. **DISCUSSION**

Employee absenteeism increases the cost of City operations. In addition to the direct costs of paid leave time and replacement workers, there are many indirect costs associated with absenteeism, including decreased customer service levels, reduced efficiency, and negative impacts on fellow employees. This policy balances the needs of employees for time away from their job with the equal needs of the City to have a reliable work force. City departments are expected to use this policy as a minimum standard. Each department director has the authority to set higher expectations than those listed in this policy.

#### IV. **DEFINITIONS**

- A. **Sick leave:** paid time away from work to be used when an absence from work is necessary for the employee, or **domestic partner** or **immediate** family member living in the employee's residence due to illness or injury or to attend doctor appointments or as defined in City policy, collective bargaining agreement, or Family Medical Leave Act (FMLA) guidelines. Employees are encouraged to schedule appointments outside of the workday.
- B. **Sick Leave Abuse:** the use of sick leave for purposes other than those outlined in the collective bargaining agreements, City policy or FMLA guidelines (e.g., using sick leave to attend court).

- C. **Call-in procedure:** The process an employee must follow to notify their supervisor they will not be at work.
- D. **Job Abandonment:** An employee will be considered to have abandoned their job if they are a no-call, no-show for more than one working day or as outlined in the employee's collective bargaining agreement. Paid leave, such as vacation, paid time off and sick leave, may not be substituted to excuse an unauthorized absence, unless extenuating circumstances exist (the Human Resources Department Director must give final approval).
- E. **Paid Time Off (PTO):** in this policy, when the term PTO is used, it refers to PTO used as sick leave (e.g., doctor's appointments, sick time away from the office, etc.). Employees should use the code "PS" in their time records to indicate PTO time used for non-FMLA sick leave.
- F. **Unauthorized Absence:** Failure to report for and remain at work as scheduled. This includes late arrival at work, leaving early, or unauthorized time away from work during the employee's scheduled work hours.
- G. **Sick Leave Usage Ratings (includes PTO used for sick leave or sick leave):**
1. **Excellent:** 8 hours or less of non-FMLA sick leave usage during a calendar year.
  2. **Good:** More than 8 hours but not more than 24 total hours of non-FMLA sick leave usage in a calendar year.
  3. **Adequate:** More than 24 but not more than 48 hours of non-FMLA sick leave usage in a calendar year.
  4. **Needs Improvement:** More than 48 but not more than 72 total hours of non-FMLA sick leave usage in a calendar year.
  5. **Poor:** More than 72 total hours of non-FMLA sick leave usage in a calendar year OR a noticeable pattern\* to absences is present.

These usage ratings are based on full-time status. Part-time employees' leave usage ratings will be evaluated on a pro-rated basis (e.g., "Excellent" for a .5 full-time-equivalent position would be 4 hours or less of non-FMLA sick leave usage during a calendar year).

- H. **Sick Leave Usage Ratings for Fire Personnel working a 24-hour shift (includes PTO used for sick leave or sick leave):**
1. **Excellent:** 12 hours or less of non-FMLA sick leave usage during a calendar year.
  2. **Good:** More than 12 hours but not more than 36 total hours of non-FMLA sick leave usage in a calendar year.
  3. **Adequate:** More than 36 but not more than 72 hours of non-FMLA sick leave usage in a calendar year.
  4. **Needs Improvement:** More than 72 but not more than 108 total hours of non-FMLA sick leave usage in a calendar year.
  5. **Poor:** More than 108 total hours of non-FMLA sick leave usage in a calendar year OR a noticeable pattern\* to absences is present.

\*Note: Certain patterns of absenteeism may fall into the Poor category regardless of the total hours of non-FMLA usage in a calendar year. Indicators of a poor rating may include: frequency or length of absences; amount of accrued sick leave in relation to

years of service; annual sick leave usage that consistently is below adequate for multiple years; or poor or decreasing work performance.

**G. Patterns of Use:** Sick leave that is taken on a regular or recurring basis. Examples include: sick leave taken on Fridays or Mondays, before or after holidays, before or after vacation periods or other days off, sick leave taken on days previously denied for other leave, sick leave taken to avoid undesirable job tasks, or sick leave usage that creates a pattern (e.g., taking multiple Tuesday afternoons off).

