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COA Standard: PA-HR 5.02(c)(14)  
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NRTC operates under the Montgomery County Juvenile Court's policy on Attendance (Section 5.1), which follows:

### **Employee Attendance Policy**

Employees are expected to report for work on time, on a regular basis. Unnecessary absenteeism and tardiness is expensive, disruptive, and places an unfair burden on other employees and supervisors. Unsatisfactory attendance will result in disciplinary action, including reprimand, suspension, and discharge. Attendance has an effect on promotional considerations and merit increases. Attendance patterns are reflected in performance evaluations in the categories of Dependability and Quantity of Work.

By accepting employment with the Court, each employee is required to meet certain job standards. Attendance is considered to be an essential job function; therefore dependable attendance is one of the primary standards to which all employees must adhere and one, which can ultimately determine the employee's continuation on the job.

Whenever a FLSA (Fair Labor Standards Act) non-exempt employee is tardy, or leaves work early, that employee will be subject to a reduction in pay according to scale. FLSA exempt staff will not be reduced in pay for partial day absences because they are paid on a salaried basis, but may be reduced in full-day increments when absent for an entire day. In addition, both exempt and non-exempt employees will be subject to appropriate disciplinary action for excessive instances of tardiness, or early departures, or for patterns.

Any employee who is absent from work for three or more successive scheduled days, without notifying the Court in accordance with these policies, or without approved leave, will be considered to have resigned, effective as of the last day actually worked.

The Court defines its attendance policy in these terms:

1. Absence. The failure of an employee to report during the hours he or she is normally scheduled to work or leaving work without permission.
2. Tardiness. This occurs when an employee is not on the job at the time work is normally scheduled to begin.

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3. Absence with Notification. This occurs when an employee notifies his/her immediate supervisor of an upcoming absence for an acceptable reason such as illness, personal or family emergency, or the like. The supervisor must give the employee permission to be absent and note such permission in writing for the absence to be considered.

- a. Although the Court does not use a set number of reprimands to trigger termination, it does not tolerate excessive reprimands and reserves the right to terminate an employee after consideration of each case on an individual basis.
- b. The Court also reserves the right to terminate any employee who is absent without notification after 3 occurrences.

In regard to **unexcused absence**, the following steps are to be taken:

- c. The supervisor endeavors to discuss the reason for an unexcused absence with the employee. If there are clearly mitigating circumstances, such as a proven emergency, no reprimand is written.
- d. In the absence of justifiable mitigating circumstances, the employee's immediate supervisor writes a reprimand for each occurrence\*, gives it to the employee, and files a copy in his/her own personnel record.

\*An occurrence is defined as each unexcused absence.

4. In regard to tardiness, the following procedures are to be followed:

- a. Tardiness is subject to written reprimand, with repeated instances subject to more severe disciplinary actions up to and including termination, which may be imposed for repeated instances of tardiness and prior related disciplinary actions.
- b. The supervisor endeavors to discover the cause of an employee's unexcused tardiness.
- c. If there are no mitigating circumstances for frequent tardiness, the supervisor issues a written reprimand to the employee, and enters it into the employee's permanent personnel file.

5. Notification Procedures:

- a. If an employee is to be late or absent for any reason, the employee must telephone his/her supervisor as far in advance of the employee's starting time as possible.
- b. If notification cannot be made in advance of the employee's starting time, an employee is encouraged to call his/her supervisor within **one-half hour** after their scheduled starting time. Notification to the employee's supervisor must be made within **two hours** after the employee's scheduled starting time.
- c. If the employee's job duties are of a continuous nature in a division which operates twenty-four hours a day, seven days a week, inability to report for work must be reported at least two hours before the employee's scheduled starting time, unless emergency conditions make it impossible.

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- d. When calling in an absence, the employee must speak to his/her supervisor, or the supervisor in charge. The employee should explain why he/she will be absent and when he/she expects to return to work. It is the employee's responsibility to ensure that proper notification is given. *Asking another employee, friend, or relative to give his/her notification is not considered proper, except under emergency conditions.*
- e. For absences beyond one day, daily notification is required unless other arrangements have been established by the director of your department.
- f. Upon returning to work, application for approval of sick leave pay must be made.
- g. Any employee who fails to give proper notification will be charged with an unexcused absence. If proper notice of absence is given but the absence is not authorized upon application for sick leave pay, it will be considered an unexcused absence. Unexcused absences are subject to disciplinary measures.
- h. Appropriate discipline does not require each or all steps be followed. Rather, progressive discipline will be determined by severity of the infraction and any appropriate step may be used.
- i. **It is important to remember that all absences are subject to supervisory approval.** Unexcused absences, i.e., those, which require the prior approval of the Director and result in withholding of pay are considered unauthorized and are subject to disciplinary action per established Court policy.
- j. Employees are encouraged to carefully manage your leave time to avoid exhausting your reserves. A serious extended illness should be the only circumstance that would prevent you from building up a reserve to protect you from the risk associated with unauthorized leave.

