



Illinois Department of Corrections

Administrative Directive

Number: 03.01.301	Title: Affirmative Attendance	Effective: 8/1/2020
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Authorized by:	<i>[Original Authorized Copy on File]</i> Rob Jeffreys Acting Director
Supersedes:	03.01.301 effective 7/1/2019

Authority: 20 ILCS 5/3-2-2 Personnel Rules of the Department of Central Management Services Negotiated Labor Contracts (AFSCME, INA, ISEA, etc.)	Related ACA Standards: 5-ACI-1C-01
Referenced Policies: 02.65.182, 03.01.120	Referenced Forms: DOC 0126 – Notification of Absence DOC 0274 – Notification of Proof Status DOC 0140 – Employee Time Sheet DOC 0412 – Attendance Record Review DOC 0414 – Employee Attendance Counseling

I. POLICY

The Department shall expect:

1. All employees to report for duty on a daily basis. Absences shall be approved in accordance with various labor contracts or personnel rules.
2. Supervisors to make affirmative decisions regarding all absences daily and to review employee time records at least monthly for indications of possible abuse.

II. PROCEDURE

A. Purpose

The purpose of this directive is to establish a written procedure governing use of benefit and dock time by employees consistent with various labor agreements or personnel rules.

B. Applicability

This directive is applicable to all employees within the Department.

C. Facility Reviews

A facility review of this directive shall be conducted at least quarterly.

D. Designees

Individuals specified in this directive may delegate stated responsibilities to another person or persons unless otherwise directed.

E. Definitions

Chief Administrator - the Chief Administrative Officer of a correctional facility or program site, or for all other offices, the Assistant Director, respective Deputy Director or Chief.

Unauthorized absence - an absence for which use of time is not approved.

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F. General Provisions

The Chief Administrator shall ensure that all employees have access to and are advised of the contents of this directive.

G. Requirements

1. Employees shall report for work on time each day. Tardiness shall be addressed by counseling and progressive discipline. Any late arrival over one hour from the scheduled start time shall be considered an unauthorized absence, unless otherwise provided by local agreement.
2. The establishment or change in tardiness policy shall be negotiated with the Union. During such negotiations, current tardiness practices and policies shall remain in effect.
3. Vacation, holiday, compensatory and personal business time shall be requested in advance, except in emergency situations.
 - a. In emergencies, if no personal time is available, vacation, holiday or compensatory time may be approved, subject to verification of an emergency situation.
 - b. In the absence of an emergency, only the Chief Administrator may approve the use of such time on a call-in basis.
4. Authorization to use other benefit time or, if none is available, authorized docks shall be granted under the following criteria when sick time has been exhausted:
 - a. The employee has not been on proof status within the previous three months.
 - b. Proper medical certification is provided within three working days in accordance with Paragraph II.G.9.
 - c. Use of authorized dock time under these circumstances is limited to five days within a 12-month period, unless approval for more time is granted by the Chief Administrator.
5. All employee requests for sick time usage shall be supported by a Notification of Absence, DOC 0126, signed by the employee. The DOC 0126 shall be provided to the supervisor no later than two working days after the employee's return from the absence(s), unless extenuating circumstances exist that are approved by the supervisor. The supervisor shall ensure that the DOC 0126 is readily available to the employee. Failure of an employee to provide such shall result in the absence being considered unauthorized. The employee shall be docked, and a disciplinary referral shall be initiated.
6. Supervisors shall process all signed DOC 0126 forms generated from call-ins within five calendar days of receipt, either approving or disapproving the request. The original white copy of the DOC 0126 shall be forwarded to the timekeeper, the pink copy shall be given to the employee, and the yellow copy shall be retained by the supervisor.

NOTE: Employees who have used all allowable dock time shall be informed of their right to apply for a medical leave of absence.

NOTE: Electronic versions of the DOC 0126 shall be signed by the employee's Supervisor and be emailed to the employee and timekeeper, and a copy shall be retained by the Supervisor.

7. The Chief Administrator shall designate supervisory staff to review the attendance record of each employee within twenty days of the conclusion of each calendar month.
 - a. Manual Timekeeping: Timekeepers shall provide either a copy of, or the original Employee Time Sheet, DOC 0140, for each employee to the designated supervisory staff

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within eight working days of the conclusion of each calendar month. The designated supervisory staff shall review the duplicated or original DOC 0140 in accordance with Administrative Directive 02.65.182. The choice to review either the copy or the original timesheet shall be at the discretion of the Chief Administrator.

