

 <p>KENTUCKY CORRECTIONS Policies and Procedures</p>	Policy Number	Total Pages
	3.14	6
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	June 14, 2016	August 5, 2016
Authority/References KRS 196.035, 197.020, 337.355; 337.365 101 KAR 2:095, 101 KAR 2:102	Subject EMPLOYEE TIME AND ATTENDANCE REQUIREMENTS	

I. DEFINITIONS

None

II. POLICY and PROCEDURE

This policy applies to all Department of Corrections employees.

A. General attendance requirements

1. All staff on institutional grounds shall be assigned for forty (40) hours per calendar work week.
2. All employees shall have five (5) work days in each calendar work week on all time and attendance reports submitted unless a different work schedule has been approved.
3. Employees shall call in an absence personally unless incapacitated.
4. Messages shall not be left unless a call back number is provided.
5. Security personnel shall contact the on duty Shift Supervisor one (1) hour prior to shift if they are going to be absent.
6. Non security personnel shall notify their supervisor at least fifteen (15) minutes prior to shift if they are going to be absent. Employees shall speak with their supervisor.
7. All staff shall be at their work station at their scheduled start time.
8. All staff shall work overtime as directed by their supervisor(s).

B. Essential staff identified in an emergency situation

1. Departments designated as essential shall be:
 - (a) Security
 - (b) Food Service
 - (c) Maintenance
 - (d) Medical
 - (e) Warden and Deputy Wardens
2. Inclement weather, institutional emergencies, and personal emergencies:

Policy Number	Effective Date	Page
3.14	August 5, 2016	2

- (a) All essential staff shall report for duty during inclement weather and institutional emergencies.
- (b) Essential staff who cannot report to work shall contact the on duty Shift Supervisor or their assigned designee and the employee shall explain the absence. The reason and type of leave requested shall be documented.
- (c) The call in shall be completed at least one (1) hour prior to the time the employee is to report for duty.
- (d) The employee shall provide a contact telephone number to allow the appropriate Shift Supervisor to contact the employee if necessary.
- (e) Essential staff shall be charged Leave Without Pay for failure to report to their institution during an emergency situation or inclement weather.
- (f) A leave slip shall be completed if the employee returns to work.

C. Non essential staff defined in an emergency situation

- 1. In emergency situations that necessitate absence or reporting to work late, all non essential staff shall comply with the following:
- 2.
 - (a) The employee's immediate supervisor shall be contacted to explain the absence. If the employee's immediate supervisor is unavailable, the chain of command shall be followed to explain the absence.
 - (b) The employee shall notify the institution by telephone at least fifteen (15) minutes prior to the time the employee is to report to duty.
 - (c) The employee shall provide a contact telephone number to allow the appropriate shift supervisor to contact the employee if necessary.
 - (d) Failure to call in by the required time may be cause for denial of leave for the period of absence. Exceptions may be granted by supervisor.
 - (e) A leave slip shall be completed if the employee returns to work.

D. KRONOS – Workforce timekeeper

- 1. An employee shall not scan in more than seven (7) minutes prior to the scheduled shift start. At the end of a shift an employee shall not scan out more than seven (7) minutes after the end of his shift. Any variances, for example overtime worked, tardiness, partial or full-day absences, shall be approved by the employee's supervisor and recorded as an exception.

Policy Number	Effective Date	Page
3.14	August 5, 2016	3

E. Leave

1. Military Leave – 101 KAR 2:102, Section 6

A copy of the orders shall be submitted to the appropriate supervisor immediately upon return from duty. The supervisor shall forward a copy of the military orders to the Human Resources Department. If the orders are not provided upon return to work, the employee shall be charged annual leave, compensatory leave or leave without pay.

2. Leave for seeking and applying for other employment

- (a) If an employee interviews for another position within the Kentucky Department of Corrections, the employee shall not be required to use accrued leave for the purpose of attending the interview if the interview is during normal working hours.
- (b) This shall be recorded on the timesheet as regular time justified as “for interview,” and shall be charged to regular time.
- (c) If an employee interviews for a position outside the Kentucky Department of Corrections, accrued annual or compensatory leave shall be used for the amount of time absent from the job.
- (d) Travel expense reimbursement for mileage, or the use of a state vehicle, shall not be permitted for any of the above.

3. Sick Leave – 101 KAR 2:102, Section 2

- (a) The supervisor of an employee absent from work for three (3) or more consecutive work days for illness shall notify the Human Resources Administrator.
- (b) Employees absent from work and who claim illness for three (3) or more consecutive work days shall submit a Fitness for Duty form prior to being allowed to return to work if a doctor’s release includes physical duty restrictions. The supervisor shall review the completed Fitness for Duty form. These forms may be obtained from the Human Resources Department. A medical note signed by a doctor or nurse practitioner shall be acceptable if there are no physical duty restrictions. A stamped signature shall not be acceptable.
- (c) A supervisor may request a medical statement for less than three (3) consecutive work days if the employee appears to have established a pattern of call-ins for sickness related absences in conjunction with the regularly scheduled off days, holidays or weekends. The supervisor shall notify the employee in writing if medical documentation verifying inability to work is necessary in order to receive authorized leave. A copy shall be forwarded to the

Policy Number	Effective Date	Page
3.14	August 5, 2016	4

Human Resource office to be placed in the employee's medical file. This requirement shall be for a period of at least ninety (90) days and renewable if no improvement in attendance has been demonstrated.

