



ATTENDANCE

*Non-Academic Attendance
Management Best Practices
with Tools, Checklists and
Templates*

as of 9/14/15

Supervising @ WAYNE STATE



Division of
Human Resources

Disclaimer

This guide provides supervisors and managers of non-academic staff with a systematic approach for maintaining employee attendance compliance.

For training purposes only, does not create rights for union employees.

In the event text within this document appears to be in conflict with WSU Policies & Procedures; Collective Bargaining Agreements; or Federal, State, or Local Legislation, the legal document **ALWAYS** takes precedence over this user guide

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Non-Academic Attendance Guide

ATTENDANCE MANAGEMENT BEST PRACTICES WITH TOOLS, CHECKLISTS AND TEMPLATES

Introduction

The goal of WSU's non-academic attendance management process is to encourage reliable employee attendance. One benefit of reliable attendance is that it can help minimize costs. As a manager, you may have experienced the impact of scheduled and unscheduled time-off. According to an October 2008 Mercer survey, the estimated cost of employee absences amounts to an average of 36% of the organization's payroll. But perhaps the most important need for reliable attendance is that we cannot effectively meet the needs of our students, faculty and other stakeholders if we are not here!

This process focuses on unscheduled, short-term absence. For support with long-term absences or leaves, consult with your HR Consultant or Total Compensation & Wellness. For non-academic, represented contractual leaves, contact Labor Relations. Note that the [WSU APPM 3.0.11 Attendance Standards](#) is the key policy for non-academic employees, but that the Fair Labor Standards Act also plays a role. Remember that while every situation is unique and should be handled on a case-by-case basis, it is important to be **consistent** in your approach to ensure fairness. Partner with your HR Consultant to create or maintain a targeted approach to attendance that is based upon the non-represented employees you serve.

Purpose

This guide was designed to help support WSU Supervisors and Managers throughout the non-academic attendance management process. It offers best practices and actionable items such as tools, checklists and templates that assist with each phase of this process. Refer to your **Human Resource Consultant** for non-academic, non-represented employee support and **Labor Relations** for non-academic, represented employee support. Other resources include:

WSU's **Resource Portal** provides key WSU links and referrals for working with employees from the hiring process through performance management (if applicable) and transitions such as promotions, transfers, demotions, or departures.

This portal is grounded in WSU procedures, contracts, and policies. To access it:

1. Open Blackboard at <http://blackboard.wayne.edu> using your access ID and password
2. Refer to "My Organizations Plus" in the top right corner
3. Click on "Resource Portal"



Accelerate offers a robust catalog of eResources to support managers, including eCourses, job aids, books and simulations. To access it:

1. Logon to Academica at www.wayne.academia.edu
2. Click Employee Resources, Other Resources
1. Click the Accelerate – Employee Development Tools



WSU APPM, Policy 3.0.11, Attendance for Non-Academic and Non-Represented Academic Employees

Note: This document is provided for informational purposes. **ALWAYS** refer to the online version when making attendance decisions.

WAYNE STATE UNIVERSITY

Administrative Policy and Procedure Manual

3.0.11 Attendance Standards for Non-Academic Employees and Non-Represented Academic Employees (REVISED AS OF 11/12/12)

POLICY

The purpose of this policy is to outline the Wayne State University attendance standards.

Each employee is an important contributor to the university's mission and each employee is needed at work to assist in accomplishment of the university's goals and objectives. Absenteeism and tardiness negatively impact services provided to students and the university community. Absenteeism also lowers the morale of other employees who have to perform the work of the absent employee.

To ensure effective and efficient operations of the university and provide the best possible work environment to employees, the university expects employees to adhere to the attendance standards as outlined in this policy.

TERM(S)/DEFINITIONS(S)

| | |
|-----------------------|--|
| Excessive Absenteeism | For the purposes of this policy, excessive absenteeism is defined as: (#1) more than 6 occasions of unscheduled absence in a twelve (12) month rolling year, <u>or</u> (#2) unscheduled absence in excess of forty-five (45) hours, involving four (4) or more occasions (in excess of forty-eight (48) hours for employees scheduled to work eight (8) hours/day): pro-rated for fractional time in a twelve (12) month rolling year. |
| Excessive Tardiness | For the purposes of this policy, excessive tardiness is defined as incurring more than six (6) incidents of unscheduled tardiness in a twelve (12) month rolling year (upon committing the 7th incident of tardiness). |
| Unusual Attendance | For the purposes of this policy, unusual attendance includes but is not limited to: <ol style="list-style-type: none"> 1. A pattern of missing certain days of the week. 2. Calling in sick on day(s) for which a time-off request was previously denied. 3. Taking sick days adjacent to holidays, vacation, personal days, or other time off. |
| Automatic Resignation | For the purposes of this policy, an employee who is absent without previous permission or without notifying his/her supervisor, for three (3) consecutive working days, such action is deemed to be an Automatic Resignation. |
| Occasion | For the purposes of this policy, an occasion is defined as an absence of 3.8 hours or more for an employee working a 7.5 hour day, and four (4.0) hours or more for an employee working an eight (8.0) hour day. |

SUPERVISOR NOTIFICATION

The supervisor is to be notified by an employee of any anticipated reasons that might cause the employee to vary from their assigned work schedule. An employee is expected to call in to the department or unit and speak with his/her supervisor (or his/her designee). An employee is required to notify his/her supervisor in advance when he/she expects to be absent. When this is not possible, as in the case of sudden illness, an employee is required to call his/her supervisor or the supervisor's designee as soon as possible and explain why he/she is going to be absent and when he/she expects to return. Situations where such notice would be impossible are very rare and will be closely scrutinized.

