

**Attendance Policy**  
**NY VERSION**

**Statement of Policy**

The Company depends on its' employees to help fulfill our obligations to our customers. Because absenteeism and lateness are disruptive, unfair to co-workers, costly, and can jeopardize our ability to meet customer demands; employees are expected to report for work on time as scheduled. Unsatisfactory attendance performance, which includes excessive absenteeism and lateness, may have an adverse effect on promotional opportunities and will result in disciplinary action up to and including termination.

1. **Procedures:**

- 1.1. If you are going to be absent or late for any reason, you must contact your supervisor as far in advance of your starting time as possible. If your supervisor is not present, you must notify the person designated or an alternate method identified by your supervisor. Since it is your responsibility to ensure that proper notification is made, asking another employee, friend, or relative to make this contact is not acceptable except in emergency situations. Check with your immediate supervisor regarding any special reporting procedures required.

Failure to give proper notification as outlined above may result in disciplinary action.

- 1.2. **This Policy** Excessive absenteeism is defined as any chargeable (not covered by the CBA, FMLA, NYSPFL, or NYSPSL, aka "non-chargeable") occurrence of absence and/or tardiness of more than 15 minutes duration within a six-month period. **NYSPL law provides that up to fifty-six (56) hours of paid sick time in any calendar year is non-chargeable under this policy.** "A new six-month rolling time period starts with the date of the last occurrence. When an absence or tardy occurs, you are always looking back for the 6-month history in considering what action to take.

A pattern of repeated absenteeism or repeated tardiness of less than 15 minutes may also result in disciplinary action.

- 1.3. This policy is a no-fault Attendance Policy. All absence (paid or unpaid) and tardiness of more than 15 minutes will be counted as an occurrence except the following:
  - 1.3.1. Vacation, Holiday, E Time, job related injuries, and other time as provided by Union Agreements and Company policy (e.g. jury duty, military leave, etc.) will not be counted as an occurrence for the purposes of this policy. A Doctor's appointment that is taken as Vacation or Holiday time is not counted as an occurrence.
  - 1.3.2. Any time spent on an approved Family Medical Leave, NYSPFL, NYSPSL or any disability-related time away from work that is approved by Human Resources as part of a reasonable accommodation, will be non-chargeable and not counted as an occurrence for the purpose of this policy.

1.3.3. An employee who is out for a continuous period of time for multiple illnesses will have this absence treated as one occurrence.

1.3.4. Absences that are due to a previous illness will not be treated as an additional occurrence when the recurring illness occurs within 5 working days of the original illness.

1.3.5 A Doctor’s appointment coded unpaid time will be counted as an occurrence unless part of an approved non-chargeable FMLA, NYSPFML, or NYSPSL request.

**2. Disciplinary Guidelines:**

2.1. An employee whose attendance record is determined to be unsatisfactory will be placed in progressive disciplinary sequence as follows:

Effective 1/1/2021		
Chargeable Occurrence (Absent or Tardy)	Step	Action
#1	1	Coaching
#2	2	Verbal
#3	3	*Written
#4	4	*Final Written
#5	5	*1 to 3 day Suspension
#6	6	*5 Day Suspension
#7	7	**5 Day suspension to Termination

*\*The employee has the right to **refuse** Union representation during these meetings.*

*\*\*Occurrence 7, Step 7 – discipline is at the Company’s discretion.*

*Employees on any Step on the A & L Policy shall remain on the same Step when this new schedule is implemented. Employees in between Steps will be placed on the Step prior.*

**Important**

This disciplinary sequence should be used as a guide. Each case will be judged on its own merits. Any exceptions to the recommended disciplinary sequence must be approved by the Human Resources Manager. This disciplinary sequence applies to this Attendance Policy only.

2.2 Corrective action should be considered as soon as an employee has incurred any chargeable occurrences within a six month period. To ensure consistent application of the policy, the employee’s record should be reviewed with Human Resources before any formal disciplinary action is taken. This review with Human Resource begins with the final Written Warning up to and including Discharge.

2.3 To progress through the steps of the disciplinary sequence:

- **The employee must have one chargeable occurrence within a 6 month period to progress to Step 1**
- **The employee must have an additional occurrence within a 6 month period to progress from Step 1 to Step 2**

**The employee must have an additional occurrence within a 6 month period from Step 2 and above which starts from the date of the last occurrence.**

2.4 If an employee has no occurrences within a four month period between Step 4 and Step 5, the employee ~~will go back one~~ **Step**. If the employee has a clean record in a six-month period from the last occurrence, the employee will be placed on the previous step for this occurrence.

2.5 When an employee achieves one year perfect attendance from the last occurrence, they will be removed from the progressive disciplinary sequence. Therefore, this absence would be the 1<sup>st</sup> chargeable occurrence (Step 1) and a new clock starts.

2.6 Human Resources will conduct periodic audits of absence records in order to insure consistent application of the program.

2.7 Temporary and probationary employees may be held to stricter standards of attendance.

3. **Administration:**

3.1 It is the supervisor's responsibility to maintain attendance records on all their employees. In order to make our employees aware of the Attendance Policy, the supervisor should review the Attendance Policy with every new and recently transferred employee. All absences must be recorded on the calendar and logged to include dates of occurrence, length of absence or lateness, and a brief description of the occurrence. **The supervisor is responsible for keeping track of both chargeable and non-chargeable absences and will make that information available to the employee and/or Union, when requested.** Payment for absences will be in accordance with the collective bargaining agreement.

3.2 When the supervisor determines that an employee is to be placed on a Step, the following action should be taken:

- Complete appropriate disciplinary form letter (see attached exhibits)
- The supervisor will schedule and conduct an attendance review meeting with the employee within 1 week of the employees return to work date.
- Contact Human Resources to review the employee's record for Steps 4, **5, 6, & 7** to determine appropriate discipline and to ensure consistency.

3.3 The attendance review meeting should include the following:

- Review the Attendance Policy with the employee and provide them a copy if they don't already have a copy.
- Review the employee's attendance record verifying the accuracy and have the employee sign the letter acknowledging review