



**HUMAN RESOURCE  
POLICIES AND PROCEDURES**

<b>Policy:</b>	Attendance	
<b>Date:</b>	<b>Revision Date:</b>	<b>Approved by:</b>
December 20, 2000	October 13, 2020	Human Resources

**I. PURPOSE AND SCOPE**

To define and clarify the District's policy and attendance standards, including absenteeism and tardiness. To provide guidelines for supervisors and managers to use when addressing cases of abuse and to further promote the District's goals of fairness and consistency by establishing District-wide standards as it pertains to absenteeism and tardiness.

**II. POLICY STATEMENTS**

It is the policy of Eastern Municipal Water District that employees report to work on time every scheduled workday. Unscheduled absences, late arrivals, and early departures must be kept to a minimum.

**III. BACKGROUND**

Unscheduled absences, late arrivals, and early departures could require adjustments in work assignments and could affect the ability of the District to meet its service requirements. Unpredictable attendance is particularly detrimental to planning and organizational efficiency and employee morale. In order to minimize the disruptions resulting from unscheduled and excessive absences and tardiness, the District utilizes three approaches.

Attendance and punctuality will be evaluated on a rolling twelve-month period. In order to effectively implement this policy, quarterly meetings with each employee may be used to inform each employee of his/her performance with regard to attendance and tardiness. A written record of each meeting will be created and inserted into the employee's personal file. A current record of punctuality and attendance occurrences shall be maintained by the employee's supervisor. Each employee shall have the right to inspect his individual record.

**IV. DEFINITIONS**

A. Tardiness

Tardiness is a failure of an employee to report to their designated work location, or place of assembly, and be ready to work at their designated scheduled start time, or when an employee is tardy in returning from breaks or meal periods. Management shall notify each employee in writing as to where their designated work location (or place of assembly) shall be for the purposes of this policy. Any tardy greater than

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one hour will be considered an unscheduled absence occurrence. This definition is subject to Section 4.D. Exceptions.

B. Scheduled Absence/Leave of Absence

PTO, meritorious leave, floating holidays, bereavement, etc., when requested and approved in advance of absence (i.e., dr. appointments).

C. Unscheduled Absence/Leave of Absence

An unscheduled absence/leave of absence is defined as when an employee does not report to work within one hour of their designated scheduled start time or leaves work early due to personal reasons and without prior notice. This definition is subject to Section 4.D. Exceptions.

Notice requirements established by the Department Head (Director, AGM) will be provided in writing to all employees in the department. Exceptions may be allowed by the immediate supervisor in cases of emergency or other circumstances necessitating shorter notification.

Absences covered under Protected Leave/Non-Serious Family Health Leave (California Kin Care) or FMLA will not be considered an unscheduled occurrence.

D. Unacceptable Patterns

A pattern of unscheduled absence exists when an employee's absences occur with a common factor (day of week, day before/after holiday etc.) Refer to Disciplinary Actions Sec. 4.C in this policy for unacceptable patterns.

E. Occurrences

Occurrences are considered to be a single event of unscheduled absence (Reference Sec. 3 above), or an unscheduled consecutive number of days, uninterrupted by a return to work, or tardiness, as defined above.

V. NOTIFICATION REQUIREMENTS

A. Tardiness

As soon as an employee realizes he/she will not arrive at, or return to work within five minutes of the established time, he/she is expected to notify his/her supervisor or another departmental supervisor or manager of the tardiness and indicate when he/she expects to arrive. If the employee is unable to arrive at work at the time previously indicated, additional notification to the supervisor is required.

Understanding that situations arise (traffic, weather conditions, etc.), the goal is to regularly report to work on schedule. An employee may make up to 30 minutes of missed time resulting from tardiness, at the approval of the department manager and within department guidelines.

Any time missed due to tardiness not made up in this manner will be considered "unscheduled" and 0.5 hours will be charged as vacation time or no pay. However,

any excess tardiness, or patterns of tardiness will be brought to the employee's attention. A discussion between the manager/supervisor and the employee regarding ways to improve punctuality may ensue.

B. Scheduled Absence/Leave of Absence

Department Head (Director, AGM) requirements for advanced notice (not to exceed seven calendar days) will be established and provided in writing to all employees in the department. Exceptions may be allowed by the immediate supervisor in cases of emergency or other circumstances necessitating shorter notification.

Employees must receive approval from their supervisor for time off prior to commencement of leave.

It is the responsibility of the supervisor to provide a written response to a request for paid vacation time, floating holidays or other types of leaves of absence within two working days of receipt of the request.

C. Unscheduled Absence/Leave of Absence

An employee required to leave work prior to the end of the work shift because of an emergency must notify his/her supervisor before leaving the premises. If his/her supervisor is unavailable, another departmental supervisor or manager must be notified.

