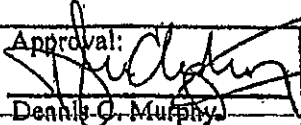



CITY OF BRIDGEPORT

Subject:	Approval:	Approval:	Effective:
ATTENDANCE	 Dennis C. Murphy CAO	 Joseph P. Ganim Mayor	7/1/00 Number: 02-2000 Page: 1 of 7

PURPOSE

This policy establishes attendance guidelines and procedures, and describes the responsibility of the employee and supervisor in maintaining an effective attendance program.

SCOPE

This policy applies to all City of Bridgeport employees in all locations, with the exception of uniformed personnel in the Police and Fire Departments.

POLICY

The City of Bridgeport municipal departments provide a wide range of services to residents, business owners and others. In order to provide quality and timely services, each department must be fully staffed each day. Absenteeism detracts from the City's ability to meet quality service standards and causes a difficult burden for those employees who must assume the duties of absent employees.

Sick time benefits are provided as income protection when illness prevents the employee from reporting to work. It should not be considered as authorized "time off" and attempts to "use up" sick time are strongly discouraged. Our bargaining agreements generally allow for sick leave accumulation and include sick leave "pay-out" provisions. The City's commitment to continued sick leave benefits for income protection purposes is not inconsistent with our commitment to an effective attendance policy.

Excessive employee absenteeism is unacceptable and will be addressed by supervisors and the Office of Labor Relations in accordance with the standards described below.

Employee Responsibilities

Each employee is expected to:

- Employees are expected to maintain a good attendance record.
- Each employee is expected to give advance notification of absences due to illness, and provide the reason for the absence. The employee must give notification by phone, personally and directly, to the supervisor. If an extreme situation arises and the employee is unable to call prior to the scheduled work time, notification must be given to the Supervisor within half-hour after the scheduled start time. ¹ If the employee fails to do so, the employee's absence is considered unauthorized. After three consecutive days without notice, the employee will be considered to have resigned from employment, unless otherwise provided for under the employee's collective bargaining agreement.

Supervisor Responsibilities

Each Supervisor is responsible for monitoring and enforcing this policy. While it is the employee's responsibility to correct the attendance problems and prevent absenteeism, the supervisor should emphasize the following:

- Communicate the City's policy of requiring good attendance to all unit employees.
- Each Department Head or his/her designee shall be responsible for forwarding a monthly report to the CAO and Director of Labor Relations indicating each employee whose attendance merits disciplinary action under this policy and each disciplinary action taken for such employee.
- Employees should personally call their supervisor directly if illness will prevent them from reporting to work. The supervisor must advise the employee that they are to maintain contact for any period of absence beyond one day, unless the employee has provided a doctor's certification covering a specified period.
- Determine when the employee expects to return to work.
- Insure that all absences are accurately and properly recorded on weekly time sheets and on the unit attendance log.
- It is the supervisor's responsibility to consistently enforce this policy by monitoring the employee's attendance records on a monthly basis.
- The attendance records of each employee should be considered individually with reference made to the following types of attendance problems:
 - **Frequency of Absence:** Frequent short-term absences often indicate basic poor attendance habits.
 - **Pattern of Absence:** Unscheduled absences that reflect a pattern of Monday or Friday absences, or absences on the day before or after a holiday or long weekend, or other pattern related to operational conditions (e.g. weather, workload, etc.)
 - **Cause of Absence:** The nature of frequent absences are unrelated and may reflect a poor attendance record.
- Employees should be advised that the City provides a comprehensive benefits plan that should enable the employee to seek treatment for medical problems. The

¹ The collective bargaining agreement for members of the American Federation of State, County and Municipal Employees, Local 1522 (AFSCME 1522) requires its members to call in one hour prior to the start of his/her shift.

Employee Assistance Program (EAP) may also be used as a potential resource for any underlying issues causing an attendance problem.