## V. RESPONSIBILITIES

### A. Department Director Responsibilities

Department Directors are responsible for:

1. Analyzing attendance records and addressing those employees who have Needs Improvement or Poor sick leave usage ratings, suspicious usage patterns or sick leave abuse.
2. Including “Managing **sick leave usage attendance**” in each supervisor’s goals and holding each supervisor accountable for monitoring and addressing employees who have Needs Improvement or Poor sick leave usage ratings, suspicious usage patterns or possible sick leave abuse by his/her employees.
3. Ensuring consistent enforcement of attendance and punctuality standards for all employees within their department.
4. Identifying and communicating their department’s procedure that all employees are expected to follow when requesting sick leave **or PTO used as sick leave**.
5. Leading by example for their employees when utilizing **sick leave or PTO used as sick leave**.

### B. Supervisor Responsibilities

Supervisors are responsible for:

1. Holding their staff accountable to the guidelines within this policy.
2. Following up with any employee who has a Needs Improvement or Poor sick leave usage rating, **sick leave** suspicious usage patterns, or sick leave abuse, **and maintaining documentation on how they are addressing these issues**.
3. Discussing attendance and punctuality guidelines with all of their employees on a regular basis.
4. Leading by example for their employees when utilizing sick leave **or PTO used as sick leave**.

### C. Employee Responsibilities

Employees are responsible for:

1. Utilizing sick leave for appropriate and legitimate reasons.
2. Using their departmental call-in procedure, when requesting sick leave **or PTO used as sick leave**.
3. Personally calling, **unless extenuating circumstances**, each time they are sick or tardy for non-FMLA reasons, including providing a number where they can be reached during their regularly scheduled work hours.
4. Working on all scheduled workdays and during all scheduled work hours, and reporting to work on time.
5. Submitting a completed Return-to-Work slip after a non-FMLA absence of more than three days prior to returning to work.

*For those employees with a Needs Improvement or Poor sick leave usage rating:*

6. Responding to the questions from Exhibit 4 when calling in.
7. Providing documentation from their physician when requested.

## VI. PROCEDURES

### A. Supervisor Procedures

To manage sick leave usage within their work area, all supervisors should:

1. **Analyze Attendance Records.** Supervisors should regularly review employee attendance records for evidence of sick leave usage that falls into the Needs Improvement or Poor categories, suspicious patterns of use, or possible sick leave abuse. Supervisors should work with their Department Director to review quarterly sick leave reports for their employees.
2. **Ensure Appropriate Use.** Supervisors should ensure that the reason for the use of sick leave is allowable under the terms of the collective bargaining agreement or City policy.
3. **Monitor and track their employees' sick leave** (see Exhibit 1) to identify sick leave usage in the Needs Improvement or Poor categories, possible suspicious usage patterns, or sick leave abuse, and follow up promptly. To identify sick leave use problems, supervisors should consider:
  - a. The frequency of and reasons for sick leave.
  - b. Non-FMLA sick leave usage that consistently is in the Needs Improvement or Poor categories each year.
  - c. Possible patterns of sick leave.
  - d. The impact of the employee's absences on the workplace (e.g., disruptions in work schedules, overtime costs, incomplete projects).
  - e. ~~The employee's unused sick leave balance (e.g., sick leave is taken as soon as it's accrued each month or the employee has reached the maximum in his/her sick leave bank and uses sick leave each time it's accrued).~~

When a supervisor has reason to suspect that an employee is abusing sick leave or if the employee's sick leave usage rating is Needs Improvement or Poor, the supervisor may require the employee to provide documentation from his/her doctor for a period of time (as deemed by the department) to verify legitimate use of sick leave. If there is a question about whether it is legitimate use of sick leave, the sick leave request should be denied until the employee provides satisfactory evidence of appropriate sick leave usage. If there is evidence of sick leave abuse, supervisors should contact Human Resources who will assist with following up on the issue.

4. **Respond to Sick Leave Problems.** If the supervisor determines a problem may exist, the supervisor shall:
  - a. Counsel the employee on his/her use of sick leave and the impact on his/her work performance and the work environment.
  - b. If the sick leave usage may qualify for FMLA or if the employee requests FMLA, provide the employee with an FMLA packet within two business days. Let the employee know it may be counted as FMLA, depending upon the circumstances.
  - c. Notify the employee that if he/she has suspicious usage patterns,

continues to have a sick leave usage rating of Needs Improvement or Poor, the City may require him/her to see the City's occupational health provider and/or provide a note from a physician detailing the reasons for his/her absences. After a leave of more than three consecutive scheduled workdays (or as outlined in the employee's collective bargaining agreement), the employee must provide a return-to-work slip (Exhibit 2) or medical certification that includes similar content **prior** to returning to work.

