



Work Attendance

.01 Policy

The Bladensburg Police Department is tasked with prevention of crime, preservation of the peace, protection of life and property, and the detection and arrest of violators of the Law at all times within jurisdictional limits. The delivery of essential services is diminished when employees do not regularly report to work.

.02 Terms

N/A

.03 Governing Legislation and Reference

Governing Legislation: N/A

Forms:

Request for Leave or Absence (Form #605).

.04 Procedure

A. Report to Duty

Employees will report for duty as scheduled unless, otherwise authorized by an appropriate supervisor. Upon reporting for duty, employees will ensure that they are properly equipped and will make themselves aware of any information necessary for the proper performance of their duties.

If, due to an illness or other circumstances, an employee cannot report for duty at the assigned time but will be late, the employee will contact his or her supervisor before the start of the shift to explain the situation and provide an estimated time of arrival.

If, due to an illness or other circumstances, an employee cannot report for duty at the assigned time the employee will contact the on-duty supervisor two (2) hours before the start of the shift to explain the situation.

Employees are required to remain on duty for their entire assigned shift unless excused by a supervisor. During the shift, employees will carry out their assigned duties to the best of their ability. If any employee must leave duty before the end of their shift due to illness or other circumstances, the employee must inform a supervisor before leaving.

B. Officer and Dispatcher Availability

All full-time employees of the Police Department are required to provide the department working telephone numbers at which they can be reached while off duty. This is necessary in order to provide the department with a means of staffing the department in the event of unexpected leave by scheduled employees, or a serious emergency, which requires the immediate response of additional personnel to handle the situation.

Employees in a stand-by status are free to remain at their residence or may conduct personal business away from their residence as long as they are prepared to respond to assignment within two-hours. It is the responsibility of the stand-by employee to ensure that the Dispatcher can contact him or her at anytime.

C. Call Back to Duty

In emergency situations, police officers, dispatchers, and other essential employees may be called back to active duty at a time not contiguous with the employee's scheduled hours to work. In these situations, employees are required to report back to duty and to carry out duties assigned by supervisors. The employee will be credited for the actual time worked or a minimum of two (2) hours, whichever is greater.

D. Overtime and Extra Hours

Employees may be required under certain conditions to remain past the regularly scheduled end of shift to work in excess of 80 hours biweekly. The employee may either be paid for the extra hours or receive Compensatory Leave credit. Paid overtime must be authorized by a supervisor.

E. Required Court Appearance

Employees who are required to appear in court in connection with their official duties will appear and testify as directed, even though the time of appearance may fall outside their regularly assigned work shift.

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An employee subpoenaed to appear as a witness in a job-related court case, not during the employee's regularly assigned shift or immediately following the regularly assigned shift, shall be credited for the actual time in court or a minimum of three (3) hours, whichever is greater. Employees placed on call for court shall not be granted compensation for time on call.

If an employee is unable to appear in court by reason of illness or injury, he or she shall contact the court liaison and department prior to scheduled court time to report their absence from court. A Request for Leave or Absence form shall be submitted upon the employee's return to duty.

F. Accrual of Annual and Sick Leave

Employees shall earn annual and sick leave in for each full pay period worked and based upon the number of years of service as provided in the Town's personnel regulations. The use of annual leave shall not be authorized prior to the time it is earned and credited to the employee.

G. Annual (Vacation) Leave

Employees desiring to take vacation, shall submit their request to the Commander of Operations through their immediate supervisor. Requests must be made at least five days prior to the commencement of such vacation.

When two or more employees request leave for the same time period, wholly or partially, and such requests cannot be approved, seniority shall be used in determining which request will be approved. However, the department may make reasonable accommodations for ensuring the fair distribution of leave during favored periods.

Nothing in this directive shall prevent the Chief of Police or Commander of Operations from revoking the approval of any leave request when special or emergency situations arise. Every effort will be made to not unnecessarily impose undue hardship upon the employee due to such revocation of approval.

H. Sick (Medical) Leave

Sick leave is intended for use when an employee is unable to perform their normal duties due to illness, injury, or when quarantined. Sick leave shall not be abused. Employees will return to duty as soon as their medical condition permits.

Employees on sick leave will remain at home at all times except for matters that relate to their illness or injury and will be available for a face-to-face contact with a supervisor during the employee's normal work hours. Employees will not engage in gainful employment of any kind during a medical absence without prior approval of the Chief of Police.

