

**GOVERNMENT OF THE DISTRICT OF COLUMBIA
DEPARTMENT OF YOUTH REHABILITATION SERVICES
POLICY AND PROCEDURES MANUAL**

POLICY NUMBER:	DYRS-015
RESPONSIBLE OFFICES:	Agency-wide
EFFECTIVE DATE OF POLICY:	June 17, 2013
SUPERSEDES POLICY:	DYRS 08-3.005
SUBJECT:	Time, Attendance and Leave Policy

I. PURPOSE

This issuance provides guidelines, requirements, and sanctions for time, attendance, and leave for DYRS employees responsible for the care and custody of committed and detained youth in DYRS operated secure and community-based facilities.

II. POLICY

DYRS manages safe and secure residential treatment facilities, which operate 24 hours each day, seven days each week. The agency implements an active "Eyes on, Ears on" supervision strategy and requires appropriate, around the clock staff-to-youth ratios. Therefore, DYRS requires all employees to adhere to their tour of duty, and punctually report at their regular place of duty at the beginning of each workday. Frequent absences and/or tardiness will not be tolerated.

III. AUTHORITY

This policy is governed by all applicable District of Columbia and Federal law including:

- A. DYRS Establishment Act, D.C. Official Code § 2-1515.01 – 1515.10 (2008)
- B. District of Columbia Personnel Manual (DPM), Part I, Chapter 12 – Hours of Work, Legal Holidays, Leave, D.C. Mun. Reg. title 6, § 1201 – 1282, 1299 (2008)
- C. District Personnel Manual (DPM), Chapter 8 – Career Service, D.C. Mun. Reg. title 6, § 800 – 877, 899 (2008)
- D. District Personnel Manual (DPM), Chapter 16 – Adverse Actions and Grievances, D.C. Mun. Reg. title 6, 1600 – 1637, 1699 (2008)
- E. District of Columbia Family and Medical Leave Act of 1990, D.C. Official Code § 32-501 – 517 (2008)

IV. SCOPE

The policy and procedures described herein shall apply to all non-probationary Youth Development Representatives in the Committed and Detained Services Administrations.

V. RESPONSIBILITY

- A. DYRS Director** mandates the establishment, issuance, and maintenance of all written policies and procedures in all DYRS administrations, offices, programs, operations, and units. The Director also has the responsibility for interpreting and making any exceptions to DYRS policies and procedures.
- B. DYRS Deputy Director(s)** establish(es) the infrastructure and processes for developing all policies and procedures.
- C. DYRS Senior Program Manager for Residential Programs** ensures the distribution and implementation of all policies and procedures in all DYRS operated and contracted facilities.
- D. DYRS Program Managers at the New Beginnings Youth Development Center (NBYDC) and the Youth Services Center (YSC)** have direct supervisory responsibility for policy implementation and enforcement.
- E. Managers and Supervisors at NBYDC and YSC** monitor daily attendance sheets, requests for leave forms, and any other appropriate time, attendance, and leave forms.

VI. DEFINITIONS

- A. Absence without Leave (AWOL):** Any absence from duty not authorized or approved. Pay shall be withheld for the entire AWOL period.
- B. Administrative Leave:** An excused absence from duty without loss of pay and without charge to annual leave, sick leave, or compensatory time.
- C. Administrative Workweek:** A period of seven consecutive calendar days, Sunday through Saturday.
- D. Admonition:** A written communication from a supervisor or manager to an employee, up to, but excluding, an official reprimand, that advises or counsels the employee about conduct or performance deficiencies, and the possibility that future violations will result in a corrective or adverse action.
- E. Annual Leave:** Leave earned by an employee to be used for absence from duty, without loss of pay, primarily for a vacation or time off for personal or emergency reasons.
- F. Basic Workweek:** The days and hours within an administrative workweek that make up the employee's scheduled tour of duty.
- G. Court Leave:** An authorized absence, without loss of pay, leave, or credit, during which time an employee has been summoned in connection with a judicial proceeding by a court or other authority responsible for the conduct of that proceeding to serve as a juror or as a witness on behalf of any party in connection with the judicial proceeding to which the United States, the District of Columbia, or a state or local government is a party.

- H. Corrective Action:** An official reprimand or a suspension of less than 10 days.
- I. DC Family and Medical Leave Act of 1990 (DCFMLA):** This Act provides employees sixteen (16) weeks of job-guaranteed "medical" leave and up to sixteen weeks of "family" leave. The Act applies to District of Columbia employees who have worked for the District for one (1) year without a break in service and have worked at least 1,000 hours during the 12-month period immediately preceding the request for leave.
- J. DCFMLA Family Leave:** Continuous or intermittent leave allowing an employee up to sixteen (16) weeks of unpaid leave in any twenty-four (24) month period for birth, foster care placement, or adoption of a child or to care for the serious health condition of a family member. This leave must be taken within one (1) year of the birth, adoption, or placement of the child. Documentation explaining the nature of the leave is required.
- K. DCFMLA Medical Leave:** Continuous or intermittent leave allowing an employee up to sixteen (16) weeks of unpaid leave in any 24-hour month period for employees who are physically unable to work because of a serious medical condition. A serious health condition is defined as a "physical or mental illness, injury or impairment that involves (A) inpatient care in a hospital, hospice, or residential health care facility; or (B) continuing treatment or supervision at home by a health care provider or other competent individual." Medical documentation is required and an expected date of return must be provided.
- L. Employee:** Non-probationary Youth Development Representatives.
- M. Funeral Leave:** Leave that allows an employee one day of authorized leave without loss of or reduction in pay, or leave to which otherwise entitled, or credit for time or service, to arrange for or attend the funeral or memorial service of an immediate relative. If the mission of the agency is not seriously impaired, the agency may also grant the employee's request for annual leave, sick leave, exempt time off or compensatory time up to three (3) days upon the death of an immediate relative.
- N. Immediate Relative:** A parent, spouse, parents of spouse, child (including adopted children), brothers, sisters, and spouses thereof, and any individual related by blood or affinity whose close association with the deceased was such as to have been the equivalent of a family relationship.
- O. Leave Restriction:** A limitation on an employee's ability to use annual or sick leave as a result of engaging in a pattern or practice of abuse of leave.
- P. Leave Without Pay (LWOP):** A temporary nonpaid status and absence from duty granted at the employee's request or as otherwise authorized by regulations.
- Q. Medical certificate:** A written statement signed by a registered practicing physician or other practitioner certifying to the incapacitation, examination, or treatment, or to the period of disability while the patient was receiving professional treatment.
- R. Military Leave:** Authorized absence without loss of or reduction in pay, leave, or credit for time