It is expected that the employee will call in to the department or unit and speak with his/her supervisor or his/her designee each and every day of absence unless specifically directed to do otherwise by their supervisor. It is usually not acceptable to leave such messages in a voicemail or an electronic communication (e.g. text, email, etc.) unless specifically authorized, as instructions may need to be provided regarding verification issues.

MEDICAL VERIFICATION/DISCIPLINARY ACTION REVIEW

An employee who has excessive absences may be subject to ongoing medical verification. Placing an employee on medical verification, and/or initiating disciplinary action can be expected after the sixth (6th) occasion of unscheduled absence in a twelve (12) month rolling year. Or, such action may also be initiated on a case-by-case basis upon exceeding forty-five (45) hours of absence involving four (4) or more occasions of absence and forty-eight (48) hours for an employee scheduled to work day eight (8) hours and pro-rated for fractional time.

In reviewing the appropriateness of medical verification or disciplinary action for absences in excess of forty-five (45) hours involving four (4) or more occasions and in excess of forty-eight (48) hours for employees scheduled to work eight (8) hours and pro-rated for fractional time in a twelve (12) month rolling year, supervisors shall consider such factors as the prior twelve (12) months' attendance history, the past attendance disciplinary history and unusual patterns of sick leave such as those set forth in the Term(s)/Definition(s) section of this policy.

The purpose of the review is to avoid premature discipline of an employee who has been conscientious about attendance in the past, but may encounter a rare, bad year of attendance difficulties beyond his/her control.

However, the university retains the right to require medical verification, and/or to counsel or assess discipline, earlier than or after the sixth (6th) occasion, depending on the circumstances ([Refer to Discipline Section of this policy](#)).

An employee placed on medical verification must provide a physician's statement or that of another appropriate health care provider as defined in the Family Medical Leave Act and Wayne State University FMLA policy, to the supervisor or other designated person for occasions of absence during the period when verification is required. The failure to provide medical verification or adequately supplement an inadequate verification, after being required to do so, could result in loss of pay, and/or disciplinary action.

An employee with excessive and/or unusual attendance may also be subject to medical verification and discipline.

Employee medical notes or records should **not** be retained at the department level due to HIPAA

regulations. All employee medical information should be sent immediately to the Employment Service Center (ESC).

DISCIPLINE

An employee who is absent excessively is subject to discipline. After appropriate counseling and discipline, an employee with excessive absences may be subject to termination.

Termination is a very serious matter for both the university and the employee. Terminations for tardiness or absence will be handled on a case-by-case basis and will be carefully reviewed. Progressive discipline will be taken, as appropriate, against an employee who violates attendance standards, or commits other unacceptable attendance infractions. Disciplinary action for poor attendance should be well documented.

For an exempt employee, progressive discipline excludes suspensions for less than a full workweek for any week in which work is performed.

The falsification of medical verifications or time reporting controls, such as time sheets, Web Time Entry (WTE), sign-in sheets and time clocks, is regarded as major misconduct and may subject violators to discharge. Counseling by supervisors or management is strongly encouraged prior to formal discipline for minor offenses.

3.0.11.1 Tardiness

It is reasonable to expect employees to be promptly at their places of work and ready to work during all of his/her scheduled work hours. Tardiness can lead to docking of pay (for non-exempt employees) and progressive discipline, as appropriate.

The supervisor is to be notified by an employee of any anticipated reasons that might cause the employee to arrive to work late the following day. Employees are to call in if they anticipate arriving late, including returning late from a scheduled break or lunch. After arriving late, the supervisor is notified and an explanation given. Employees who are frequently tardy, absent, or who leave work early, may be subject to disciplinary action.

An employee incurring more than six (6) incidents of unscheduled tardiness in a twelve (12) month rolling year is considered to be excessively tardy. An employee who has excessive incidents of tardiness may be subject to disciplinary action. For the purposes of this policy, such action can be expected after the sixth (6th) incident of unscheduled tardiness in a twelve (12) month rolling year (upon committing the seventh incident of tardiness).

3.0.11.2 Absenteeism

Regular attendance is expected for all employees. Collective Bargaining Agreements (CBA's) and university policies recognize that an employee will be occasionally absent due to illness, injury or other reasons specifically identified in Collective Bargaining Agreements and/or university policies. An employee will use his/her illness bank for absence from work due to illness. An illness bank is intended to be used only under those circumstances and it is not an entitlement. ([Refer to the Supervisor Notification section of this policy for notification procedures](#)).