- d. Document all these actions and follow up in writing if the employee continues to have a Needs Improvement or Poor sick leave usage rating.

### **5. Document for Employee Records**

If the employee's attendance record has impacted his/her ability to complete the tasks in his/her job, supervisors should reflect this in the employee's performance review or personnel records. This may include constructive feedback on how the employee's sick leave usage has been detrimental to his/her work performance, or how it has affected City and departmental operations. Supervisors should note if there have been areas of concern, including Needs Improvement or Poor sick leave usage ratings, or substantiated suspicious usage patterns or sick leave abuse.

If not noted in the employee's performance review, supervisors should document each employee's sick leave usage in a separate memo (Exhibit 3) each year.

### **6. Provide Recognition/Consequences**

Supervisors should recognize good attendance through documentation for the employee's personnel file or through appropriate incentives, which may include using departmental budget dollars designated for employee recognition or other non-monetary rewards such as flexible work hours, or first rights to trade days, ~~or additional business casual days~~.

Conversely, supervisors also have the right to suspend or discontinue employee privileges, such as using comp time, working a flex schedule, the opportunity to work restricted duty, use of a one-to-one vehicle, working a specific shift, etc. for employees who have a sick leave usage rating in the Needs Improvement or Poor categories or suspicious sick leave patterns, or those who abuse sick leave benefits. If there is a question regarding the appropriateness of an incentive or discontinuation of a privilege, contact Human Resources.

### **7. Respond to an employee's notification of sick leave**

- a. For all employees: if the absence has the potential to qualify for FMLA or the employee requests an FMLA packet, the supervisor must give or mail the FMLA packet to the employee within two business days.
- b. For employees who have a Needs Improvement or Poor sick leave usage rating:
  - i. Upon receipt of notification from the employee, the supervisor will use Exhibit 4 (or similar departmental form) to document the reason for the call. Asking these detailed questions will help to determine if the situation may qualify for FMLA. The completed forms should be kept in the supervisory file unless the situation escalates.
  - ii. For employees who have a Needs Improvement or Poor rating or suspicious usage patterns, or those employees who

have abused sick leave benefits: in addition to the initial phone contact, supervisors are expected to follow up with the employee during his/her regularly scheduled shift to determine if the employee will return later that day or for his/her next scheduled work shift. If applicable, the supervisor should advise the employee that they would need to provide documentation to support sick leave usage.

## **B. Employee Procedures**

When requesting sick leave, employees should:

### **1. Notify their supervisor**

#### ***For all employees:***

- a. When calling in sick, employees should use their departmental procedure.
- b. The employee must personally make the telephone call. Notification by a friend or relative does not satisfy this notification requirement unless extenuating circumstances exist (e.g., the employee is incapacitated due to an automobile accident).
- c. Employees are required to personally call **each time** they are absent or tardy from work for non-FMLA reasons.
- d. Employees must provide a number where they can be reached during their regularly scheduled work hours.

#### ***For employees with a Needs Improvement or Poor rating for non-FMLA sick leave:***

- e. Employees must respond to the questions to the best of their ability from their supervisor as outlined in Exhibit 4 when calling in.
- f. Employees may be asked to provide their supervisor or their designee with a doctor's certificate if a questionable situation or suspicious patterns exist or whenever they are absent for more than three (3) consecutive scheduled workdays due to illness or injury. (If absent for three days or more (or as outlined by the employee's collective bargaining agreement), the employee should use Exhibit 2 or provide similar medical documentation.) The doctor's documentation must state that the employee is receiving medical care, the days/dates absent as a result of this medical condition, whether or not the employee has any work restrictions, and the approximate date the employee will be able to return to work. This slip shall be forwarded to the employee's supervisor or designee prior to the employee returning to work. If the City chooses to send an employee to see a City-selected physician, the appointment will be during the employee's regularly scheduled work hours and will be paid by the City.
- g. Employees shall be available by telephone when using sick leave. Those employees with a Needs Improvement or Poor rating, suspicious sick leave usage or sick leave abuse should expect to receive a phone call from their supervisor at any time during their regularly scheduled work hours.