- Long-term employees with established records of good attendance may be considered differently than a new employee with a poor record during the initial months of employment. It must be recognized, however, that each absence adversely affects the City's ability to provide quality municipal services. The primary responsibility for maintaining a satisfactory attendance record rests with the employee.
- If a supervisor detects an abuse of sick time by an employee, disciplinary action should be taken as described below. **NOTE: The supervisor should counsel the employee and encourage the employee to avail themselves of the EAP, prior to issuing an oral or written warning. In addition, prior to taking any action beyond counseling or an oral or written warning, the supervisor must consult with the Office of Labor Relations.**
- Supervisors are reminded that the use of vacation and personal days must be consistent with the operational needs of the department but must not be so restricted so as to unreasonably deny their use. Sound business judgment is expected to be used in dealing with employee's use of vacation and personal days.

When a matter of interpretation arises, the supervisor shall contact the Director of Labor Relations, or his designee, so as to assure the proper application of these standards.

ATTENDANCE STANDARDS & PROCEDURES

Definitions:

Absence

An "absence" is defined as any unscheduled absence from work during scheduled working hours (including failing to report for scheduled or unscheduled overtime) or failure to remain at work as scheduled. The use of the term scheduled is significant to this definition because it automatically excludes vacation, personal leave or other forms of approved and scheduled time off. An unscheduled consecutive absence in excess of one day, shall be considered as only one absence against the employee, regardless of its length. (Example: An employee is absent for four consecutive days with the flu. This is treated as one absence for purposes of this policy) An absence excludes any work related injury, or a reoccurrence of such an injury, approved by the City's Worker's Compensation Administrator.

Chronic Illness

An illness requiring periodic visits or treatment by a physician that continues over an extended period of time and which causes an episodic rather than a continuous period of incapacity.

Disciplinary Procedures²

In order to translate attendance standards into an effective working personnel policy, the City has adopted the following standards and procedures. It must be noted that four (4) or more absences in the initial probationary period of employment should be considered as failure to satisfy the probationary period of employment.

• ~~Corrective counseling is warranted when an employee has:~~

Six (6) absences within any twelve (12) month period^{*}

The supervisor should counsel the employee prior to issuing an oral warning. The supervisor shall discuss with the employee contributing problems and possible corrective measures. An EAP referral should be made, if appropriate. The supervisor should also advise the employee that an additional absence could result in an oral warning.

• Oral warning is warranted when an employee has:

Seven (7) absences within any twelve (12) month period^{*}

The oral warning must be documented by a written memorandum to the employee from the supervisor. In determining whether to issue an oral warning, the supervisor may consider the number of absences, any pattern of absences, the employee's past record and any other extenuating circumstances. Regardless of the circumstances, however, the supervisor must issue an oral warning when the number of absences exceeds these guidelines by one (1) for this category, and continue with discipline in accordance with this policy for all future absences.

The supervisor should advise the employee that an additional absence could result in a written warning.

• Written warning is warranted when an employee has:

Eight (8) absences within any twelve (12) month period^{*}

² The disciplinary procedures provided herein represents the City's position with respect to just cause discipline under any applicable collective bargaining agreements. The City recognizes that a union may seek to contest such interpretation under the applicable grievance provisions.

^{*} This is a continuously rolling twelve month period.

The supervisor may consult with the Office of Labor Relations, prior to issuing the written warning. In determining whether to issue a written warning, the supervisor may consider the number of absences, any pattern of absences, the employee's past records and any other extenuating circumstances. Regardless of the circumstances, however, the supervisor must issue a written warning when the number of absences exceeds these guidelines by one (1) for this category, and continue with discipline in accordance with this policy for all future absences.

The supervisor should advise the employee that an additional absence will result in a five day suspension without pay.

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- A five (5) day suspension without pay is warranted when an employee has reached:

Nine (9) absences within any twelve (12) month period*

The supervisor must consult with the Office of Labor Relations, prior to issuing a five (5) day suspension without pay. The supervisor must advise the employee that termination will be warranted following one (1) additional absence, regardless of the circumstances.

- Termination is warranted when an employee has reached:

Ten (10) absences within any 12 month period*

The supervisor must consult with the Office of Labor Relations prior to terminating an employee.