- or service in the performance of military service.
- S. **Official Reprimand:** A corrective action where a final decision letter is placed in the employee's Official Personnel folder.
 - T. **Sick Leave:** Leave with pay earned by an employee to be used while receiving medical, dental, or optical examination or treatment; while incapacitated for the performance of duties by sickness, injury, or pregnancy or childbirth; while required to give care or attendance to a family member who is afflicted with a contagious disease; or when the employee's presence at his or her official duty station would jeopardize the health of others because of exposure to a contagious disease.
 - U. **Six- month period:** The six-month period is defined as the six months following the date of the most recent infraction. (Ex: first infraction on October 1, 2009, six month period would end on April 1, 2010; if second infraction occurs on February 12, 2010, new six month period would end August 12, 2010.)
 - V. **Tardiness:** When an employee arrives to the place of employment after the start of the shift or returns late from lunch break periods without prior approval.
 - W. **Unauthorized Absence:** Employees who do not receive prior approval from their immediate supervisors for their absences are considered to have taken an unauthorized absence.

VII. PROCEDURES

A. Approved Absences may be granted for:

1. Annual Leave
2. Sick Leave
3. Military Leave
4. Court Leave
5. Funeral Leave
6. Family and Medical Leave
7. Administrative Leave, and
8. Leave Without Pay

B. Advance Notice and Leave Approval

1. Employees shall request leave in advance and obtain approval before using leave. Leave must be approved by the employee's immediate supervisor. Leaving voicemail or electronic messages (e.g., email, text, etc.) for the immediate supervisor does not constitute leave approval.
2. Employees may be granted annual leave for vacation or personal purposes when they can be spared from their duties. Employees may be granted annual leave for personal emergencies, unless the supervisor believes that: (a) a legitimate emergency does not exist; or (b) the employee's presence on duty is essential to maintain public services in the support or maintenance of public health, life or property and the employee has been so notified.

C. Sick Leave

1. Sick leave may be approved in legitimate cases in which the employee has earned leave. Supervisors have the responsibility for determining, if possible, that an absence is properly chargeable to sick leave.
2. An employee who uses sick leave at "frequent" intervals (i.e., three or more non-consecutive sick leave requests over a 30-day period) shall be advised by his/her supervisor to visit his/her physician for a physical examination and to submit a statement from the physician as to his/her physical condition. When a pattern of sick leave abuse is suspected, the employee may be notified in writing at the discretion of his/her supervisor that they will be placed on leave restriction.
3. An absence charged to sick leave in excess of three (3) consecutive workdays shall be supported by a medical certificate. Medical certificates for shorter periods may be required from employees who have been placed on leave restriction.

VIII. SANCTIONS

A. Tardiness

1. An employee who is tardy 5 minutes or more shall be charged annual leave in increments of one hour. The employee shall not be required to perform any duties for the remainder of the leave charged.
2. An employee who is over 15 minutes late shall not be permitted to work the rest of their shift and shall be sent home on leave without pay.
3. After the second incidence of tardiness during a six-month period, an employee's request for paid leave shall be denied for the six-month period following the second incidence of tardiness.
4. The following sanctions shall apply to employees who are tardy:

Tardy	Sanction
1 st occurrence	Verbal/Electronic Warning
2 nd occurrence in 6 months	Letter of Admonition; request for paid leave for shall be denied for six-month period
3 rd occurrence in 6 months	5 day suspension
4 th occurrence in 6 months	9 day suspension
5 th occurrence in 6 months	15 day suspension
6 th occurrence in 6 months	Removal

B. Unauthorized Absence

The following sanctions shall apply to employees who have unauthorized single day absences:

Single Day Absence	Sanction
1 st occurrence in 6 months	1 day suspension
2 nd occurrence in 6 months	5 day suspension
3 rd occurrence in 6 months	15 day suspension
4 th occurrence in 6 months	Removal

C. Consecutive Unauthorized Absences

The following sanctions shall apply to employees charged with unauthorized absences for consecutive days:

Consecutive Day Absence	Sanction
2 days	5 day suspension
3 days	15 day suspension
4 days or more	Removal

Approval of the Agency Director:

Neil A. Stanley

Director

6/17/2013