Employees who are frequently absent may be subject to disciplinary action, up to and including discharge. An employee absent without previous permission or without notifying his/her supervisor, for three (3) consecutive working days is deemed to be an automatic resignation.

Supervisors should approve and report lost time in increments of 3.8 or 4.0 hours (1/2 day) or 7.5 or 8.0 hours (1 day). Emergency time off may be reported in increments of .5 hours.

When a Floating Holiday has been approved, the time off should be reported as a full day (7.5 or 8.0 hours).

PROCEDURE

Responsibility

Action

Department Supervisor

1. Submit accurate Web Time Entry (WTE) or Time Exception Reports on all employees.
2. Review bi-weekly, the Attendance Tracking System (ATS) Occasions Report (HR018A) for employees nearing non-compliance with this policy (**Supervisors should consult with their department’s business office for assistance in accessing attendance related reports, as needed**).
3. Counsel employees nearing non-compliance with this policy.
4. Consult with the Employment Service Center (ESC) **before** initiating disciplinary action for a non-academic non-represented employee.
5. Consult with Labor Relations **before** initiating disciplinary action for a non-academic represented employee.
6. Administer discipline to a non-academic non-represented employee in non-compliance **after** appropriate consultation with the ESC.
7. Administer discipline to a non-academic represented employee in non-compliance **after** appropriate consultation with the Labor Relations department.

Employment Service Center (ESC) and Labor Relations

1. Advise departments as to consistent application of discipline for non-compliance:
 1. Employment Service Center-Non-Academic non-represented employees.
 2. Labor Relations- Non-academic represented (Unionized) employees.

SCOPE

This policy covers all employee groups except the following:

- Academic Represented
- Graduate Assistant
- Part-time Faculty
- Student Assistant (including College Work Study)
- Temporary

Preparing For Your Role As Manager

While WSU Supervisors, Managers and Directors take a lead role in managing attendance, they aren't working alone. Managers can share and reinforce WSU's attendance policy by working in concert with their **HR Consultant** for non-academic, non-represented employee support and **Labor Relations** for non-academic, represented employee support. A customized plan can be developed to help minimize disruption and foster a consistent and fair approach that ensures employee motivation, customer satisfaction and productivity.

What is the key attendance-based role of WSU's management team?

To guide employees throughout each of the following steps:



Best Practices...

- Ensure all new employees are familiar with WSU policies, procedures and collective bargaining agreements. Embed the Attendance & Leave policies into your department's new hire onboarding process for non-rep non-academic employees and ensure a signed/dated employee acknowledgement of key policies is on file.

Additional Resources

Refer to WSU's Policy:
3.0.11 APPM, Attendance Standards for Non-Academic Employees and Non-Represented Academic Employees.

Partner with your **HR Consultant** prior to taking any disciplinary action and to clarify questions pertaining to Non-Academic, Non-Represented Employees. Also consult the **Non-Rep Manual**.

Partner with **Labor Relations** prior to taking any disciplinary action and to clarify questions pertaining to Non-Academic, Represented Employees. Also consult the appropriate Collective Bargaining Agreement.

Non-Academic Attendance Guide

- Be especially diligent and consistent in working with new or transferred employees (probationary or provisional). It is important to coach and review performance as described in the **Probationary & Provisional Performance Review Guide**. Work performance and conduct (such as attendance) should be addressed during this period and stem from the expectations set in the following:
 - Administrative Policy and Procedure Manual (APPM), 3.0.11, Attendance Standards for Non-Academic Employees and Non-Represented Academic Employees (11/12/12)
 - Performance & Workplace Expectations memo (for non-represented, non-academic employees)
 - Performance management goals (if applicable)
- Re-acquaint existing employees with WSU policies, as needed.
 - For represented non-academic employees, simply provide a copy of the APPM 3.0.11 and document the date in which it was provided.
 - It may be helpful to do this initially as a full group (such as in an existing staff meeting) to broadly remind individuals of the policy and request their continued focus and signed acknowledgement. For represented employees, refer them to APPM 3.0.11.
- Develop a system to keep **track** of all scheduled and approved time-off requests. This will help to ensure an easy and accurate approval process for Web Time Entry (WTE). One option for doing this is to have employees send an Outlook notice for any planned time-off requests.
- Establish a **call-in procedure** for your department to set expectations for how unscheduled absences should be handled. Share this procedure with employees and ensure this is consistently monitored and enforced.
- Check in with employees upon their return from any unscheduled absence. This shows your care and concern for the employee as well as the importance you place upon attendance. After all, what we spend time on is a reflection of what we feel is important.
- Always work with your HR Consultant for any attendance management questions for non-academic, non-represented employees and Labor Relations for non-academic, represented employees.
- Highlight the available **employee resources** for health and well-being. This includes the Wellness Warrior program, flu shot availability and WSU's Employee Assistance Program (EAP).