1. Except in the case of emergency, employees must make contact with, and inform their department head, supervisor, manager or designated individual, of their illness or injury no later than 15 minutes after the start of their work shift on the first day of absence from work in order to qualify for PTO with pay, as well as to avoid such other forms of disciplinary action as may be deemed appropriate by the General Manager. If the employee is unable to return to work at the time previously indicated, additional notification to the employee's department head or supervisor is required. Unless otherwise directed in writing by the department head, contact may be by telephone, voice mail, or e-mail. If contact is by e-mail or voice mail, the following information is required: a valid call-back phone number; times the employee is available to be contacted; status of work projects; and how the time off is to be coded.
2. Absences continuing beyond the first day require daily notification as indicated above unless a written off work order is provided by the treating professional specifying when it is expected the employee will return to work.
3. Absences due to the employee's illness or injury, or that of an immediate family member, that continues for more than three consecutive days, requires a written "off work" and "return to work" order from the treating professional in order for the employee to continue to be eligible to use

paid leave time. A written treating professional's note will not change the status of an absence from unscheduled to scheduled status.

Absence resulting from an approved Family Medical Leave Act (FMLA) or worker's compensation injury or illness is exempt from consideration for disciplinary action as long as required documentation is provided in a timely manner pursuant to District policy and procedure.

**\*\*Note:** Flexible work arrangements pre-authorized by manager or supervisor will not be counted against this standard.

D. Disciplinary Actions

1. Tardiness, within a rolling twelve-month period, will be addressed by the supervisor with the employee on the day of the occurrence, or as soon as practical within 2 business/working days in which both the supervisor and employee are present; or it will not be counted as an occurrence. Continued occurrences of tardiness will be addressed through the District's progressive Employee Disciplinary Policy.
2. Unscheduled absences ,within a rolling twelve-month period, without proper notification as outlined in Section 3 above should be addressed with the employee by the supervisor upon return to work following the unscheduled absence. Continued occurrences of unscheduled absences without proper notification will be addressed through the District's progressive Employee Discipline Policy.
3. Unacceptable Absence/Punctuality Patterns.
4. It is the manager's or supervisor's responsibility to monitor absence/punctuality patterns of their employees.

Examples:

- a. A pattern of unscheduled time off on Fridays or Mondays or following or preceding other consecutively scheduled days off.
- b. Unscheduled time off after denial of a request for scheduled time off.
- c. A pattern of unscheduled time off on the first workday following payday.
- d. Unscheduled time off before/after office closure (i.e. holiday) or approved PTO.

Continued occurrences of absenteeism patterns will be addressed through the District's progressive Employee Disciplinary Policy.

E. Exceptions:

An employee with a late arrival resulting from an emergency or other unforeseen circumstance may be tardy without it counting as an occurrence unless this is part of a pattern of abuse, as referred to in Section C above. With supervisory approval, an employee may be released from work due to an unforeseen emergency or illness occurring during the workday without it being counted as an unscheduled occurrence. These exceptions are not available to employees counseled during the previous 12- month period regarding punctuality or attendance concerns.

VI. **PROTECTED LEAVE**

The District and Union agree to conform to the requirements of both State and Federal Family Leave Acts as described in the District's current Family Care & Medical Leave Policy. It is also the intent of the District to be in compliance with the California Domestic Partner Rights and Responsibilities Act, and the Healthy Workplaces, Healthy Families Act of 2014.

Absence or tardiness resulting from an approved Family Care & Medical Leave "FMLA" (MOU FMLA Policy) or worker's compensation injury or illness are exempt from disciplinary action as long as required documentation is provided in a timely manner pursuant to District policy and procedure.

**Non-Serious Family Health Leave (California Kin Care)**

Under the Kin Care Law, as amended, employees are permitted to use at least 48 hours (full-time employee, pro-rated for part-time employees based on accrual rate) of their available PTO accruals, in any calendar year and not less than the amount earned during six months employment for care of family members as noted below:

- A child- biological, adopted, or foster child, stepchild, legal ward, or a child whom the employee stands in loco parentis; regardless of age or dependency status.
- Spouse
- Parent
- Registered domestic partner
- Grandparent
- Grandchild
- Sibling

Employees are generally not subject to disciplinary action for such use. The use of these types of leave will not be a factor in employee performance reviews, provided employees notify their supervisor of protected leave use at the time it is taken.

### **SCHOOL ACTIVITY ATTENDANCE**

Consistent with State Labor Code Sections 230.8 and 230.7, as amended, an employee who is a parent of child(ren) of the age to attend kindergarten or grades 1 to 12, inclusive, or a licensed child care provider, for taking off up to 40 hours each year, for the purposes of either of the following child-related activities:

- A. To find, enroll, or re-enroll his or her child in a school or with a licensed child care provider, or to participate in activities of the school or licensed child care provider of his or her child, if the employee, prior to taking the time off, gives reasonable notice to the employer of the planned absence of the employee.
- B. To address a childcare provider or school emergency, if the employee gives notice to the employer.
- C. The employee shall utilize existing Paid Time Off, personal leave, or compensatory time off for purposes of the planned absence. An employee also may utilize time off without pay for this purpose.