- b. Automated Timekeeping: Timekeepers shall provide a duplicate of the automated Monthly Summary of Employee Attendance Report for each employee to the designated supervisory staff within eight working days of the conclusion of each calendar month. The supervisor shall review the Employee Monthly Attendance Report in accordance with Administrative Directive 02.65.182.
- c. Documentation of this review shall be noted on the Attendance Record Review, DOC 0412, and a copy shall be maintained for each employee in the supervisor's file. In the column designated for results of this review, the supervisor shall note any action taken such as counseling, placement on proof status, referral to the Employee Assistance Program, oral reprimand or referral for discipline. If the supervisor finds the employee's attendance to be acceptable, an "OK" shall be noted. Although a formal review is only required once each month, supervisors shall ensure on-going scrutiny of sick time usage and dockages and shall take prompt action anytime the circumstances warrant such. Counseling is the first step in working with employees who may have an attendance problem. If counseling is warranted the DOC 0414, Employee Attendance Counseling, shall be processed and a copy shall be given to the employee.
- d. Prior to placing an employee on proof status, the supervisor shall meet with the employee to discuss the attendance record. Any employee whose attendance record creates reason to suspect abuse of sick time shall be immediately given written notice of his or her placement on proof status for a 90-day period.
 - (1) Proof status shall take effect immediately for employees not covered by a labor contract.
 - (2) For employees covered by a labor contract, the proof status shall take effect:
 - (a) Fifteen working days after the employee received written notice of the proof status and no grievance is filed;
 - (b) On the effective date of the grievance withdrawal if the withdrawal is entered prior to the Step Three disposition; or
 - (c) On the date the facility is notified of the Step Three disposition if the grievance is withdrawn or denied. The Proof Status grievance shall be heard at the earliest possible Step Three meeting pursuant to master contract Article V, Section 2. If the grievance is denied, the employee shall be placed on Proof Status pending the final disposition at Step Four.
- e. The mere usage of sick leave supported by appropriate medical documentation shall not support a continuation of proof status, unless additional facts support suspected abuse. Use of sick leave shall be reviewed on a case-by-case basis. If the employer seeks to extend proof status based upon additional facts:
 - (1) Said proof status shall take effect immediately for employees not covered by a labor contract.
 - (2) For employees covered by a labor contract the continuation of proof status shall take effect:

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- (a) Fifteen working days after the employee receives written notice of the proof status and no grievance is filed;
 - (b) On the effective date of the grievance withdrawal if the withdrawal is entered prior to the Step Three disposition; or
 - (c) On the date the facility is notified of the Step Three disposition if the grievance is withdrawn or denied. The proof status grievance shall be heard at the earliest possible Step Three meeting pursuant to master contract Article V, Section 2. If the grievance is denied, the employee shall be continued on proof status pending final disposition at Step Four.
- f. Proof status shall be reviewed with the employee after the initial 90-day period or 60 days after the continuation on proof status. Employees shall be given either:
- (1) Written notice of their continuation on proof status for an additional 60-day period if their use of sick time continues to reflect reason to suspect abuse; or
 - (2) Written notice that proof status is terminated.
- g. The Notification of Proof Status, DOC 0274, shall be used to notify employees of initial placement, continuation or removal from proof status. The DOC 0274 shall be dated and signed by both the employee and the supervisor. The original signed DOC 0274 shall be given to the employee and a copy shall be placed in the supervisor's file.
8. An employee on proof status who fails to provide proper medical certification of the use of earned sick time shall be given an unauthorized absence and be docked for the days in question. Employees on proof status who are out of earned sick time and who continue to claim illness shall be advised in writing of the need to apply for a leave of absence or face discipline.
9. Proper medical certification for proof status must contain the following minimum elements:
- a. Signature, address and phone number of the medical practitioner or the authorized designee.
 - b. The pertinent dates in question.
 - c. An indication that the employee was unable to work on the dates in question for reasons of personal or family illness.
 - d. The original medical statement.
- NOTE:** The Department may accept an electronically generated statement with electronic signature or a facsimile of the statement with cover page as long as the necessary information is provided as set forth above.
10. Employees on proof status who utilize sick time for bereavement shall provide appropriate documentation such as, but not limited to, an obituary, death certificate, funeral notice or doctor's statement.
11. It is the employee's responsibility to provide proper certification. Documents that do not contain the necessary elements shall not be accepted and the employee shall be so notified. The absences shall be considered unauthorized if acceptable certification is not subsequently provided within five working days.
12. The Department recognizes that personal problems may affect the attendance of employees. In addition to counseling, proof status and discipline, supervisors are strongly encouraged to utilize employee referrals to the below assistance programs. Such referrals may be made anytime

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during the attendance or performance review process where the need is apparent, but in all cases a referral shall be made once an employee has incurred discipline for any attendance-related issue. Supervisors shall:

- a. Refer AFSCME bargaining unit employees to the AFSCME Personal Support Program (PSP) at 1-800-647-8776.
- b. Refer all other employees to the Employee Assistance Program available at each facility and program site.

NOTE: Proof may be required for a single absence only if reasonable grounds exist to suspect abuse for the day in question. For any circumstance involving FMLA Protection, the requirements for providing medical documentation shall be reviewed on a case by case basis.

H. **Discipline**

1. All docks for unauthorized absences shall be referred for discipline in a timely manner in accordance with Administrative Directive 03.01.120. If just cause is established for the violations, the following guidelines shall be followed:

1st offense	Counseling
2nd offense	Oral reprimand
3rd offense	Written reprimand
4th offense	2nd written reprimand
5th offense	1-day suspension
6th offense	3-day suspension
7th offense	5-day suspension
8th offense	7-day suspension
9th offense	10-day suspension
10th offense	15-day suspension
11th offense	20-day suspension
12th offense	Discharge
2. Each day of unauthorized absence shall be considered a separate offense for purposes of progressive discipline.
3. Each day of unauthorized absence without a call-in shall be considered as two offenses and appropriate progressive discipline shall be administered pursuant to Paragraph II.H.1. above.
4. Except for the 11th offense prior to discharge, any suspension time shall be documented, but the employee shall report to work and lose no wages. For the 11th offense prior to discharge, the employee shall actually serve five days of the suspension. The employee shall report to work and lose no wages for the remaining suspension days.

NOTE: Paragraphs II.H.1. through II.H.4. shall in no way alter the provision of the master contract regarding discharge for five consecutive days of unauthorized absence with no call in.

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5. The level of discipline imposed shall be based upon the above guidelines and shall be progressive in nature consistent with the master contract.

NOTE: Discipline that is two years old will not be removed unless the employee goes two years from the date of last discipline without receiving any discipline for absenteeism.