What's in it For Me?

Becoming familiar with WSU attendance management responsibilities and resources will enable you to start off on the right foot with non-academic & non-represented academic employees. Proactively establishing expectations, routinely monitoring activities and providing support will ultimately save you time!

3.4 Hours

Average amount of time managers spend each week managing absences

Society of Human Resource Management, 2014

Using the “WSU Attendance Management” Resources...

Who to Contact When, for Non-Academic Attendance Questions

Reference this checklist of WSU contacts and resources.

Illness & Vacation Eligibility, by Classification

Use this guide for an initial listing of available time off. Note: This is not a substitute for collective bargaining agreements or the non-rep manual.

Glossary of Attendance Terms

Refer to the APPM 3.0.11 WSU Attendance Standards as the primary source of definitions.

U.S. Department of Labor, Wage and Hour Division, Fact Sheet #17A

Exemption for executive, administrative, professional, computer & outside sales employees under the Fair Labor Standards Act (FLSA).

Web Time Entry (WTE) *eLearning*

To access this course:

Login to Pipeline

1. Click on the Accelerate icon (located on your Employee Tab)
2. Click on “Catalog” (located on left margin of the Accelerate home page)
3. Click on the “WSU Systems Training” folder
4. Launch the Web Time Entry course

Who to Contact When, for Non-Academic Attendance Questions

A Checklist of WSU Resources & Responsibilities

| WSU Contact | Support Available |
|--|--|
| <p>Manager</p> <p><i>It all comes down to you! Should questions arise about your responsibilities, reach out to your manager or your HR Consultant.</i></p> | <p>Manager responsibilities include:</p> <ul style="list-style-type: none"> • Ensure that all employees have reviewed WSU’s APPM 3.0.11 Attendance Standards for Non-Academic Employees and Non-Represented Academic Employees as well as eligibility for time-off in accordance with their collective bargaining agreement or non-represented manual • Establish and communicate call-in procedures • Track/monitor employee time off • Verify and approve timesheets submitted in Web Time Entry • Designate a proxy for Web Time Entry approvals in your absence • Submit time exception reports or late paper timesheets when necessary • Review bi-weekly the Attendance Tracking System (ATS) Occasions Report for employees nearing non-compliance for absenteeism with WSU’s attendance policy (note this report does not track tardiness) • Post WSU’s APPM 3.0.11 Attendance Standards in visible location • Request medical verification from employees not in compliance with the WSU attendance policy • Consult with HR Consultant prior to initiating disciplinary action for a non-academic, non-represented employee • Consult with Labor Relations before initiating disciplinary action for a non-academic, represented employee • Administer discipline after appropriate consultation |
| <p>Employee</p> | <p>Employee responsibilities include:</p> <ul style="list-style-type: none"> • Accurately complete timesheet in Web Time Entry including: <ul style="list-style-type: none"> ○ Leave balance confirmation ○ Record time accurately with the correct earning code before deadline ○ Add comments to timesheet if necessary • Phone Supervisor to share the reason for every tardy or absence, or comply with department call-in procedure if applicable |

| WSU Contact | Support Available |
|--|---|
| <p>HR Consultant (HRC)</p> <p><i>A good first point of contact for non-academic, non-represented attendance, leave and non-represented non-exempt employee overtime questions and counsel. Also shares guidance for new non-academic employees during their probationary period. Always contact your HRC prior to taking disciplinary action for non-academic, non-represented employees.</i></p> <p>Click here for contact information</p> | <p>Your HRC can help:</p> <ul style="list-style-type: none"> • Ensure policy and collective bargaining agreement compliance • Provide labor law guidance (in partnership with Labor Relations and as needed, Office of Equal Opportunity and Office of General Counsel) • Share guidance for attendance and leave management • Support leave administration (in partnership with FMLASource for Family Medical Leaves) <p>Policies that may be helpful to reference:</p> <ul style="list-style-type: none"> • 3.0.11 Administrative Policy and Procedure Manual, Attendance Standards for Non-Academic Employees and Non-Represented Academic Employees • 4.1.2 Administrative Policy and Procedure Manual, Overtime • 3.3.6 Administrative Policy and Procedure Manual, Leave of Absence • 3.4.5 Administrative Policy and Procedure Manual, Family and Medical Leave Act • Personnel Manual for Non-Represented Employees NRM 2.3, Leaves of Absence • Personnel Manual for Non-Represented Employees NRM 1.17, Progressive Corrective Action |
| <p>HR Administrator (HRA)</p> <p>Will upload documentation into AppXtender as needed.</p> <p>Click here for contact information</p> | <p>Your HRA will help to upload:</p> <ul style="list-style-type: none"> • Medical verification documentation • Disciplinary documentation |
| <p>Labor Relations</p> <p><i>Always contact Labor Relations for represented, non-academic (unionized) employee attendance, leave or overtime questions and prior to taking any disciplinary action.</i></p> | <p>Labor Relations responsibilities:</p> <ul style="list-style-type: none"> • Advise and counsel departments relative to all contracts, conduct, behavior, investigations, and appropriate discipline • Negotiate and interpret contracts • Grievance administration • Represent WSU in binding arbitration, MERC and other hearings |

