



ADMINISTRATIVE PROCEDURE

Attendance

Number: HRS-6	Name: Attendance Procedure
Purpose: This administrative procedure addresses attendance requirements for University employees and describes the steps of corrective action for violations. Maintaining a stable and reliable workforce is critical to the effective and efficient delivery of services. Excessive tardiness and absenteeism negatively affect employee morale and are therefore unacceptable. Employees are required to report to work, dressed appropriately, in uniform if applicable and prepared for duty at the beginning of their scheduled work shift. Repeat absences from work or tardy to work without good reason may reflect negatively on an employee's performance evaluation and present grounds for disciplinary action up to termination. The intent of this administrative procedure is to set guidance on expectations for attendance, communication requirements, and corrective action for unacceptable attendance. Departments/units have discretion in the implementation of this administrative procedure, as long as they are consistent with application within the department/unit.	
Responsible Unit: Human Resource Services	
Approved by: <i>Bruce Felder</i> , Chief Talent and Culture Officer	Approval Date: November 10, 2023

POLICY:

Timely and regular attendance is an expectation of performance for all Marshall Employees. To ensure adequate staffing, positive employee morale, and to meet expected productivity standards throughout the organization, employees will be held accountable for adhering to their workplace schedule. In the event an employee is unable to meet this expectation, he/she must obtain approval from their supervisor in advance of any requested schedule changes. This approval includes requests to use appropriate accruals, as well as late arrivals to or early departures from work. Supervisors may apply discretion in a consistent manner regarding this policy and should consult with Human Resources to determine whether or not to count the incident as an occurrence.

This policy is intended to assist in the consistent application of disciplinary procedures outlined within. Marshall reserves the right to modify this policy in whole or in part, at any time, at the discretion of the University.

Departments/Divisions may also develop a unit specific attendance/punctuality policy that meets the unique operational needs of the department/unit. If the leadership determines that a departmental policy is needed, the department will follow its Divisions' approval process to establish the policy which requires final approval from the division's Senior Vice President.

PROCEDURE:

I. Absent

An employee is deemed absent when he/she is unavailable for work as assigned/scheduled and such time off was not approved in advance as required by department notification procedure.

II. Tardy

Employees are deemed tardy under the following:

- Fails to report for work at the assigned/scheduled work time.
- Takes an extended meal period without approval

III. Time Clocks and Failure to Clock In/Out

Employees are required to follow their department's established procedures guidelines for recording their actual hours worked. Employees are responsible for logging in time worked, sick time, vacation time, or any other activities which impact work hour or the current timeclock system. A missed clock in/out is a violation of this policy and includes:

- Failure to clock in/out on their designated time clock at the beginning and/or end of their assigned shift;
- Failure to accurately and timely report time worked.
- Clocking in/out early (or late) of one's assigned shift without prior approval.

IV. Departmental Notification Procedure

Employees are expected to follow departmental notification procedures regarding scheduled/non-scheduled time off work. Employees must request, in advance, from their supervisor or designee if they wish to make any requests for time off work.

Department leadership have the discretion to determine how far in advance in which employees are required to request time off work (scheduled/non-scheduled). Managers are responsible for ensuring adequate staff coverage to approve/deny employee requests for time off.

At the time of notification/call, the employee must notify their supervisor when an absence is due to a documented/approved leave of absence (e.g. Military Leave, FMLA) in order to ensure appropriate tracking of leave utilization and absenteeism. Likewise, Managers are encouraged to verify with the employee if the absence is for a condition that has already been approved.

An employee who is absent from work without providing notification (No Call/No Show) will be recommended for a 3 day (unpaid) suspension for the first offense. If a "No Call/No Show" occurs a second time (2nd offense) in a 12-month rolling calendar period, the employee will be recommended for termination. An employee who is absent from work without providing notification for three consecutively scheduled work days will be viewed as having abandoned their position and employment may be terminated. The supervisor must consult with Human Resources if this situation occurs.

