

Non-Disciplinary Removal for Unscheduled Absences Policy

Amended June 6, 2011

Purpose

To establish a policy that will encourage responsible leave usage. Attendance is important to the work performance and efficiency of the LSU Health Sciences Center - New Orleans (LSUHSC-NO). When an employee fails to report to work as scheduled it can place additional and unexpected responsibilities on co-workers, which may affect morale and negatively affect University operations. The purpose of this policy is to bring attention to the critical importance of good attendance habits and how it impacts productivity across the organization. This policy will improve efficient service to our clients and will also improve morale by reducing the negative consequences of absenteeism on co-workers.

Policy

LSUHSC-NO shall apply Civil Service Rule 12.6(a) 2, subject to the following conditions and provisions as its Non-disciplinary Removal for Unscheduled Absences Policy. This policy is being adopted to encourage responsible use of leave and applies to all Civil Service employees at LSUHSC-NO.

Definitions

Unscheduled Absences - For all classified employees who have been given written supervisory notices regarding their absenteeism, an unscheduled absence shall be one for which the employee did not obtain verbal or written approval by close of business on the employee's regular scheduled workday prior to the absence. A supervisor may request an exception(s) from this provision from the appointing authority for rational business reasons.

The policy is based on Civil Service Rule 12.6(a) 2, which reads as follows:

12.6 Non-disciplinary Removals

(a) An employee may be non-disciplinarily removed under the following circumstances:

1. When, on the date the notice required by Rule 12.7 is mailed, hand delivered, or orally given, the employee is unable to perform the essential functions of his/her job due to illness or medical disability and has fewer than eight (8) hours of sick leave. An employee removed under this provision shall be paid for all remaining sick leave.
2. When, after the employee has been given written notice that his/her attendance requires improvement and a copy of this rule, an employee has seven or more unscheduled absences during any consecutive twenty-six week period. The employee shall also be given written notice each time he/she incurs a sixth unscheduled absence during a consecutive twenty-six week period. An unscheduled absence occurs when an employee is absent from work without having obtained approved leave prior to the absence. Approval of leave, after the fact, to cover an unscheduled absence shall not prevent the

absence from being considered unscheduled. A continuous absence for the same reason is one unscheduled absence, regardless of its duration.

Procedures

Employees Covered By This Policy

This policy shall apply to all Civil Service classified employees of the LSUHSC-NO who have been given written supervisory notice regarding his/her absenteeism. No absences will count for the purpose of this rule until the employee has been given such a notice. The business reason for this policy is as follows:

This method of applying Civil Service Rule 12.6(a) 2 will address those individuals whose absenteeism has caused problems for the department. Furthermore, this method will help ensure that the affected employee is given every opportunity to improve his or her attendance through the supervisor's personal attention and clear communication of expectations.

Notification to Employee

The supervisor shall ensure that the employee is notified each time an absence is counted as an "unscheduled" absence, and shall maintain sufficient documentation of the notices. Notice must be given within five (5) business days of the occurrence.

Documentation of Absences

Each supervisor must use the [Unscheduled Absence Form](#) for record keeping. Supervisors should be aware that no action will be taken under this policy unless sufficient documentation is maintained.

Approval of Leave After the Fact

Approval of leave, after the fact, to cover an unscheduled absence shall not prevent the absence from being considered unscheduled and documented as such.

Leave Without Pay

Although the rule allows the approval of leave after the fact, the department retains the right to place an employee on unauthorized leave without pay for any unscheduled absence for which the supervisor will not grant approval. This includes the denial of requests for annual leave.

Sick Leave Verification

The supervisor may require a statement from a treating healthcare provider or some other proof acceptable to the department to verify the legitimacy of sick leave.

Disciplinary Action

Use of this policy does not prohibit the department from taking appropriate disciplinary action for unauthorized absences if such action is deemed appropriate. Once the employee incurs seven or more unscheduled absences, documentation must be sent to Human Resources to proceed with appropriate action.

Unscheduled Absences

The following absences shall constitute unscheduled absences for the purposes of this policy:

1. **Tardiness**, arriving at work after the designated reporting time, or returning from break and/or lunch after the authorized period has ended. Each incident will be counted as a separate incident.
2. **Leaving early**, leaving before the end of a workday without 24-hour prior approval.
3. **Calling in**, calling the supervisor prior to or subsequent to the designated reporting time to report an inability to report to work.
4. **Failure to report an absence properly**, when reporting an absence the supervisor or his/her designee must be notified. Failure to properly notify will be counted as a separate incident.

Exceptions

FMLA and ADA

Leave that is approved for use under the provisions of the Family Medical Leave Act (FMLA) and leave granted for purposes of an accommodation under the American with Disabilities Act (ADA), will not count as unscheduled absences. However, employees are expected to comply with department policies and practices regarding notice to his/her supervisor when absences are necessary.

Exceptional Circumstances

The appointing authority may grant exceptions to the normal provisions of this policy for rational business reasons.

Clarification:

The appointing authority retains the right to place employees on leave without pay for any unscheduled absence, except for situations in which an employee has available sick leave and has a legitimate reason for using sick leave (as verified by a statement from a his/her treating healthcare provider or some other proof acceptable by the appointing authority). In this case, the employee will be granted his/her paid sick leave, but the absence may be counted as an unscheduled absence.

The appointing authority retains the right to discipline an employee for failing to follow his/her department leave policy.