| WSU Contact | Support Available |
|---|--|
| <p>Labor Relations <i>(cont.)</i> Contact Labor Relations at 313-577-2081</p> | <p>Labor Relations is responsible for the below bargaining unit employees. Click here for a link to contracts.</p> <ul style="list-style-type: none"> • UAW Staff Association 2071 • UAW Professional and Administrative (P&A) Local 1979 • AFSCME Local 1497 • Michigan Building and Construction Trades Council • Unite Here! Local 24 (Janitors) • Unite Here! Local 24 (Housekeepers) • Operating Engineers • Service Employees International Union SEIU 517M • Police Officers Labor Council |
| <p>Business Affairs Officer (BAO) Be sure to check with your BAO prior to approving overtime to confirm that the budget is loaded with funds to support it. Click here for contact information</p> | <p>Your BAO will:</p> <ul style="list-style-type: none"> • Provide the Attendance Tracking System (ATS) Occasions Report on a regular schedule as previously communicated, or upon request • Provide the Cumulative Labor Distribution Report to show regular paid hours and overtime hours reported for a particular pay period • Provide support with Leave Reports such as The Leave Balances report • Assist with Web Time Entry related issues (e.g. unable to see timesheet, extraction of WTE hours, etc.), prior to escalating the matter to FBO Functional Systems Support. • Assist with submissions of corrections for incorrectly coded hours (e.g. FMLA, illness, etc.) |
| <p>Payroll Your Client Services team can also be a liaison for pay process questions. Contact Payroll at 313-577-2138</p> | <p>Payroll can help:</p> <ul style="list-style-type: none"> • Provide Web Time Entry coding support and guidance • Process manual checks • Void checks • Process late, paper timesheets • Provide guidance on timesheet correction • Facilitate back pay/retroactive pay as needed |
| <p>FMLASource WSUs Third-Party Administrator for Family and Medical Leaves</p> | <p>FMLASource Responsibilities:</p> <ul style="list-style-type: none"> • Administer FMLA in accordance with the FMLA Act of 1993 and WSU’s FMLA Leave policy and/or applicable collective bargaining agreement |

| WSU Contact | Support Available |
|---|---|
| <p>FMLA Source <i>(cont.)</i></p> | <ul style="list-style-type: none"> • Emails BAO or designated person when an employee requests a FMLA form and when a decision is made • Review employee certification information • Provide employee with “Notice of Eligibility and Rights and Responsibility FMLA” within 5 business days after employee request • Provide employee and BAO with written “Designation Notice” (decision) for FMLA leave request within 5 business days of complete certification from employee • Manage FMLA leave request in accordance with “Designation Notice” • Request employee recertification and “Annual Medical Certification” • Conduct a “Peer to Peer” review with employee’s healthcare provider upon HRC request |
| <p>Total Compensation & Wellness (TCW) <i>Contact a TCW Customer Service Associate at 313-577-3717</i></p> | <p>TCW can help:</p> <ul style="list-style-type: none"> • Answer questions about leaves of absence – including Family Medical Leave, Short-Term Disability and Unpaid Leaves of Absence • Share resources about WSU wellness programs – including Wellness Warriors, Employee Assistance Program and Flu Shots on Campus |

Illness & Vacation Eligibility, by Classification

| Classification | Illness Accrual | Available for Use | Max Illness Accrual | Vacation Accrual | Available for Use | Probation Period Ends |
|---|-----------------|-------------------|---------------------|------------------|-------------------|-----------------------|
| Staff Association, Local 2071 | 6.38 hr/pay | 3 months | 200 days | 3.47 hr/pay | 4 months | 6 months |
| Professional and Administrative (P & A), Local 1979 | 6.25 hr/pay | Hire date | 990 Hours | 6.35 hr/pay | 4 months | 6 months |
| AFSCME, Local 1497(Parking) | 4 hr/ pay | 3 months | 200 days | 3.70 hr/pay | 6 months | 6 months |
| AFSCME, Local 1497 (All Others) | 5.20 hr/ pay | 3 months | 200 days | 3.70 hr/ pay | 6 months | 90 Days |
| Non-Rep Professional | 165.0 hr/yr | Hire date | 990 Hours | 6.35 hr/pay | 4 months | Consult Unit |
| Non-Rep Clerical | 6.38 hr/pay | 3 months | 990 Hours | 3.47 hr/pay | 4 months | 6 months |
| Public Safety | 6.80 hr/pay | Hire date | 132 days | 6.77hrpay | 6 months | 12 months |
| AAUP (12 month) | 165hr/yr | Hire date | 990 Hours | 6.35hr/pay | 4 months | none |
| AAUP (9 month) | 165 hr/yr | Hire date | 990 Hours | None | N/A | none |

Vacation Accrual Max- 173 Hours (23 days)

You may be eligible for additional paid time off. Consult your Collective Bargaining Agreement or Non-rep Manual for additional information.