**TARDINESS PROCEDURES FOR THE FOLLOWING 24-HR FACILITIES AND HOURLY WAGE EMPLOYEES:**

- CAS
- DETENTION
- INTERVENTION
- NRTC
- CLERK'S OFFICE

**Notification:**

1. It is the responsibility of the employee to notify their immediate supervisor when they are going to be late.
  - a. Such notice should be given as early as possible.
  - b. If a supervisor has not heard anything from you by **quarter after the hour** of the shift you were scheduled for, they are authorized to cover the shift with another employee.
2. Leave forms for lateness should be filled out as soon as the employee clocks in for duty. They are to be signed by you and turned in to your designated department supervisor.

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3. Time will be divided as listed below in 1/10<sup>th</sup> of an hour.
  - a) 1 minute to 6 minutes = Tardy (docked .10 hour)
  - b) 7 minutes to 12 minutes = (docked .20 hour)
  - c) 13 minutes to 18 minutes = (docked .30 hour)
  - d) 19 minutes to 24 minutes = (docked .40 hour)
  - e) 25 minutes to 30 minutes = (docked .50 hour)
  - f) 31 minutes to 36 minutes = (docked .60 hour)
  - g) 37 minutes to 42 minutes = (docked .70 hour)
  - h) 43 minutes to 48 minutes = (docked .80 hour)
  - i) 49 minutes to 54 minutes = (docked .90 hour)
  - j) 55 minutes to 60 minutes = (docked 1.0 hour)
4. The year is divided up into three (3) month periods or quarters.
  - a. Each quarter allows for a maximum of four (4) lateness's before administrative intervention occurs.
  - b. The quarters are: January, February, March; April, May, June; July, August, September; and October, November, December.
  - c. The period begins the first day of the first month in each quarter and ends on the last day of the last month in that quarter.
5. The policy for dealing with lateness's in each of the three (3) month periods is as follows:
  - a. On the first lateness you will be docked from the following scale as given above under number 3.
  - b. On the second lateness you will be docked according to scale.
  - c. *On the third lateness the time docked will be docked according to scale, and you will receive a letter of reprimand which will remain in your file until the end of the year.*
  - d. On the fourth lateness you will be docked according to scale; **Suspension \***
  - e. On the fifth lateness you will be docked according to scale; **Dismissal\***

**NOTE: \*Suspension days and recommendations for dismissals are at the Administration's discretion.**

6. For any staff staying over for a person who will be late, you will be paid according to the same scale as in number 3. Example: you stay until 10 minutes after the hour; you will receive pay for .20 or 2/10ths of an hour.

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### **Use of the Time Clocks**

**Actual Use of the Time Clock:** The following is for all employees except the salaried staff.

- a. All employees *swipe in* and out.
- b. On Friday's only, all employees must *swipe out* and back in between a double shift.
- c. All employees *swipe in* and out on the floor to which their card has been assigned.
- d. Persons making hospital runs are not required to clock out for the run.
- e. Supervisors are responsible for being aware of whether or not all of the staff on the shift have clocked in and should make changes on the schedule if an employee is late, as well as ensure that the proper forms are completed.
- f. All employees *swipe in* and out for any training or meetings for which they are scheduled to attend, even if it is their scheduled day off, unless the training is held outside of the building.
- g. Each employee shall swipe his or her own timecard. Swiping another employee's timecard, or falsifying a time card is grounds for immediate termination.
- h. Excessive failure to clock in or out will result in progressive discipline.

### **Overtime Scheduling Policy**

It is understood that employees will perform reasonable overtime assignments when required, except where cases of personal emergency exist.

Supervisors will make every effort to insure that the on-coming shift is properly staffed. In the event an employee scheduled to work a shift calls in sick, the supervisor attempts to cover the shift in the following manner:

1. Review the schedule to see if any staff on duty is scheduled less than 40 hours.
2. Ask all staff on duty if they can work the next shift.
3. Contact all staff that are off work to see if they would like to work.
4. To insure equity of shifts, each supervisor will review the schedule daily and maintain the overtime/draft list if applicable for your department. The employee whose name is at the top of the list will be informed that he/she is drafted to work. In the case of two or more staff working that have the same date of the last extra shift they have worked, choose the staff with the next closest day off.

### **Overtime/Work Schedules Adjustment**

Overtime by non-exempt employees must be prior approved by the employee's supervisor, prior to its being worked. Management reserves the right to control overtime by adjusting work schedules as follows:

1. The employee's supervisor may adjust a non-exempt employee's schedule and reschedule his/her hours of work so that the employee does not work more than forty (40) hours during a work period, in so far as such adjustment occurs within the same work period in which the employee worked outside of his/her scheduled

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hours.

2. Overtime is determined at the end of each week.

#### Record Keeping

1. It is each employee's responsibility to accurately record all overtime hours worked on the court overtime form and turn it in to the Operations Manager.
2. All overtime forms must be signed by the approving supervisor.
3. It is each department's responsibility to maintain the record of all hours worked on the Kronos time keeping system.