

Absences from Work:

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ATTENDANCE AND PUNCTUALITY

POLICY:

The agency expects each employee to be responsible for his/her attendance record. Excellent attendance and punctuality is a requirement. Daily attendance is especially important for hourly employees whose coworkers and people supported have the expectation of consistent, on-time attendance.

PRACTICE:

A. Non-Exempt Employees:

1. **EXCUSED ABSENCES.** If appropriately requested and meeting the definitions, the following absences may be excused and accrued personal leave may be utilized where applicable. Requests for these absences should be submitted in writing in an appropriate leave request format to the program manager or scheduler. Appropriate supporting documentation may be required in order for some of these absences to be excused.
 - a) Personal leave. Requests should be submitted with as much notice as possible, but at least two (2) weeks prior to the date of the request;
 - b) Personal leave. Requests that are submitted with less than two (2) weeks' notice but with prior notice may be approved for up to two (2) occurrences per six month period.
 - c) Bereavement. The death of an immediate family member or close personal friend.
 - d) Medical related. Requests for the hospitalization, surgery, or medical visit of the employee or family member (spouse, child, or parent) may be approved for up to three (3) occurrences per six month period.
 - e) Investigative leave. When the employee is suspended pending the outcome of an investigation conducted by the agency or outside entity.
 - f) Family Medical Leave. As defined in this Employee Policy Manual (5-5 through 5-7).
 - g) Military Leave. As defined in this Employee Policy Manual (5-9).
 - h) Jury Duty/Witness Service. As defined in this Employee Policy Manual (5-10).

2. **UNEXCUSED ABSENCES.** Unexcused absences occur when an employee fails to work an assigned or agreed upon shift, is tardy, or leaves a work assignment before the end of the shift. Accrued leave may not be utilized. Unexcused absences will be monitored and categorized as follows:
 - a) An absence from work with prior notice but without the two week notice (excluding two occurrences as noted in 1. b above) – 1 point
 - b) An absence from work without notice (No call, no show) - 3 points
 - c) Tardy – ½ point
 - d) Leave work early without approval – 1 point
 - e) Medical related (more than 3 occurrences within 6 months) – 1 point
 - f) Requesting and taking work time off when the employee does not have leave – 1 point
 - g) Corrective action for unexcused absences shall be as follows:
 - i) 1-2 points within six (6) months – no action
 - ii) 3 points within six (6) months – written attendance warning
 - iii) 4 points within six (6) months – may result in termination

B. Exempt Employees:

1. Exempt employees are paid a weekly salary and are expected to work approximately 40 hours or more per week. When an exempt employee is absent from work for any reason (including, personal business, vacation, medical related, bereavement, holiday, etc.), personal leave time (if available) may be deducted for the absences of two hours or more. If an exempt employee works sometime during the week and personal leave time is not available, the employee will be paid for days off for sickness or disability but shall not be paid for days off for personal reasons.
2. Exempt employees shall generally have a set work schedule but it may vary according to the assignment and the work needs of the agency.
3. If an exempt employee is going to be late or absent from work, a director or designated manager should be called as soon as possible.
3. Requests for personal leave should be submitted in writing in an appropriate leave request format to the director or other designated manager.

C. General:

1. The following procedures shall apply:

- a) Tardiness occurs when a non-exempt employee fails to report to work within eight (8) minutes of the scheduled time and fails to notify a manager prior to reporting.
 - b) When an employee is absent from work and fails to notify a manager for three (3) consecutive working days, it is viewed as job abandonment and considered a resignation.
 - c) A non-exempt employee's request to leave work early may be considered by a program manager or scheduler. If an employee leaves work early without prior approval, it will be considered an unexcused absence.
 - d) In order to give "prior notice" of an absence, a non-exempt employee must actually speak with a program manager, scheduler, or director. Leaving a voice or electronic message will not suffice for notice.
 - e) When giving "prior notice" of an absence, an employee should call two to four hours prior to the time that the employee is scheduled to begin work.
 - f) Even though an employee may appropriately submit a leave request, approval of the request will be contingent on being able to meet the staffing needs and work requirements of the agency and may not be approved in every case.
 - g) Up to three (3) consecutive days or shifts [two (2) days on a weekend] may count as a single occurrence when assigning points.
 - h) Occasionally an employee will exhibit a pattern of absenteeism, tardiness, or lateness that fails to meet the restrictions above but must be corrected. Managers will determine when action is warranted and take appropriate steps.
2. An employee cannot schedule an absence from work if he/she does not have sufficient leave to cover the absence, unless the employee has the written approval from the Executive Director or Associate Executive Director.
3. If an employee believes that the agency has made an improper deduction from leave time or from pay, the employee should contact the supervisor, the benefits coordinator, the associate executive director, or the executive director with the details. Any such complaint will be reviewed and, if warranted, the action may be corrected.