Glossary of Attendance Terms

| Term/Type of Absence | Definition/Example |
|--|--|
| <p>Occasions From Appm 3.0.11 Attendance Standards for Non-Academic Employees & Non-represented Academic Employees</p> | <p>For the purposes of this policy, an occasion is defined as an absence of 3.8 hours or more for an employee working a 7.5 hour day, and 4 hours or more for an employee working an 8 hour day. <i>(not in policy but for clarification: this refers to illness or other unscheduled absence events – not scheduled, planned time off such as vacations nor absences that result from a workplace injury, an approved leave, jury duty, approved union business or suspension.)</i></p> |
| <p>Scheduled Absence</p> | <p>Planned time off that was approved and scheduled in advance, i.e. vacations, holidays.</p> |
| <p>Unscheduled Absence</p> | <p>Incidental, unplanned absences that were called-in according to the agreed upon supervisor notification process as defined in the APPM 3.0.11 policy, i.e. sick days, personal emergencies.</p> |
| <p>Unusual Attendance From Appm 3.0.11 Attendance Standards for Non-Academic Employees & Non-represented Academic Employees</p> | <p>For the purposes of this policy, unusual attendance includes but is not limited to:</p> <ol style="list-style-type: none"> 1. A pattern of missing certain days of the week. 2. Calling in sick on day(s) for which a time-off request was previously denied. 3. Taking sick days adjacent to holidays, vacation, personal days, or other time off. |
| <p>Extended absences</p> | <p>Planned or unplanned absences lasting more than three days for which an employee may wish to explore eligibility for short term disability or FMLA leave.</p> |
| <p>Excessive Absenteeism From Appm 3.0.11 Attendance Standards for Non-Academic Employees & Non-represented Academic Employees</p> | <p>For the purposes of this policy, excessive absenteeism is defined as:</p> <ol style="list-style-type: none"> 1. More than 6 occasions of unscheduled absence in a twelve (12) month rolling year <p style="text-align: center;">OR</p> <ol style="list-style-type: none"> 2. Unscheduled absence in excess of forty-five (45) hours, involving four (4) or more occasions (in excess of forty-eight (48) hours for employees scheduled to work eight (8) hours/day): pro-rated for fractional time in a twelve (12) month rolling year |
| <p>Tardy</p> | <p>Unscheduled, late arrival in duration less than an “occasion” (see above). Late returns from breaks and lunches.</p> |

| Term/Type of Absence | Definition/Example |
|---|---|
| <p>Excessive Tardiness From <u>Appm 3.0.11 Attendance Standards for Non-Academic Employees & Non-represented Academic Employees</u></p> | <p>For the purposes of this policy, excessive tardiness is defined as incurring more than six incidents of unscheduled tardiness in a twelve month rolling year (upon committing the 7th incident of tardiness).</p> |
| <p>Automatic Resignation From <u>Appm 3.0.11 Attendance Standards for Non-Academic Employees & Non-represented Academic Employees</u></p> | <p>For the purposes of this policy, an employee who is absent without previous permission or without notifying his/her supervisor, for 3 consecutive working days.</p> |
| <p>Culpable Absence (HR only)</p> | <p>Unauthorized absence and related action/s for which an investigation and/or employee discipline may be warranted, i.e.:</p> <ul style="list-style-type: none"> • Sick leave fraud • Falsification of time records • False explanation for an absence • Does not provide a doctor’s certificate when required • Failure to comply with APPM 3.0.11 Attendance Standards for Non-Academic Employees & Non-represented Academic Employee |
| <p>Exempt Employees</p> | <p>Not entitled to overtime provisions of the U. S. Department of Labor’s Fair Labor Standards Act. Exempt employees are expected to work whatever hours are necessary to accomplish the goals and deliverables of the position. Refer to the U. S. Department of Labor’s Fact Sheet #17A for an overview and work with WSU’s Office for General Counsel should questions arise.</p> |
| <p>Non-Exempt Employees</p> | <p>Entitled to overtime pay under the U. S. Department of Labor’s Fair Labor Standards Act at the rate of time and one-half the regular rate of pay for all hours worked in a workweek. Note that this is <i>irrespective</i> of available budget.</p> |

U.S. Department of Labor, Wage and Hour Division, Fact Sheet #17A

U.S. Department of Labor
Wage and Hour Division



Fact Sheet #17A: Exemption for Executive, Administrative, Professional, Computer & Outside Sales Employees Under the Fair Labor Standards Act (FLSA)

This fact sheet provides general information on the exemption from [minimum wage](#) and [overtime pay](#) provided by Section 13(a)(1) of the Fair Labor Standards Act as defined by Regulations, [29 CFR Part 541](#).