V. Progressive Discipline

Supervisors should monitor their employees' attendance on a regular basis and address unsatisfactory attendance in a timely and consistent manner. If supervisors notice a pattern of unscheduled usage of annual/sick leave, they should discuss this concern with the employee. Supervisors will utilize the guidelines within this policy to address violations and issue sanctions.

When an employee has been previously counseled under the Progressive Discipline Policy, the totality of the circumstances will be assessed when determining further action. Progressive discipline is cumulative regardless of the reason for the discipline (attendance, poor performance, misconduct, any other violation of policy, procedure or directive). For situations involving suspension or termination of employment, the supervisor should consult with Human Resources prior to implementing disciplinary action.

Timely and regular attendance is a performance expectation of all Marshall Employees. Consequently, those employees who have exhibited unsatisfactory attendance which resulted in disciplinary action (written warning, final written warning) during the course of the year may have the behavior documented in their annual evaluation.

Attendance violations are designed to be addressed on a quarterly basis and on a rolling 12 month period for the purpose of sanctions. Other disciplinary actions may occur anytime within the Quarter. See appendix for examples.

Occurrences

An occurrence is documented as an absence, tardy, or missed time clock in/out. While an absence refers to a single failure to be at work, an occurrence may cover consecutive absent days when an employee is out for the same reason.

The following chart is designed to provide guidance when addressing the total number of occurrences per Quarter in a rolling 12-month period, provided that the reason for an occurrence is not protected under FMLA or ADAAA.

Types of Occurrences		
Absence	Not protected by FMLA/ ADDAA or other law	1 or more consecutive absences = 1 Occurrence
Tardy	Late to work/leaves work early	3 Tardies = 1 Occurrence
Missed punch	Forgot to clock in/out	3 Missed Clock in/out events = 1 Occurrence
Single day "No call/No show"		
No call/No show	1 st Occurrence	Recommendation for Suspension
No call/No show	2 nd Occurrence	Recommendation for Termination
NOTES:		
<ul style="list-style-type: none">➤ Any combination of the above occurrence types that yield 4 or more occurrences in a quarter may be grounds for disciplinary action.➤ For the purposes of this administrative procedure, six (6) or more days absent may result in disciplinary action.		

- One year (4 quarters) with zero disciplinary actions (attendance, performance, safety, any other violation of policy, procedure or directive) drops your current status back to the previous level.
- Two consecutive years (8 quarters) with zero disciplinary actions results in progressive disciplinary action process starting over with exception of any gross misconduct offense.

Miscellaneous:

I. Holidays/Overtime/Black Out Dates/Other Suspicious Absences

Management will review the circumstances of an absence when an employee:

- calls off work the day before, the day of, or the day after a holiday;
- calls off work for scheduled/unscheduled overtime work (such as commencement, special projects, etc);
- calls off work during “Black Out Dates” or other high demand weeks;
- calls off after being denied annual leave;

Based on this review, management has the discretion to determine whether to count the incident as a regular occurrence or go directly to disciplinary procedures.

Appendix - Examples

- Single Day “No Call/No Show”
 - Employee has 1st occurrence of No Call/No Show in 1st Quarter, employee is recommended for **Suspension**.
 - Same employee has 2nd occurrence of No Call/No Show in a 12-month period, employee is recommended for **Termination**.

- Attendance Progressive Discipline (not protected by FMLA or ADAAA):
 - Employee has 4 or more occurrences in 1st Quarter, employee receives **Written Warning**.
 - Same employee then has 4 or more occurrences in the 2nd Quarter, employee receives **Final Written Warning**.
 - Same employee then has less than 4 occurrences in 3rd Quarter, no action.
 - Same employee then has 4 or more occurrences in 4th Quarter, employee receives **unpaid Suspension**.
 - Same employee then has less than 4 occurrences in 1st Quarter of next year, no action.
 - Same employee then has less than 4 occurrences in 2nd Quarter of next year, no action.
 - Same employee then has 4 or more occurrences in 3rd Quarter of next year, employee is recommended for **Termination**.
 - Example Table:

	Year 1	Year 2
Quarter 1	Written Warning	None
Quarter 2	Final Written	None
Quarter 3	None	Termination
Quarter 4	Suspension	