### **2. Accurately Record Time**

Employees are responsible for accurately recording their time. These time records are considered the employee's written testament that his/her sick leave was used for appropriate reasons as outlined in City policy, collective bargaining agreements, or FMLA guidelines.

3. **Be Responsible for Attendance and Appropriate Use of Sick Time**

3. **Responsibly Use Sick Time**

Employees are expected to be at work on all scheduled workdays and during all scheduled work hours, and to report to work on time. Employees are also responsible for utilizing sick leave for appropriate and legitimate reasons, including illness, injury or authorized family medical leave, as outlined in the employee's collective bargaining agreement or City policy.

To the extent permissible by law, an employee's absenteeism and tardiness can negatively impact his/her advancement opportunities and may result in discipline, up to and including discharge.

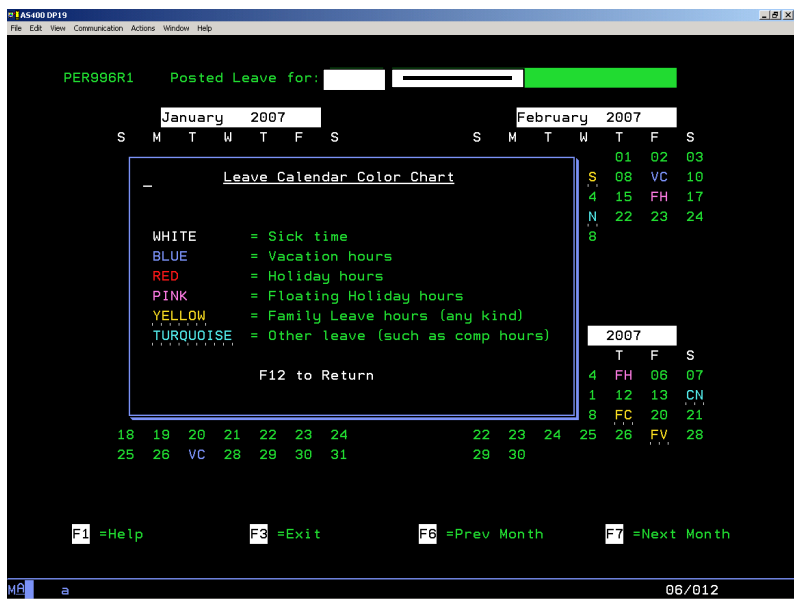
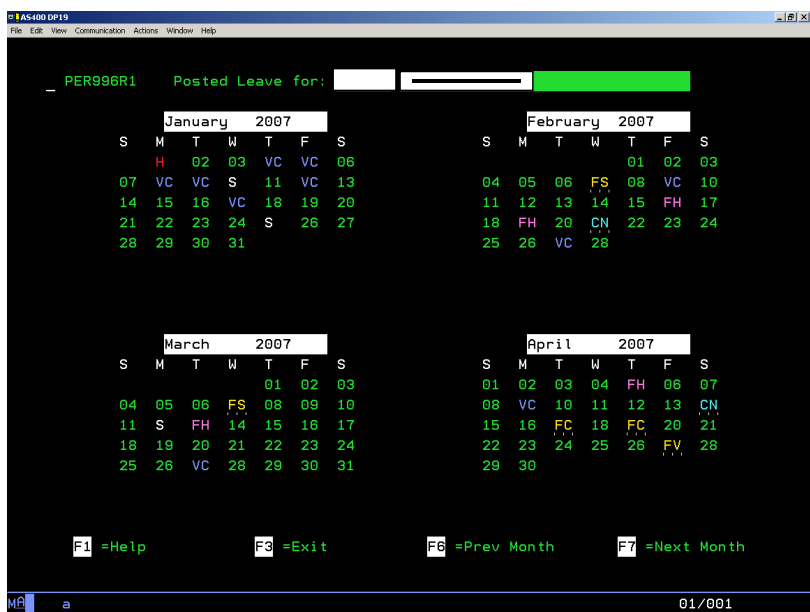
4. **Failure to Report to Work**

An employee who fails to appear or report for work as scheduled shall be considered absent without approved leave and will not be paid, under any circumstance, for the time during which the employee did not work. Vacation, holiday, **PTO** and sick leave may not be substituted to excuse an unauthorized or unexcused absence, except when extenuating circumstances exist. An employee will be considered to have abandoned their job if they are a no-call, no-show for more than one working day or as outlined in **City policy** or the employee's collective bargaining agreement.