I. Employee Monitoring

It is the responsibility of each supervisor to monitor the attendance of employees under their supervision. The review period is conducted on a quarterly basis and determines whether excessive absenteeism, tardiness, or possible sick leave abuse exists.

J. Employee Counseling

If during the course of monitoring attendance the supervisor detects a potential problem in employee attendance the supervisor shall counsel the employee on their attendance issue. A record of this counseling will be forwarded to the Chief of Police and placed in the employee's personnel file.

K. Employee Review

Upon supervisor review at the end of a quarter, factors which will be noted and forwarded to the Chief of Police for his or her review and possible action are:

- Three unscheduled absences of any length in the 12 week period
- Use of any sick leave under false pretenses
- A pattern of unscheduled absence in conjunction with:
 - Scheduled days off;
 - Legal Holidays;
 - Weekends; or,
 - Same days of the week.
- Unscheduled absences:
 - Immediately following discipline;
 - After working overtime;
 - After having a leave request denied;
 - Under any suspicious circumstances as determined by a supervisor; or,
 - Tardiness on three separate occasions within the 12 week period.

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After forwarding a review of an employee's attendance, the supervisor will include any mitigating factors, which may account for the absenteeism. Such factors may include:

- Use of Family medical leave;
- Duty incurred injury or illness; or,
- Use of Bereavement Leave.

L. Absence Verification

Upon consideration of the information submitted by the supervisor review, the chief of Police may place an employee on Absence Verification. In order for an employee to be afforded a sick leave benefit when placed on absence verification, written documentation substantiating an illness or injury absence from work is required under the following circumstances:

- When absence exceeds the maximum number of consecutive hours permissible by Town policy;
- When the employee's use of sick leave exceeds the average use of sick leave as determined by the chief of Police;
- When an employee has established a pattern that suggests a possible abuse of sick leave; or,
- When the Chief of Police has reasonable suspicion that an employee was absent for a reason for which sick leave use is not authorized.

Employees will remain on Absence Verification for a period of time determined by the Chief of Police. Upon completion of that period a review will be conducted to determine if attendance has improved. If attendance has improved the employee will be removed from Absence Verification. If attendance has not improved, progressive discipline will be applied.

M. Noncompliance

A noncompliance may result in a denial of the employee's claim for paid sick leave. Forfeiture of pay for such absence will not be considered disciplinary action nor shall it constitute a bar to disciplinary action taken in the instant case at hand.

N. Family Leave Employees

Family Leave Employees are entitled to use up to 12 workweeks of leave during any continuous 12-month period for any of the following reasons: Care of a child, spouse,

parent, sibling, Grandparent or Grandchild with a serious or disabling health condition under the employee's care.

Family leave may be either paid leave or unpaid leave, if all paid leave accounts are exhausted. The use of sick leave for the birth of a child is restricted to six weeks for a mother and two weeks for a father unless there are medical complications. The mother or father may use other paid or unpaid leave to complete the 12 weeks, if desired. Additional sick leave may be used if medically necessary.

O. Military Leave

Military leave shall be granted in accordance with Town policy and Federal and State laws.

Military Activation

Employees may be called to military duty by the state or federal authorities. The duty may be for active or inactive duty. The rights of employees called to duty will vary depending on who calls them to duty and whether the duty is active or inactive.

Employers may not prohibit employees, including emergency responders, from attending any active or inactive military training or duty ordered by the federal or state authorities.

Employers may not require employees engaged in military duty, including weekend drills, etc., to alter the employee's work schedule to accommodate any inconvenience caused the employer by the employee's absence.

Reserve or Guard Training (Federal Activation)

Any employee who is a member of the reserve forces of the United States Military or Naval service or the National Guard, is entitled to leave without loss of vacation or personal leave, pay, time, or performance ratings for up to 15 working days in any one annual period when they are engaged in training ordered under the provisions of the United States Military or Naval training regulations for personnel assigned to active or inactive duty.

For purposes of this policy, an "annual period" is defined as the fiscal year from October 1 to September 30.

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Maryland National Guard (State Activation)

Any employee who is a member of the National Guard is entitled to leave without loss of vacation or personal leave, pay, time or effect on performance ratings for not more than 30 calendar days at any one time when such employee is engaged in active state duty, ordered under or pursuant to the provisions of state law or executive powers of the Governor.