- **Cumulative** Progressive Discipline (not protected by FMLA or ADAAA):
 - Employee has poor job performance in 1st Quarter, employee receives **Written Warning**.
 - Same employee then has continued poor job performance in the 2nd Quarter, employee receives **Final Written Warning**.
 - Same employee has no progressive discipline (attendance, job performance, etc.) issued in 3rd Quarter, no action.
 - Same employee then has 4 or more attendance occurrences in 4th Quarter, employee receives **unpaid Suspension**.
 - Same employee has no progressive discipline (attendance, job performance, etc.) issued in 1st Quarter of next year, no action.
 - Same employee has no progressive discipline (attendance, job performance, etc.) issued in 2st Quarter of next year, no action.
 - Same employee then has 4 or more attendance occurrences in 3rd Quarter of next year, employee is recommended for **Termination**.

- Example Table:

	Year 1	Year 2
Quarter 1	Written Warning	None
Quarter 2	Final Written	None
Quarter 3	None	Termination
Quarter 4	Suspension	

- Total Absences per Quarter (not protected by FMLA or ADAAA):
 - Employee has first occurrence totaling 3 days absent in 1st Quarter, no action.
 - Same employee then has second occurrence totaling 2 additional days absent in 1st Quarter (cumulative total of 5 days absent in quarter), no action.
 - Same employee then has 3rd occurrence totaling 1 additional day absent in 1st Quarter (cumulative total of 6 days absent in quarter), **Written Warning**.
 - Same employee has less than 4 occurrences in 2nd Quarter, and has 6 or more days absent in Quarter, **Final Written Warning**.
 - Same employee has less than 4 occurrences in 3rd Quarter, and has less than 6 days absent in Quarter, no action.
 - Same employee has less than 4 occurrences in 4th Quarter, and has 6 or more days absent in Quarter, employee is recommended for **unpaid Suspension**
 - Same employee has less than 4 occurrences in 1st through 3rd Quarter of following year (Year 2), and has less than 6 days absent in each Quarter, no action.

- Example 1:

- Same employee has less than 4 occurrences in 4th Quarter of following year, and has 6 or more days absent in Quarter, employee is recommended for **Termination**.

- Example 1 Table:

	Year 1	Year 2
Quarter 1	Written Warning	No Action
Quarter 2	Final Written	No Action
Quarter 3	No Action	No Action
Quarter 4	Suspension	Termination

- Example 2:

- Same employee has less than 4 occurrences in 4th Quarter (Year 2), and has less than 6 days absent in Quarter, no action. Employee has now worked 12 months (4 Quarters) with no disciplinary action.
- Same employee has less than 4 occurrences in 1st Quarter of following year (Year 3), and has 6 or more days absent in Quarter, employee is recommended for **unpaid Suspension**.

- Example 2 Table:

	Year 1	Year 2	Year 3
Quarter 1	Written Warning	No Action	Suspension*
Quarter 2	Final Written	No Action	
Quarter 3	No Action	No Action	
Quarter 4	Suspension	No Action	

* Because employee completed 12 months with no disciplinary action, any disciplinary action after that would revert to previous level of action.

- Example 3:
 - Same employee has less than 4 occurrences in 4th Quarter (Year 2), and has less than 6 days absent in Quarter, no action. Employee has now worked 12 months (4 Quarters) with no disciplinary action.
 - Same employee has less than 4 occurrences in 1st through the 4th Quarter of following year (Year 3) and has less than 6 days absent in each Quarter, no action. Employee now has completed 8 Quarters with no disciplinary action.
 - Same employee has less than 4 occurrences in 1st Quarter of following year, and has 6 or more days absent in Quarter, **Written Warning**.

• Example 3 Table:

	Year 1	Year 2	Year 3	Year 4
Quarter 1	Written Warning	No Action	No Action	Written Warning
Quarter 2	Final Written	No Action	No Action	
Quarter 3	No Action	No Action	No Action	
Quarter 4	Suspension	No Action	No Action	

*- Because employee completed two years (8 Quarters) with no disciplinary action, disciplinary action process starts over.