

 Corrections and Community Supervision DIRECTIVE	TITLE Normal Workday, Tardiness, Early Departure, and Excused Absences		NO. 2201
			DATE 12/29/2015
SUPERSEDES DIR #2201 Dtd. 7/29/2014	DISTRIBUTION A	PAGES PAGE 1 OF 4	DATE LAST REVISED
REFERENCES (Include but are not limited to) Directive #2203, #2204, #2207, #2209, #4004	APPROVING AUTHORITY 		

I. **PURPOSE:** This directive establishes the Department of Corrections and Community Supervision’s (DOCCS) time and attendance rules governing the normal workday, tardiness, early departure, and excused absences of employees from their work assignments.

II. **POLICY**

A. Normal Workday: The normal workday is 8 hours for employees working a 40-hour week, and 7 1/2 hours for employees working a 37 1/2 hour week. This does not include a meal period which consists of at least 30 minutes in duration. The provision for a specific time and duration of a meal period does not apply to Correction Officers or any 40-hour employee working a straight 8-hour shift.

Community Supervision Parole Officers may work one long report day (10.5 hours) and one short workday (4.5 hours) per week.

All Department employees will have a shift with a set start time and a set end time, not a time range that allows employees to report to work within the range and leave within the range.

NOTE: Based on the job duties of certain 40-hour employees, the facility may elect to provide specific employees with a 30 minute lunch break, during which the employee is relieved of all job responsibilities. However, to do this, and continue compliance with Civil Service Attendance Rules, said employees’ work day must be increased by 30 minutes. Prior to effecting such a change in an employees scheduled work day, the facility must contact their Central Office Labor Relations Representative to ascertain the appropriate procedure.

B. Tardiness

1. General

- a. Tardiness is reporting late for work or returning to work after the expiration of the time designated for lunch without prior approval, and must either be charged against accruals to the next higher quarter hour with supervisory approval or result in payroll deductions.
- b. If the employee is not in a “shift” position, tardiness may be made up on the same day by extending the employee’s workday by the number of minutes tardy. This adjustment will only be made at the request of the employee and with the approval of the employee’s supervisor. Tardiness that is made up on the same day is still assessed as an occasion of tardiness as it does not negate the fact that the employee was late for work. Such adjustments should not be approved routinely and should be based on office needs. Gross variations in the starting times will not be permitted. Employees who are consistently tardy may be subject to disciplinary action.

- c. Employees who report late for Municipal Police Training or other training that requires full session attendance for satisfactory completion shall not be allowed into the scheduled training. The individual must return to his or her assigned facility and the absence, including the time of travel back to the employee's facility, shall be handled as tardiness.
 - d. Tardiness for Pre-Shift Briefing will be handled in the same manner as tardiness for the work shift. For example, if an employee is required to report for lineup at 6:45 a.m. and does not report for duty until 7:15 a.m., he or she is considered to be 30 minutes tardy. Also, if the employee misses the entire pre-shift briefing period, he or she will not be paid the overtime rate for this period. In both of these types of instances, accruals will be charged as described in Section II-B-2-b of this directive.
2. Tardiness Penalties: Tardiness penalties are deducted from non-compensatory overtime, vacation, and personal leave accruals in that order. An employee who does not have leave credits to cover tardiness will be considered on leave without pay for actual work time lost rounded to the next highest quarter hour. Leave without pay deductions for tardiness must be computed at straight time. The Department's official tardiness schedule is as follows:

<u>Tardiness</u>	<u>Penalty</u>
a. One or more times tardy per pay period, not exceeding a total of 14 minutes.	None
b. One or more times tardy per pay period, totaling 15 minutes or more.	The charge for <u>each</u> instance of tardiness in the pay period will be rounded to the next highest quarter hour.

A pattern of occasions of tardiness shall result in progressive counseling and may be cause for disciplinary action or affect an employee's performance rating, whether or not tardiness penalties have been assessed. Although a pattern of occasions shall result in progressive counseling, a counseling should also take place whenever tardiness affects the overall operation of the facility (i.e., overtime, caused a post to close, or a program to be delayed). Tardiness in excess of 2 hours is considered to be an occasion of absence pursuant to the Department's Attendance Control Program.

3. Excused Tardiness
- a. Weather/Other Uncontrollable Conditions: Tardiness may be excused without charge to credits when uncontrollable conditions affect the arrival time of employees. This does not relieve employees with knowledge of adverse conditions of their responsibility to make an earlier start to assure their timely arrival at their work station. The Director of Personnel for Main Office employees, the Regional Director for Community Supervision field staff, or the Superintendent for facility employees has the authority to excuse tardiness but does not have the authority to excuse full day absences without charge to credits. The maximum amount of tardiness which may be excused is 2 hours. An absence for an entire day, caused by an uncontrollable condition, cannot be excused without being entirely charged to credits.