The [FLSA](#) requires that most employees in the United States be paid at least the [federal minimum wage](#) for all hours worked and [overtime pay](#) at time and one-half the regular rate of pay for all hours worked over 40 hours in a workweek.

However, Section 13(a)(1) of the FLSA provides an exemption from both [minimum wage](#) and [overtime pay](#) for employees employed as bona fide executive, administrative, professional and outside sales employees. Section 13(a)(1) and Section 13(a)(17) also exempt certain computer employees. To qualify for exemption, employees generally must meet certain tests regarding their job duties and be paid on a salary basis at not less than \$455 per week. Job titles do not determine exempt status. In order for an exemption to apply, an employee's specific job duties and salary must meet all the requirements of the Department's regulations.

See other fact sheets in this series for more information on the exemptions for [executive](#), [administrative](#), [professional](#), [computer](#) and [outside sales](#) employees, and for more information on the [salary basis](#) requirement.

Executive Exemption

To qualify for the executive employee exemption, all of the following tests must be met:

- The employee must be compensated on a [salary](#) basis (as defined in the regulations) at a rate not less than \$455 per week;
- The employee's primary duty must be managing the enterprise, or managing a customarily recognized department or subdivision of the enterprise;
- The employee must customarily and regularly direct the work of at least two or more other full-time employees or their equivalent; and
- The employee must have the authority to hire or fire other employees, or the employee's suggestions and recommendations as to the hiring, firing, advancement, promotion or any other change of status of other employees must be given particular weight.

Administrative Exemptions

To qualify for the administrative employee exemption, all of the following tests must be met:

- The employee must be compensated on a [salary](#) or fee basis (as defined in the regulations) at a rate not less than \$455 per week;
- The employee's primary duty must be the performance of office or non-manual work directly related to the management or general business operations of the employer or the employer's customers; and
- The employee's primary duty includes the exercise of discretion and independent judgment with respect to matters of significance.

FS 17A

Professional Exemption

To qualify for the **learned professional** employee exemption, all of the following tests must be met:

- The employee must be compensated on a salary or fee basis (as defined in the regulations) at a rate not less than \$455 per week;
- The employee's primary duty must be the performance of work requiring advanced knowledge, defined as work which is predominantly intellectual in character and which includes work requiring the consistent exercise of discretion and judgment;
- The advanced knowledge must be in a field of science or learning; and
- The advanced knowledge must be customarily acquired by a prolonged course of specialized intellectual instruction.

To qualify for the **creative professional** employee exemption, all of the following tests must be met:

- The employee must be compensated on a salary or fee basis (as defined in the regulations) at a rate not less than \$455 per week;
- The employee's primary duty must be the performance of work requiring invention, imagination, originality or talent in a recognized field of artistic or creative endeavor.

Computer Employee Exemption

To qualify for the computer employee exemption, the following tests must be met:

- The employee must be compensated **either** on a salary or fee basis (as defined in the regulations) at a rate not less than \$455 per week **or**, if compensated on an hourly basis, at a rate not less than \$27.63 an hour;
- The employee must be employed as a computer systems analyst, computer programmer, software engineer or other similarly skilled worker in the computer field performing the duties described below;
- The employee's primary duty must consist of:
 - 1) The application of systems analysis techniques and procedures, including consulting with users, to determine hardware, software or system functional specifications;
 - 2) The design, development, documentation, analysis, creation, testing or modification of computer systems or programs, including prototypes, based on and related to user or system design specifications;
 - 3) The design, documentation, testing, creation or modification of computer programs related to machine operating systems; or
 - 4) A combination of the aforementioned duties, the performance of which requires the same level of skills.

Outside Sales Exemption

To qualify for the outside sales employee exemption, all of the following tests must be met:

- The employee's primary duty must be making sales (as defined in the FLSA), or obtaining orders or contracts for services or for the use of facilities for which a consideration will be paid by the client or customer; and
- The employee must be customarily and regularly engaged away from the employer's place or places of business.

Highly Compensated Employees

Highly compensated employees performing office or non-manual work and paid total annual compensation of \$100,000 or more (which must include at least \$455 per week paid on a salary or fee basis) are exempt from the

FLSA if they customarily and regularly perform at least one of the duties of an exempt executive, administrative or professional employee identified in the standard tests for exemption.

Blue Collar Workers

The exemptions provided by FLSA Section 13(a)(1) apply only to “white collar” employees who meet the salary and duties tests set forth in the Part 541 regulations. The exemptions do not apply to manual laborers or other “blue collar” workers who perform work involving repetitive operations with their hands, physical skill and energy. FLSA-covered, non-management employees in production, maintenance, construction and similar occupations such as carpenters, electricians, mechanics, plumbers, iron workers, craftsmen, operating engineers, longshoremen, construction workers and laborers are entitled to [minimum wage](#) and [overtime](#) premium pay under the FLSA, and are not exempt under the Part 541 regulations no matter how highly paid they might be.