Physician's Documentation

Unless otherwise provided under an applicable collective bargaining agreement, any employee who incurs more than three (3) absences in a six (6) month period**, or who incurs more than five (5) absences in a twelve (12) month period**, will be required to obtain a physician's statement, acceptable to the Director of Labor Relations, upon the employee's return to work. Failure to provide this statement shall result in no pay for the absence, and other corrective action, if appropriate. Evidence of admission to a hospital may be provided in lieu of a physician's statement. The physician's statement should document the reason for the absence.

A doctor's statement(s) and any other medical records for an employee shall be maintained in the employee's medical file. The information in this file shall be maintained as confidential unless disclosure is necessary for the health and/or safety of

* This is a continuously rolling twelve month period.

** This is a continuously rolling six and twelve month period.

other personnel (such as issues of dangerous contagious disease) or for purposes of disciplinary or any other action taken pursuant to this policy.

If an employee attempts to return to work after being absent for a "health related" reason and can document with a physician's statement, acceptable to the Director of Labor Relations, that a second absence (within 2 days of a previous absence) is the result of a single medical condition, the second absence will be considered as a single absence.

Chronic Illness

An absence attributable to a chronic illness will be a factor considered when imposing discipline pursuant to this policy, if the employee suffering from such an illness can provide documentation from a treating physician reflecting that the absence was a direct result of said illness. The physician's documentation must reflect that the illness is chronic (as defined above) and severe enough to prevent the employee from performing his/her duties. However, the absence may be counted against the employee if the employee's attendance record reflects a "pattern of absences" as described in this policy. Prior to imposing discipline pursuant to this policy for absences that may be caused by a chronic illness, the supervisor must consult with the Office of Labor Relations.

Annual Physical Examination

An employee's use of sick time (1/2 sick day) to attend an annual physical examination will not be considered against the employee for purposes of imposing discipline pursuant to this policy. The employee's supervisor must be given prior notice of not less than two (2) business days of such examination and adequate documentation if requested. However, employee should use their accumulated personal or vacation days to attend any other medical and/or dental appointments during regularly scheduled work hours.

Absence to Care for Sick Child

The City understands that it may be necessary for employees to be absent from work to care for a sick child. Therefore, an employee's use of a sick day to care for a sick child may not be considered against the employee for purposes of imposing discipline, if the employee can demonstrate that they are the child's primary care giver, the use of a sick day was necessary to care for the ill child, and the child's illness is documented by a physician's statement. However, the sick day may be considered against the employee if the employee's attendance record reflects a "pattern of absences" as described in this policy, or if the number of sick days used to care for a sick child exceeds three in any rolling twelve month period.

Family and Medical Leave / Maternity Leave

Any sick time taken by an employee on an approved family and medical leave, or an approved maternity leave, shall not be considered when imposing discipline pursuant to this policy.

American With Disabilities Act

The American with Disabilities Act (ADA) prohibits employers from discriminating against "qualified" individuals with disabilities. The City is committed to ensuring non-discrimination in all terms and conditions of employment. Prior to imposing any discipline, beyond an oral or written warning, supervisors must consult with the Office of Labor Relations or the ADA Coordinator to ensure compliance with this Act. Employees may contact the City's ADA Coordinator with any questions concerning the ADA.

Good Attendance

An employee with "good attendance" is one with fewer than four (4) absences within a twelve (12) month period. An employee's attendance record shall be considered when evaluating an employee's job performance, and in determining eligibility for promotions.

Employee Records

Documentation of any action taken pursuant to the policy and procedures established herein, shall be returned to the employee's personnel file, unless and until, removal is required under any applicable collective bargaining agreement.

The rolling base period for calculation of the number of absences shall be one year prior to the effective date of this policy. However, any employee with incidents of absences in excess of five on the effective date will revert to five absences for purposes of application of this policy after such effective date.³

Supervisors should consult with and obtain the approval of the Labor Relations Director before determining that any absences, prior to the effective date, meet any of the exceptions in this policy.

Any questions concerning this Policy shall be directed to the Office of Labor Relations.

³ For members of Local 1522 AFSCME Council #4 this policy will be a continuation of the one effective 1/1/99, and the effective date with respect to such employees for purposes of this provision will continue to be 1/1/99.