PERSONAL LEAVE TIME

POLICY:

The agency recognizes the importance of leave in providing employees the opportunity for rest, recreation, and celebration of special occasions, as well as time away from work because of illness or injury. Therefore, the agency provides paid personal leave time for regular employees scheduled to work at least thirty (30) hours per week.

PRACTICE:

1. Regular full-time, non-exempt employees hired after January 1, 2015 (who work 80 hours each pay period) will accrue personal leave time according to the following schedule D:

LENGTH OF SERVICE:

	0-1 yrs	1-3 yrs	3-5 yrs	5-10 yrs	10-20yrs	20+ yrs
ACCRUAL (HOURS)						
Biweekly	1.846	3.692	4.615	5.538	6.462	7.692
Monthly	4.0	8.00	10.00	12.00	14.00	16.67
Annual	48	96	120	144	168	200
Maximum	48	200	240	288	320	400

2. Regular full-time, non-exempt employees hired before January 1, 2015 (who work 80 hours each pay period) will accrue personal leave time according to schedule C.
3. Regular full-time grant-funded employees (who work 80 each pay period) will accrue personal leave according to Schedule B but can carry over only 60 hours from fiscal year to fiscal year.
4. Regular full-time, exempt employees (who work 80 each pay period) will accrue personal leave according to Schedule A.
5. Regular part-time employees who work at least thirty (30) hours per week will accrue personal leave on a pro-rata basis. (For example - An employee in the second year of employment and working thirty hours per week will on average accrue 6 hours of personal leave per month or 72 hours per year, i.e., 30 hours is 75% of a full-time, 40 hours per week.)
6. Approved personal leave may be used at the discretion of the employee, for example, for illness, bereavement, vacation, holidays, or other personal reasons.

7. In order to maintain a required number of employees on the job, all personal leave must be approved. Requests for use of personal leave for scheduled absences should be made in writing on the appropriate leave request form, setting forth the dates for which personal leave is being requested. Requests should be made with as much advance notice as possible (See Attendance and Punctuality 5-1).
8. When excused, personal leave may be used to cover unscheduled absences as outlined elsewhere in these policies (Attendance and Punctuality 5-1).
9. An employee in the initial review period may accrue personal leave as a regular employee but may not be able to utilize that leave until granted regular status.
10. Personal leave cannot be used prior to the time it is accrued.
11. An employee on unpaid leave or leave without pay shall not earn personal leave during the unpaid period. Conversely, an employee on paid leave will earn personal leave on the same basis as if working.
12. An employee not using all his or her personal leave may sell back unused personal leave annually within the following limits:
 - a) Up to 40 hours of accrued personal leave can be sold back;
 - b) At least 40 hours of accrued personal leave must remain.
 - c) This option is normally exercised once each year, usually in December. In order to receive the buyback, the employee must submit a written request. In the event that there are exceptional circumstances, an employee may request an earlier buyback by submitting a written explanation to the Executive Director.
 - d) The use of this option will be dependent on the budget status of the agency and the availability of funds each year. If funds are not available, the buyback may not be offered. If more than anticipated funds are available, the buyback may be offered more than once during the year.
 - e) For an employee of a grant funded program this option will be dependent on the individual grant funding each year.

Upon resignation in good standing from the agency, accumulated personal leave of up to 160 hours shall be payable to the employee. If an employee terminates while using personal leave, the personal leave taken during this time will be deducted from the personal leave to be cashed in. An employee who is terminated for misconduct or not in good standing shall forfeit all accumulated leave.

FAMILY AND MEDICAL LEAVE

POLICY:

Unpaid leaves of absence may be granted to employees who must be away from work for extended periods of time because of illness or to care for family members who are ill.

PRACTICE:

1. An employee who has been employed by the agency for one year and is scheduled to work at least 24 hours per week (or has worked at least 1250 hours in the last 12 months) can take up to 12 weeks of Family and Medical leave in any twelve month period for one or more of the following:
 - a) For the birth of a son or daughter of the employee and in order to care for such son or daughter.
 - b) For the placement of a son or daughter with the employee for adoption or foster care.
 - c) In order to care for the spouse, or a son, daughter, or parent of the employee, if such spouse, son, daughter, or parent has a serious health condition.
 - d) For a serious health condition that makes the employee unable to perform the functions of the position of such employee.
2. Leave can be taken intermittently or on a schedule that reduces the usual number of hours per workday or workweek to care for the illness of a child, spouse, or parent, or because of the employee's illness. Intermittent or reduced leave schedules because of the birth of a child, adoption, or foster care are subject to approval by the Executive Director. When a husband and wife both work for the Agency, the total amount of leave that they may take is limited to 12 weeks if they are taking leave for the birth or adoption of a child or to care for a sick parent.
3. All accrued personal leave must be used during the period, prior to initiation of leave without pay. When personal leave has been exhausted, unpaid leave will be granted for the remainder of the Family and Medical leave period.