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Exhibit 1





**Exhibit 2****EMPLOYEE WORK RESTRICTIONS**

Patient Name: \_\_\_\_\_

Current Job: \_\_\_\_\_

Physician Name (please print): \_\_\_\_\_

Phone: \_\_\_\_\_ Fax: \_\_\_\_\_

Date you saw patient: \_\_\_\_-\_\_\_\_-\_\_\_\_ Time In: \_\_\_\_\_ Injury Date: \_\_\_\_-\_\_\_\_-\_\_\_\_

Patient Description of Injury: \_\_\_\_\_

Diagnosis: \_\_\_\_\_

Treatment: \_\_\_\_\_

Prescription strength meds orders ☐ Yes ☐ No. Meds: \_\_\_\_\_

Plan: \_\_\_\_\_

- DISPOSITION: 1. ☐ Patient is unable to work at this time.  
2. ☐ Recommend his/her return to work with no limitations on (DATE): \_\_\_\_\_  
3. ☐ He/She may return (DATE) \_\_\_\_\_ with a daily time limitation of \_\_\_\_\_  
and/or with the following limitations until \_\_\_\_\_ or until re-evaluation on \_\_\_\_\_.

Part Time ☐ 1<sup>st</sup> Shift ☐ Sun. ☐ Thurs. ☐Full Time ☐ 2nd shift ☐ Mon ☐ Fri. ☐  
Seasonal ☐ 3rd shift ☐ Tues ☐ Sat ☐  
Temporary ☐ Swing ☐ Wed ☐  
Next scheduled work day \_\_\_\_ Shift

Shift Supervisor: \_\_\_\_\_

**CHECK ONLY AS RELATES TO ABOVE CONDITION**

- ☐ **SEDENTARY WORK.** Lifting 10 pounds maximum and occasionally lifting and/or carrying such articles as dockets, ledgers, and small tools. Although a sedentary job is defined as one which involves sitting, a certain amount of walking and standing is often necessary in carrying out job duties. Jobs are sedentary if walking and standing are required only occasionally and other sedentary criteria are met.
- ☐ **LIGHT WORK.** Lifting 20 pounds maximum with frequent lifting and/or carrying of objects weighing up to 10 pounds. Even though the weight lifted may be only a negligible amount, a job is in this category when it requires walking or standing to a significant degree or when it involves sitting most of the time with a degree of pushing and pulling of arms and/or leg controls.
- ☐ **LIGHT MEDIUM WORK.** Lifting 30 pounds maximum with frequent lifting and/or carrying of objects weighing up to 20 pounds.
- ☐ **MEDIUM WORK.** Lifting 50 pounds maximum with frequent lifting and/or carrying of objects weighing up to 25 pounds.
- ☐ **LIGHT HEAVY WORK.** Lifting 75 pounds maximum with frequent lifting and/or carrying of objects weighing up to 40 pounds.
- ☐ **HEAVY WORK.** Lifting 100 pounds maximum with frequent lifting and/or carrying of objects weighing up to 50 pounds.

OTHER INSTRUCTIONS AND/OR LIMITATIONS:

**SCHEDULED APPOINTMENTS:**☐ Referral ☐ Clinic \_\_\_\_\_ Date: \_\_\_\_\_ Time: \_\_\_\_\_☐ Referral ☐ Clinic \_\_\_\_\_ Date: \_\_\_\_\_ Time: \_\_\_\_\_Time Out: \_\_\_\_\_ ☐ Called Employer Date \_\_\_\_\_ Signature \_\_\_\_\_

I hereby authorize my attending physician and/or hospital to release any information or copies thereof acquired in the course of my examination or treatment for the injury identified on this form to my employer or his representative.

PATIENT'S SIGNATURE \_\_\_\_\_

Date \_\_\_\_\_

PHYSICIAN'S SIGNATURE \_\_\_\_\_

Date \_\_\_\_\_

N=Never/Not Able				F=Frequent up to 30x/hr.			
O=Occasional up to 4 times/hr.				C=Constant over 30x/hr.			
Specify Restrictions for 24 day							
	N	O	F	C			
Sitting/Driving					Lab Work	Yes ___	No ___
Standing/Walking							
Climbing					X - Rays	Yes ___	No ___
Bending							
Kneeling/Squatting/Crawling							
					R	L	BIL
Reaching-Horiz./push-pull							
Reaching-Vert./above shoulder							
Gross Handling							
Finger Manipulation							
Single Grasping							
Repetitive Foot Movement							

"...meeting community needs...enhancing quality of life."