- (d) The employee's failure to submit an acceptable medical statement may result in the denial of the use of sick leave for the absence and may result in corrective or disciplinary action. The statement shall be submitted immediately upon the employee's return to work and shall specify the dates the physician affirms the employee was unable to work due to medical examination or treatment. Acceptable "Fitness for Duty" statements shall address the job requirements for the employees' job classification.
- (e) Staff shall not return to work with restrictions and shall remain on sick leave until a temporary, modified duty plan has been authorized. Physician statements shall be submitted to and reviewed by the Human Resources Administrator who shall consult with the appropriate Department Head to make a determination regarding the ability to honor medical restrictions on a temporary and case-by-case basis.
- (f) A temporary modified duty program shall be used to the extent possible in order to return employees to work as quickly as possible following work-related injury or illness. Modified duty shall be limited to ninety (90) days unless an extension is approved by the Warden. Employees with work-related injuries shall have priority for placement in modified duty assignments.
- (g) Once a determination is made regarding the availability of a modified duty assignment, the employee shall be notified of the approved date to return to work.
- (h) All medical statements shall be forwarded to the Human Resources Department for placement in the employee's confidential medical file.
- (i) Doctor statements shall not be placed in any file, except the medical file.
- (j) A doctor's statement shall be signed by a doctor or a nurse practitioner. A stamped signature shall not be acceptable.

4. Compensatory Leave and Overtime – 101 KAR 2:102, Section 5

- (a) An employee requesting annual leave, who has accrued sufficient hours, may be required to use compensatory time consistent with 101 KAR 2:102, Section 5 (2). The supervisor requiring the use of compensatory time in lieu of annual leave shall do so in writing to the employee prior to or when approving the leave request.
- (b) The supervisor shall notify the employee in writing, if the employee is required to take time off to use compensatory time pursuant to 101 KAR 2:102, Section 5(2)(b).

Policy Number	Effective Date	Page
3.14	August 5, 2016	5

5. Absence Without Leave – 101 KAR 2:102, Section 10

- (a) If an employee is absent from duty without approval and does not report the reason to his supervisor at the beginning of the shift from which he is absent, the Shift Supervisor or Department Head shall discuss the absence with the employee immediately upon the employee's return to work, and request an explanation for the absence. If the supervisor submits a recommendation for leave without pay, he shall state the reasons for the recommendation through the chain of command.
- (b) A copy of the recommendation shall be forwarded to the designated personnel who shall notify the employee in writing if pay is to be deducted. A copy shall be placed in the employee's file.
- (c) If the action is challenged and the leave without pay retracted, the employee shall be notified in writing.

6. Absence Review

- (a) An employee may be allowed six (6) absences without prior leave approval within the prior twelve (12) months before being required to produce documentation for each absence that occurs.
- (b) An employee may be counseled by his supervisor if he has four (4) absences without prior leave approval and advised of the documentation requirement if he reaches six (6) absences without prior leave approval.
- (c) The following factors shall be reviewed before implementing the documentation requirement:
 - (i) Multiple absences without prior approval immediately preceding or following scheduled off days;
 - (ii) Multiple absences without prior approval on Saturdays, Sundays or holidays by those scheduled to work those days;
 - (iii) Use of unscheduled time by staff who have been denied scheduled leave; or
 - (iv) Consistently reporting to work late.
- (d) The employee shall be placed on Time and Attendance Review for a period of one hundred and eighty days (180), if the supervisor determines that this is justified given the factors and attendance record.
- (e) Upon completion of the one hundred and eighty days (180) on Time and Attendance Review, the supervisor may direct that the employee:
 - (i) Be removed from Time and Attendance Review, or
 - (ii) Continue on Time and Attendance Review for another 180 days.

Policy Number	Effective Date	Page
3.14	August 5, 2016	6

- (f) All supervisors shall be responsible for monitoring their employees' time and attendance. Abuse of leave shall be noted in the employee's evaluations and corrective/disciplinary action relating to time and attendance shall be addressed. At each phase of the evaluation process the employee's time and attendance shall be discussed by the employee's evaluating supervisor.

F. Employee Breaks and Rest Periods

- 1. See KRS 337.365.
- 2. All employees working in an institution shall remain on institutional grounds during all break periods.

G. Employee Lunch Periods

- 1. See KRS 337.355.
- 2. All staff on institutional grounds currently receiving a paid lunch period shall be required to remain on institutional grounds during meal periods.

H. Violations of this policy may result in corrective or disciplinary action up to and including dismissal.