Induction for Active Duty

Employees who are inducted into active military service are generally entitled to be reinstated for a period of four years after they are inducted and during which they are on active duty. This period of time may be extended at the federal government's request.

Federal Activation of Forces

Reserve or guard forces activated by the United States Federal Government will be treated in accordance with applicable federal legislation.

Notification of Military Leave

A request for military leave shall be submitted to his or her supervisor 30 calendar days in advance of the effective date, or as soon thereafter as the employee receives notice. The request will be accompanied by documents from the military unit commander, if available, or as soon thereafter as the employee receives them.

In all cases, requests for military leave shall be submitted no later than 72 hours after notification is received by the employee and shall be accompanied by documents from the military unit commander as soon thereafter as possible, but in no event later than 72 hours after receipt by the employee. Failure to provide notice as required herein, when caused by the negligence of the employee, shall be grounds for discipline; however, it shall not affect the employee's right to respond for military duty.

Extended Periods of Leave

Time in excess of the leave authorized for volunteer military service may be charged (at the employee's option) to appropriate accrued leave until such leave is exhausted. If additional leave is still required, by law the employee will be granted "Leave of Absence without Pay." Employees shall submit all requests for leave of absence in writing to the

Chief of Police stating the reason for the request and the estimated length of the proposed leave of absence.

Reinstatement

Employees are generally entitled to be reinstated upon return from military duty whether active or inactive. There are numerous Federal and State laws that given the return of an employee after military leave.

Employees seeking reinstatement after military duty may be required, at the discretion of the Department, to undergo polygraph, psychological testing, medical examination, drug screening, or any other process or retraining required to ensure the employee's fitness to return to full duties.

Employees shall provide written notification to the Chief of Police immediately upon becoming aware of their date of discharge. This notice shall contain their anticipated discharge date and the date they will be available for return to duty. The employee shall provide a copy of form DD214 indicating that they were honorably discharged from service prior to reinstatement. Employees shall be reinstated by the Department at the earliest possible time.

P. Compensatory Leave

Every effort should be made to grant Compensatory leave at a time mutually agreed upon by the employee and management. However, if mutual agreement is not reached the Chief of Police may, with a minimum of five working days notice, require the employee to use accumulated Compensatory Leave at any time in increments of full days.

Q. Leave of Absence without Pay

Leave of absence without pay may be granted for a period not to exceed 60 calendar days and may be extended to six months for unusual circumstances.

R. Leave of Absence with Pay

Jury Duty

Employees summoned to serve on a jury panel will be granted administrative leave with pay for the hours spent in such service.

Witness in Non-Duty Related Case

An employee subpoenaed as a witness in a court or administrative hearing which is not duty-related and does not involve personal litigation or paid expert testimony, shall be

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granted administrative leave with pay. Administrative leave will not be granted to an employee for personal litigation or service as a paid expert witness. Annual leave may be granted at the discretion of the department.

S. Procedure for Requesting Leave

Employees shall request leave by completing the Request for Leave or Absence form. All applicable categories should be checked. If the leave will exhaust all of the employee's eligible paid leave and require additional leave without pay, the "Leave of Absence" category should be checked.

The immediate supervisor shall review the documents to determine eligibility for leave and certify that the employee has no delinquent reports or assignments.

Delinquencies or conflicts with staffing or duty assignments are grounds for disapproval. Only the Chief of Police and Commander of Operations have authority to approve leave.

T. Progressive Discipline

Progressive discipline will be applied where an employee fails to improve or maintain an acceptable work attendance. For purposes of progressive discipline, placement on Absence Verification carries the same weight as a written reprimand.

Progressive discipline will be applied in the following order:

First Violation—Summary Discipline by two (2) day suspension;

Second Violation—Summary Discipline by three (3) day suspension;

Third Violation—Administrative Hearing with intent to terminate.

The Chief of Police may apply a higher standard of discipline when it is determined that a violation is serious enough to warrant such action. Examples of serious violations include: No Call or No Show for Work, or leaving work without authorization.

HISTORY: Adopted January 1, 2014

This General Order supersedes all other orders and memoranda in conflict therewith.

Authority:



Charles L. Owens
Chief of Police