Human Resources Department  
100 N. Appleton Street  
Appleton, Wisconsin 54911 – 4799

## Memorandum - CONFIDENTIAL

To:  
Date:  
From:  
RE: Sick Leave Usage Rating and Comparisons as of (date)

As part of an initiative to increase sick leave usage awareness, I would like to share your non-FMLA sick leave usage rating for this year in an effort to make you aware of how your usage compares with that of other department employees as well as City-wide.

Based on the City's Attendance Policy, your use of \_\_\_\_ non-FMLA hours year-to-date falls into the category of:

- ☐ Excellent
- ☐ Good
- ☐ Adequate
- ☐ Needs Improvement
- ☐ Poor\*

(\* Certain patterns of absenteeism may fall into the POOR category regardless of the total hours of absence.)

Your non-FMLA sick leave information for 20\_\_ is being shared here to allow you to review your sick leave usage in comparison with all department employees and other City employees.

- The year-to-date average of non-FMLA sick leave use per City employee is \_\_\_\_ hours.
- In total, year-to-date, the \_\_\_\_ Department staff used \_\_\_\_ non-FMLA sick leave hours.
- Your leave represents \_\_\_\_ % of the total non-FMLA sick leave for our department.
- The average for our department's non-FMLA sick leave for 2011 was \_\_\_\_ hours.

If your sick leave usage rating is in the Needs Improvement or Poor category, you may be asked to comply with the following:

1. You will be asked for a telephone number that you can be reached at and will be expected to check in with your supervisor if that changes for the duration of the shift you called in for.
2. Any absence of more than 3 days will require a return to work form (Exhibit 2) or similar medical documentation prior to returning to work.
3. You may be sent to the City's physician for a "Fit for Duty" to return to work for absences of 3 days or more.
4. You will be notified if you will be required to bring in medical documentation for the day of the unexpected absence or you may be sent to the City's physician for illness verification.

**SICK LEAVE CONTACT REPORT**

Supervisor taking/making contact call: \_\_\_\_\_

Date and time of call: \_\_\_\_\_

Employee (or person calling in): \_\_\_\_\_

Type of leave requested (check one) *(This request does not indicate approval.)*

- ☐ (S) Sick for employee
- ☐ (SC) Sick child (includes medical appointments for children)
- ☐ (SS) Sick spouse
- ☐ (DR) Doctor appointment (if FMLA approved, use FS) for the employee only  
Time of appt.: \_\_\_\_\_ Location of appointment: \_\_\_\_\_
- ☐ (FS) FMLA approved sick leave, regardless of whom for
- ☐ (PS) PTO for sick leave or doctor appointments
- ☐ Other: \_\_\_\_\_

What is the nature of your illness?

When do you expect to return to work? (e.g., Can we expect to see you later in your shift?)

Phone #(s) where the employee can be reached during his/her regularly scheduled hours:

**Supervisor Follow up**

- ☐ For employees who have a Needs Improvement or Poor rating or suspicious patterns of sick leave, or for those employees who have abused sick leave benefits:
  - ☐ Call the employee later in the shift. Ask how are they feeling and when they anticipate being able to return to work.
  - ☐ Remind them that they will need a statement from their doctor. As outlined in this policy, the doctor's certificate must state that the employee is receiving medical care, the days/dates absent as a result of this medical condition, whether or not the employee has any work restrictions, and the approximate date the employee will be able to return to work.
- ☐ Let the employee know the absence may or may not be counted against FMLA, depending on the circumstances.
- ☐ If the absence has been for more than three consecutive scheduled workdays (or as outlined in the employee's collective bargaining agreement), remind the employee they must provide a return to work slip (Exhibit 2) or similar documentation **prior** to returning to work.
- ☐ Follow up as appropriate, including ensuring that sick leave has been reflected accurately in the employee's time records.
- ☐ As outlined in the policy, review the employee's sick leave to identify usage patterns or declining usage rating.

**This completed form should promptly be returned to the employee's supervisor  
(if someone other than his/her direct supervisor completed this form).**