The employee shall provide documentation from the school or licensed child day care facility as proof that he or she participated in school or licensed child day care facility activities on a specific date and at a particular time. Time off for this purpose may be taken up to the total number of hours that the employee is normally scheduled for that day but may not exceed 40 hours in any calendar year.

Additionally, Section 48900.1 of the Education Code provides that employees required to attend a portion of the school day in class as a result of their child being suspended from class, must be allowed to attend. Employees may use available accrued Paid Time Off (PTO) or compensatory time off for the above purposes or may use time off without pay. Employees using time off for this purpose shall not be discriminated against in any way by the employer for using such time. The use of this type of leave will not be a factor in an employee's performance review, provided reasonable notice and documentation from the school is provided to the employee's supervisor.

### **Sections VII – IX**

Effective with performance evaluations January 2021 (performance period January 2020-December 2020), Attendance and Punctuality will no longer be a competency included within the performance appraisal forms.

### **VII. PERFORMANCE EVALUATION/PAY FOR PERFORMANCE**

If the employee cannot be relied on to be at work, the quality and quantity of work, as well as overall job performance, can be negatively impacted. Punctuality and attendance are required categories in every employee's performance appraisal.

As a part of the overall performance evaluation rating, and the resulting "Pay for Performance" recommendation, "Punctuality and Attendance" shall be considered in a proportional relationship to all the individual classification categories within the performance evaluation.

**VIII. DISTRICT WIDE ATTENDANCE AND PUNCTUALITY STANDARDS**

Rating will be based on number of occurrences within the employee's twelve-month evaluation period.

<b>ATTENDANCE RATING</b>	<b>NUMBER OF OCCURRENCES</b>
<b>Greatly Exceeds</b>	3 or less
<b>Exceeds Expectations</b>	4 - 5
<b>Meets Expectations</b>	6 - 7
<b>Improvement Desired</b>	8 - 9
<b>Improvement Essential</b>	10 or more
<b>PUNCTUALITY RATING</b>	<b>NUMBER OF OCCURRENCES*</b>
<b>Greatly Exceeds</b>	3 or less
<b>Exceeds Expectations</b>	4 - 6
<b>Meets Expectations</b>	7 - 8
<b>Improvement Desired</b>	9
<b>Improvement Essential</b>	10 or more

\*Some unscheduled occurrences may be protected (such as FMLA, School Activity Leave, etc.), and therefore are not counted in these ratings.

**IX. ADMINISTRATIVE PROCEDURE**

Review of standards and performance action plan should be utilized prior to the employee's appraisal and/or reaching the maximum number of occurrences within a 12 (twelve) month appraisal period to allow the employee the opportunity to meet attendance standards before initiation of the District's progressive employee disciplinary action. A performance action plan is a written plan of actions that will be taken to help the employee to be able to meet the attendance standards.

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**Regular Status Employees**

<b>Procedure /Action Taken</b>			
	<b>Review Standards with Employee</b>	<b>**Performance Action Plan</b>	<b>Continue District's Progressive Employee Disciplinary Policy contained in Ord. 30, as amended</b>
<b>Attendance Occurrences within 12 (twelve) month review period</b>	6 – 7	8 – 9	10 or More
<b>Punctuality Occurrences within 12 (twelve) month review period</b>	7 – 8	9	10 or More

**\*\*Review Performance action plan with employee regarding continuing the behavior to avoid District's Progressive Employee Disciplinary Action**



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Examples - Attendance Tracking Sheet:

Employee Name:

U: Unscheduled		T: Tardy		P: Protected Leave									
Review Period:													
Date	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Comments
1													
2													
3													
4									Tues				Sick. Day after Memorial
5													
6				T									Tardy 10 minutes/ flat tire
7												Fri /	Sick. Scheduled off
8						Fri/							Sick. Scheduled off
9													
10													
11													
12													
13											Tues		Sick. Day after Veterans
14													
15		T											Tardy/flat tire
16													
17													
18													
19													
20													
21													
22													
23								T					Tardy/ flat tire
24													
25													
26													
27													
28													
29													
30													
31													
Month													

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U: Unscheduled						T: Tardy				P: Protected Leave			
Date	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Comments
1													
2													
3													
4													
5													
6													
7													
8													
9													
10													
11													
12													
13													
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22													
23													
24													
25													
26													
27													
28													
29													
30													
31													
Month total													

**AUTHORIZED SIGNATURES ON FILE**