§P-80

COUNTY OF ALBEMARLE
PERSONNEL POLICY

§P-80  ABSENCES

The Board strives to keep attendance of employees at a maximum and absences at a minimum. The Board recognizes, however, that absences are unavoidable and allows certain absences and absence payments. The Board will establish policies that are meant to maintain the highest possible efficiency. Allowance will be made to permit bona fide absences, and prevent employees who have been ill from becoming a hazard to other employees by returning to work too soon.

A. Procedure for Compliance for Absences

It will remain the right of the department head/designee and the County Executive or designee to:

1. Authorize, or refuse to authorize in exceptional cases, the advance request of an employee for permission to be absent.

2. Investigate absences.

3. Deny leave payment for absences in violation of any Board policy.

4. Impose reasonable disciplinary penalties upon employees who have abused their leave privileges and who violate the provisions of the “Responsibilities of Employees” section of this policy.

B. Responsibilities of Employees

Every employee of the County has the following obligations and responsibilities concerning absence:

1. Request for Leave – When the need for being absent from work is known in advance, the employee must notify his immediate supervisor as far in advance as possible on the Leave Form provided by the Department of Human Resources.

2. Notice of Unexpected Absence – When an employee who has not given advance notice finds that he cannot report to work, the employee must notify his supervisor prior to starting time or within thirty (30) minutes of the regular starting time unless the department has established other guidelines for notification. Employees should be aware of the notification requirements of their departments. Upon returning to work, the employee must complete a Leave Form as a record of absence.

3. Failure to Give Notice – Failure to give the notice required shall constitute cause for a reasonable disciplinary penalty including cause for denial of absence pay allowance. Unless an absence has been authorized in advance or an absence is unavoidable, every employee shall be expected to be present and on time for his scheduled work.
C. Employees Returning to Work After Illness

Before an employee returns to work after an absence due to illness, the employee may be requested to submit a medical release certifying the illness and that he is well enough to return to work. This medical release shall be from the employee’s physician or, if required by the department head, a physician designated by the Human Resources Department. In all instances, the employee will be advised of the requirement prior to the employee being authorized to return to work.

D. Absences for Personal Business, Bereavement, or Illness

Absences for urgent personal business, bereavement, or illness will be granted at the discretion of the immediate supervisor and in compliance with Board policy. Sick Leave may be used for bereavement leave for immediate family members. (See also Sick Leave, P-85) Bereavement leave for non-immediate family members shall be covered by compensatory time, Annual Leave or Unpaid Leave. (See also Annual Leave, P-84 and Unpaid Leave, P-82)

E. Jury Duty

The Board recognizes the duty of every citizen to serve on a jury when requested and will allow payment from the court for serving on jury duty. Employees serving jury duty will receive full salary as well as retain compensation received from the court. Employees are expected to give notice of jury duty and to report to work when jury is not in session. Employees who are subpoenaed to appear as witnesses in legal proceedings in their capacity as County employees will be entitled to treat time spent in such proceedings as compensable working time. However, employees who initiate or are otherwise involved in private legal actions of any kind (excluding employee grievance proceedings), whether such actions involve the County or not, will not be permitted to treat time spent during working hours in connection with such actions as compensable working time. Such employees will be required to use accrued compensatory time, Annual Leave or Unpaid Leave for all hours spent in connection with such actions that occur during working hours.

F. Military Leave

Military leave of absence will be granted by the Board in accordance with existing state and federal statutes. (See also Military Leave, P-83)

G. Breaks

There is no formal break time provided by Albemarle County. However, reasonable time shall be provided for personal care and refreshments during the workday.

H. Lunch Time

A lunch period of at least thirty (30) minutes shall be provided to each fulltime employee and, unless prior supervisory approval is received, employees may not forego the lunch period in order to shorten the workday. (See also Overtime/Compensatory Time, P-61/62)
I. Acceptable Attendance

Acceptable attendance is a minimum expectation of all County employees. Department Heads are responsible for monitoring attendance within their departments. Except as noted, when an employee's absenteeism exceeds four percent (4%) of available work time for Sick Leave, Unpaid Leave, and/or unplanned use of compensatory time or Annual Leave, his department head is responsible for investigating the absenteeism and taking appropriate action as necessary. Leave taken under FMLA and/or Workers' Compensation shall not be considered when determining acceptable attendance. However, nothing shall prohibit the County from determining an employee’s eligibility to return to employment once FMLA has been exhausted.

J. Emergency Regulations

The County Executive may issue emergency regulations regarding employee work hours, absences, and leave usage in the event of a declared state of emergency, pandemic, or other crisis affecting the County’s ability to operate under normal policies and procedures.

Amended: August 4, 1993; April 20, 2005; September 3, 2008; October 7, 2009