

	<b>Administrative Regulation</b>	
	Policy#	7.1
	Effective:	07/01/2021
	Revised:	N/A
<b>Attendance</b>		Owner: Human Resources

**Note:** Terms in **bold** and *italics* throughout this policy are defined below.

## PURPOSE:

This policy provides general guidelines for attendance and provisions for addressing excessive absenteeism or tardiness.

## SCOPE:

This regulation applies to all employees.

## POLICY:

Punctuality and regular attendance are an essential responsibility of every City employee.

**Tardiness** and **absences** impact coworkers, supervisors, and the public. Employees are expected to report to work as scheduled, on time, prepared to start work at the beginning of their shift, and to remain at work for the entire scheduled shift.

An absence may be considered short notice or an unscheduled absence when an employee fails to call in, gives late notice, or fails to give advance notice for an absence which could be anticipated. **Excessive short notice or unscheduled absences** and tardiness may result in discipline. No employee will suffer discrimination or retaliation for requesting or using protected leave as defined by federal or state law.

## PROCEDURE:

### 1. Notification

- 1.1. Employees should follow the notification procedures for their respective departments. If an employee is absent for any reason, they are typically expected to notify their supervisor or designee, indicating the reason for the absence, prior to the start of their regularly scheduled shift.
- 1.2. During absences extending more than one day, employees are expected to keep their supervisor informed of their anticipated return date.
- 1.3. Employees may be required to provide evidence to support the reason(s) for the absence.

### 2. Pre-scheduled Time Off

- 2.1. Pre-scheduled time off not scheduled in accordance with department notification procedures is considered short notice.
- 2.2. Pre-scheduled time off for doctor appointments should be approved in advance by the supervisor, at least twenty-four (24) hours beforehand.

### 3. Short Notice/Unscheduled Time Off

- 3.1. An absence shall be considered “short notice” when the time off is not scheduled in advance per department policy or protocol. If not otherwise specified within a department procedure, employees are expected to notify their supervisor of an unexpected absence at least thirty minutes prior to the start of their workday or shift.
- 3.2. If no policy or protocol is in place, then an absence is considered “short notice” when notice occurred with less than 24 hours’ advance notice. Exceptions may be excused by a supervisor for the following reasons:
  - 3.2.1. Car accident.
  - 3.2.2. Inclement weather (e.g., heavy rain, snow, ice) which affects travel conditions.
  - 3.2.3. Health emergency.
- 3.3. Absences due to approved leave under the state and federal Family Medical Leave Act and/or other approved leave(s) including Oregon Sick Time, bereavement, jury duty, and military leave, or under the Americans with Disabilities Act will not be included when considering an employee’s attendance record and will not be considered a short notice **occurrence**.

### 4. Tardiness

- 4.1. If an employee fails to report to the assigned work site at the scheduled time or departs early from work, the time missed is considered “tardy” unless prior approval has been received. This applies to returning to work after scheduled breaks and meal periods.
- 4.2. A tardy that is more than sixty (60) minutes will be considered short notice/unscheduled absence.
- 4.3. With prior approval, employees may flex their schedule or extend the workday to make up lost time.

### 5. Pattern of Abuse

- 5.1. If a **pattern of abuse** is identified or the frequency of short-notice absences becomes excessive, employees may be subject to discipline.

## 6. No Call/No Show

- 6.1. An employee who is absent for three consecutive days without notification, unless due to an emergency or unavoidable situation, as determined by the supervisor, shall be considered to have abandoned their job as of the last day of active employment.

## 7. Utilization of Leave Accruals

- 7.1. All City employees, including FLSA-exempt employees, are required to use their available leave accruals for absences.
- 7.2. Employees are not required to use leave accrual beyond their regularly scheduled work hours in any given **pay week**.

## 8. Oregon Sick Time Leave

- 8.1. The Oregon Sick Time law provides employees with up to 40 hours, per calendar year, of protected sick time off, if they have the available accrued paid leave (e.g. PTO, vacation, or sick leave).
- 8.2. Use of leave for legally protected reasons under the Oregon Sick Time law and other applicable statutes (e.g., FMLA, OFLA, Workers Compensation) shall not be used as a reason for taking adverse employment action against an employee. Employers are prohibited from interfering or retaliating against an employee who requests or uses sick time for protected leaves.
- 8.3. Employees are not required to find a replacement worker or work a different shift to use sick time, although time may be flexed during that work week if mutually agreed upon.

## DEFINITIONS:

1. **"Absence"** is when an employee misses one or more consecutive scheduled workdays.
2. **"Excessive Short Notice or Unscheduled Absence"** is defined as more than three (3) occurrences within a rolling six-month period or six (6) occurrences within a rolling twelve-month period. Note: The first forty (40) hours of paid absences related to sick leave in each calendar year cannot be counted towards occurrences when determining excessive absenteeism, per Oregon Sick Time law.
3. **"Excessive Tardiness"** is defined as more than three (3) unscheduled late arrivals or unscheduled early departures within a rolling 30 calendar day period.
4. **"Occurrence"** is defined as one period of absence, which may consist of one day or a series of consecutive days for the same reason or as a tardiness more than sixty (60) minutes. An

occurrence may also refer to a short notice event resulting in unapproved time away from work. This includes leaving work early without prior approval.

5. ***“Pattern of Abuse”*** is when an employee’s absences occur with a common factor such as a recurring absences on specific days of the week, or before/after holidays at least three (3) times within a twelve (12) month period.
6. ***“Pay Week”*** is defined as the seven (7) day calendar period used to determine overtime eligibility, generally starting on Sunday morning and ending on Saturday.
7. ***“Tardiness”*** is defined as failure to be present and prepared to work at the scheduled start of a shift, after breaks, or after lunch, and includes early departures.

## **RESOURCES:**

### *Administrative Regulations:*

1. [Contagious Illness](#)
2. [Family Medical Leave](#)
3. [Leave of Absence](#)
4. [Sick Leave](#)