4. The agency will maintain health care benefits for the employee while on FMLA leave, but the employee is responsible for paying the normal monthly contribution. If the employee elects not to return to work at the end of the leave period, the employee will be required to reimburse the agency for the cost of premiums paid for maintaining coverage during the leave period. If the employee is on paid leave, the employee's share of premiums shall be paid through payroll deduction. If the employee is on leave without pay, such payment shall be due to the agency at the same time, as it would be made if by payroll deduction. All other benefits cease to accrue during the unpaid portion of the leave.
5. All requests for leave shall be in writing, and shall state the reason for the request. When the need is foreseeable, the employee shall provide the Agency with at least 30 days advance notice. The Agency shall have the right to require certification from a health care provider to support a claim for leave. A leave of absence must be used solely for the purpose for which it was granted.
6. Upon return from leave the employee shall be restored to the original or an equivalent position. For salaried employees who are among the highest paid 10 percent of the persons employed by the Agency and when necessary to prevent substantial and grievous economic injury to the Agency, job restoration as stated above may be denied. If an employee fails to return at the end of FMLA leave, the employee will be considered to have voluntarily resigned his/her position with the agency.
7. If an employee requests an extension of leave beyond the 12-week period because of his/her own serious medical condition, the employee must submit medical certification of a continued serious health condition in advance of the request. The agency will review such requests on a case-by-case basis in order to determine whether it can reasonably accommodate such a request. Reinstatement is not guaranteed when granted extended leave and will depend upon the business needs of the organization.

LEAVE FOR ADOPTION, PREGNANCY, CHILDBIRTH AND NURSING AN INFANT

POLICY:

In compliance with the Tennessee State Law, the agency grants certain employees with leave for adoption, pregnancy, childbirth and nursing an infant.

PRACTICE:

1. An employee who has been employed by the agency for at least 12 consecutive months as a full-time employee (30 hours per week) is entitled to four (4) months leave for adoption, pregnancy, childbirth and nursing an infant.
2. In order to be eligible for this leave, an employee must give the Agency at least three (3) months advance notice of her/his anticipated date of departure for leave, the length of the leave, and her/his intention to return to full-time employment after the leave has ended.
3. If the employee qualifies for the leave and gives the required notice, she/he will be entitled to receive the same or a similar job upon returning to work. If she/he is prevented from giving the three months advance notice because of a medical emergency which requires the leave to begin earlier than originally anticipated, she/he will not forfeit her/his rights to the leave solely because of her/his failure to give the three months advance notice.
4. The leave may be a combination of paid and unpaid leave. All accrued personal leave must be used prior to the initiation of unpaid leave.
5. If the job that the employee fills is so unique that the agency cannot, after reasonable efforts, fill the job temporarily, the agency will fill the job with another employee and the employee will not be entitled to be reinstated to her/his job or a similar one at the end of the leave.
6. The purpose of this policy is to provide leave time to employees for adoption, pregnancy, childbirth and nursing an infant, as applicable; therefore, if the employee utilizes the period of leave to actively pursue other employment opportunities or to work part-time or full-time for another employer, she/he will not be entitled to reinstatement at the end of the leave.
7. If the agency determines that the employee will not be reinstated at the end of the leave because the employee's position cannot be filled temporarily or because the employee has used the leave to pursue employment opportunities or work for another employer, the Agency shall so notify the employee.

NOTE: This Leave and Family and Medical Leave both address similar leave situations and either could be available for eligible employees. While either may be used, the use of this Leave will be considered use of Family and Medical Leave.

MILITARY LEAVE

POLICY:

The agency will abide by all the provisions of the Uniformed Services Employment and Re-Employment Act (USERRA) and will grant military leave to all eligible full-time and part-time employees.