The granting of excused time should be restricted to those instances when a significant percentage of the employees are late. Further, the amount of time the majority of employees were late should be taken into consideration when determining the amount of time to excuse. For example, if 70 employees are late less than 1 hour each, while 6 employees are late for periods ranging from 1 1/2 to 5 hours, it would be reasonable to grant 1 hour of excused time and to require the 6 employees to charge time credits for lateness in excess of 1 hour.

- b. The tardiness of employees belonging to volunteer groups (fire fighters, ambulance, or rescue squads) may be excused; however, the employee will be required to submit evidence that their lateness was a result of an emergency call. Absences, as opposed to tardiness, necessitated by an emergency are to be charged to personal leave, non-compensatory overtime, or vacation accruals in that order, unless the Governor determines that accruals should not be charged due to an employee's response during a declared State of Emergency. Appropriate contracts, resulting from agreements between the various employee organizations and the State, spell out not only attendance and leave regulations as they relate to tardiness of employees belonging to volunteer groups, but to Civil Air Patrol personnel as well.

C. Early Departures

1. Unauthorized Early Departure: An employee is expected to put in a complete workday or shift. Leaving prior to the normal dismissal time without authorization will result in a payroll deduction (if appropriate) rather than utilization of time credits, counseling, and possible disciplinary action. Facility administrative staff are responsible for verifying the accuracy of all time-recording devices in use at the facility on an on-going basis, and taking immediate remedial action to correct any discrepancies found.
2. Authorized Early Departures
 - a. The early departure of employees may be authorized when weather conditions (heat, snow, storm, etc.) are severe enough to disrupt transportation or endanger the health and safety of employees.
 - b. Such early departures may be authorized, after proper consultation with the Commissioner's Office, by the Superintendent for facility employees, by the Regional Director for Community Supervision field staff, and by the Deputy Commissioner for Administrative Services for Central Office employees.
 - c. Authorized early departures may not be excused without charge to leave accruals. Authorized early departures must be charged against holiday, non-compensatory overtime, vacation, and personal leave with the supervisor's approval. If the employee does not have accruals to cover an authorized early departure, a deduction will be made from the employee's paycheck in lieu of appropriate time credits.

3. Directed Early Departures

- a. Employees may be directed to leave work early by the appointing authority because of extraordinary circumstances or conditions such as fire, riot, flooding, breakdown of essential services, etc., which disrupt the work environment to such an extent as to make continued work dangerous or hazardous to the employees.
- b. Employees directed to leave work early by the appointing authority because of extraordinary conditions may be excused from charging their leave credits.
- c. Appropriate union agreements outline the procedure for handling excused absences when an employee is directed to leave work early due to "extraordinary circumstances." Refer to Directive #4004, "Unusual Incident Report."

D. Closing State Offices: State Offices may be closed only by order of the Governor.

E. Absence During the Workday: Any absence of an employee during the workday, other than a directed early departure (see Section C-3), must be charged to appropriate leave credits. Form #1031, "Time Off Request," (see below) should be completed for all prior approved absences, whether charged to leave credits or taken as excused time.

Reference is made in the following directives:

- #2203 - "Annual Leave"
- #2204 - "Sick Leave at Full Pay"
- #2207 - "Time and Attendance Rules-Personal Leave"
- #2209 - "Allowable Absences With Pay"

All pertinent information should be completed. The form must be dated and signed. The "Resource No." field is included to assist security supervisors in planning shift coverage.

Form 1031		TIME OFF REQUEST		DATE _____																																
NAME _____			RESOURCE NO. _____																																	
TITLE _____		ITEM NO. _____	SENIORITY DATE _____																																	
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CHARGED TIME - # Hrs. Requested Vacation - ____ Personal - ____ Sick - ____ Holiday - ____ Comp. Time - ____																																				
EXCUSED TIME - # Hrs. Requested EOL - ____ Training - ____ State Business - ____ Other - ____																																				
TOTAL # OF HRS. REQUESTED _____																																				
REASON: _____ _____ EMPLOYEE SIGNATURE _____ APPROVED <input type="checkbox"/> DISAPPROVED <input type="checkbox"/>																																				
SIGNATURE _____ TITLE _____																																				
NOTE: Each employee is responsible for having the time on the books to cover the requested time off. The supervisor is approving the time off, NOT that accruals exist to cover the requested absence.																																				