PRACTICE:

1. Military leave may be granted to full-time and part-time employees for a period of four (4) years plus a one-year voluntary extension of active duty (5 years total), if this is at the request and for the convenience of the United States Government.
2. As with any leave of absence, employees must provide advance notice to their team administrator of their intent to take military leave and must provide appropriate documentation. Copies of the military orders should be submitted to the Executive Director as soon as practical.
3. An employee's salary will not continue during military leave unless required by law. However, employees may request to use any personal leave time accrued during military leave. Benefit coverage will continue for 31 days as long as employees pay their normal portion of the cost of benefits. For leaves lasting longer than 31 days, employees will be eligible to continue health benefits under COBRA and will be required to pay 102% of the total cost of their health benefits if they wish to continue benefits.
4. Upon return from military leave, employees will be reinstated with the same seniority, pay, status, and benefit rights that they would have had if they had worked continuously. Employees must apply for employment within ninety (90) days of discharge from the military. Employees who fail to report for work within the prescribed time after completion of military service will be considered to have voluntarily terminated their employment.
5. If employees were participants in the agency's retirement plan at the time they left for military duty, they will also be permitted to make additional contributions to the plan. Employees may initiate these additional payments as of their re-employment date and continue them for the period of time permitted by law.
6. If employees are reservists in any branch of the Armed Forces or members of the National Guard, they will be granted time off for military training. Such time off will not be considered personal leave. However, employees may elect to have their reserve duty period be considered as personal leave to the extent they have such time available.

JURY DUTY/ WITNESS SERVICE

POLICY:

The agency assures the salaries of regular full-time and part-time employees who are summoned to jury duty or witness service on behalf of the agency.

PRACTICE:

1. If a full-time or part-time regular employee, who has been employed by the agency for six (6) months, is called to serve on a jury, the agency will pay the employee their regular wages for the workday or days in which the court requires attendance for three (3) hours or more.
2. If an employee is requested to testify, as a voluntary witness at the request of the agency (by subpoena or otherwise), the agency will pay the employee their regular wages for the workday or days in which the court attendance is required.
3. If an employee is subpoenaed to appear in court as witnesses or required to appear in court for personal matters (but not at the request of the agency), he/she will be excused from work in order to comply with the subpoena or court order but will not be paid for the time. (Accrued personal leave may be utilized).
4. Upon receiving a summons to report for jury duty or subpoena for court, an employee shall, on the next work day, present the summons/court document to a Team Manager, Scheduling Coordinator or Human Resources Coordinator.
5. If an employee summoned for jury duty is working a night shift or is working during hours preceding those in which court is normally held, the employee will be excused from work for the shift immediately preceding the employee's first day of jury service. After the first day of jury service, when the employee's responsibility for jury duty exceeds three (3) hours during a day, the employee will be excused from the next scheduled work period occurring within twenty-four (24) hours of the day of jury service.
6. An employee serving less than three (3) hours per day on jury duty is required to report to work for the remainder of the normal work period.
7. Copies of court attendance sheets received from the court showing dates served should be submitted to a team administrator or the Coordinator of Payroll Services in order to assure that the employee is paid for the day(s).

HOLIDAYS

POLICY:

The agency designates six days per year as holidays. When employees work on designated holidays recognized by the agency, they will be fairly compensated.

PRACTICE:

1. The following six (6) holidays are recognized by the agency:

Easter Sunday	Varies from year to year
Memorial or Decoration Day	Last Monday in May
Independence Day	July 4th
Labor Day	First Monday in September
Thanksgiving Day	Fourth Thursday in November
Christmas	December 25th

2. Holidays will be observed only on the days on which they fall.
3. Because of staffing needs, an employee may be required to work holidays that fall on his/her regularly scheduled workdays. When required to work, the employee will receive one and one half (1.5) times their scheduled pay for all hours worked on holidays designated and observed by the agency.
4. Employees who voluntarily work on designated holidays, but who are not required to work in performing their job duties, will receive the holiday incentive pay (time and one half) only if approved prior to the work by the Executive Director or designee.
5. For employees that do not work on designated holidays observed by the agency, personal leave must be used in order to be paid for the time.

RESPONSE TO INCLEMENT WEATHER

POLICY:

Because of the critical nature of the agency's work, it is imperative that employees make every effort to report to work in the event of inclement weather, including, but not limited to, snow, ice, freezing rain, or flood. Employees should also make every effort to remain at work in the event inclement weather occurs during their work schedule.

PRACTICE:

1. All employees are expected to make every effort to come to work. If unable to report to work, the employee should call the team administrator or scheduler and describe their situation.
 - a) If the employee is unable to get to the job site and the team administrator is unable to provide alternative means of getting the employee there, the unscheduled absence may be excused and the use of personal leave authorized.
 - b) If the employee is able to get to the job site or the team administrator is able to provide alternative means to get the employee to the job site and the employee refuses to report to work when requested, the unscheduled absence will not be excused and personal leave may not be used.
2. If an employee reports to work late due to inclement weather and appropriately notifies the team administrator, he/she will be paid for the first hour of absence. Additional time will be charged as personal leave or unpaid leave.
3. If an employee requests to leave work earlier than an official closing, the employee's request may be considered by the team administrator or scheduler. If an employee leaves work early without prior approval, it will be considered an unexcused unscheduled absence.