Police, Fire Fighters, Paramedics & Other First Responders

The exemptions also do not apply to police officers, detectives, deputy sheriffs, state troopers, highway patrol officers, investigators, inspectors, correctional officers, parole or probation officers, park rangers, fire fighters, paramedics, emergency medical technicians, ambulance personnel, rescue workers, hazardous materials workers and similar employees, regardless of rank or pay level, who perform work such as preventing, controlling or extinguishing fires of any type; rescuing fire, crime or accident victims; preventing or detecting crimes; conducting investigations or inspections for violations of law; performing surveillance; pursuing, restraining and apprehending suspects; detaining or supervising suspected and convicted criminals, including those on probation or parole; interviewing witnesses; interrogating and fingerprinting suspects; preparing investigative reports; or other similar work.

Other Laws & Collective Bargaining Agreements

The FLSA provides minimum standards that may be exceeded, but cannot be waived or reduced. Employers must comply, for example, with any Federal, State or municipal laws, regulations or ordinances establishing a higher minimum wage or lower maximum workweek than those established under the FLSA. Similarly, employers may, on their own initiative or under a collective bargaining agreement, provide a higher wage, shorter workweek, or higher overtime premium than provided under the FLSA. While collective bargaining agreements cannot waive or reduce FLSA protections, nothing in the FLSA or the Part 541 regulation relieves employers from their contractual obligations under such bargaining agreements.

Where to Obtain Additional Information

For additional information, visit our Wage and Hour Division Website: <http://www.wagehour.dol.gov> and/or call our toll-free information and helpline, available 8 a.m. to 5 p.m. in your time zone, 1-866-4USWAGE (1-866-487-9243).

When the state laws differ from the federal FLSA, an employer must comply with the standard most protective to employees. Links to your state labor department can be found at www.dol.gov/whd/contacts/state_of.htm.

This publication is for general information and is not to be considered in the same light as official statements of position contained in the regulations.

U.S. Department of Labor
 Frances Perkins Building
 200 Constitution Avenue, NW
 Washington, DC 20210

1-866-4-USWAGE
 TTY: 1-866-487-9243
[Contact Us](#)

Consult with Wayne State University’s Office of General Counsel for guidance

Setting Attendance Expectations

Sharing WSU's [APPM 3.0.11 Attendance Standards for Non-Academic Employees and Non-Represented Academic Employees](#)

at the start of your working relationship with an employee is an important, fundamental first step. This will enable you to set attendance expectations and have a proactive conversation about your department's call-in procedure and monitoring/tracking process.

The important thing to keep in mind when setting expectations is to do so in a **consistent and documented manner** for all employees.

The best way to accomplish this is to embed the policy in your onboarding process for new employees and remind existing employees of the policy through a general group discussion.

Best Practices...

- **Embed the policy in your onboarding process** for new employees. Be sure to feature a/an:
 - **Workplace & Performance Expectations Memo** for non-academic, non-represented employees. Review the available examples and consult with your HR Consultant to explore customization opportunities.
 - **Onboarding Plan/New Hire Checklist** for non-academic, non-represented employees.
- **Document** and file each employee's acknowledgment of policies.
- Share employee responsibilities - as shown in the "Who to Contact When" reference aid.
- Establish and communicate your department's **call-in procedure**. They vary between departments.
 - Reference *Supervisor Notification* in the APPM 3.0.11 policy.
 - Note: It is helpful to have a verbal notification process. This enables a conversation to occur about the reason for the absence, when the employee will return and how any outstanding work should be handled. These conversations should be documented using a consistent template for all employees.

Transferred Employees

Working with a new or transferred WSU non-academic employee?

Complete & share a **Workplace & Performance Expectations Memo** with non-academic, represented employees.

Incorporate the APPM 3.0.11 policy as part of your **Onboarding Plan/ New Hire Checklist**.

- Establish and communicate your department’s **monitoring/tracking process**.
- Highlight the importance of attendance (to you and the University as a whole).
- **Re-establish expectations** with your team (should you find that any lapse in focus has occurred). This is best done as part of a regular, full-group meeting in which you share a copy of the policy. Provide a sign-in sheet and copies of the policies. Follow up with specific individuals through one-on-one meetings. Share their attendance status in accordance with the policy and when/how additional follow-up will occur. Use the “Non-Academic, Non-Represented Absence Summary” as a sample template.
- For non-represented employees, share your views on “**presenteeism**” (when employees come to work sick) with your team.
 - In a recent survey conducted by OfficeTeam, 45% of employees said they “very frequently” go to work when they are sick. Employees typically model what their manager does – if s/he works when ill, so will the employee. However, this can increase the likelihood of spreading contagious illness and lower productivity.

What’s in it For Me?

Setting expectations up front can make it easier to follow up on this topic with an employee later on (should the need arise). It is much easier to reference actions that were agreed-upon prior to describing concern about work conduct – and in fact, it is also more *just* for the employee.

Using the “Setting Expectations” Resources...

Setting Attendance Expectations for Non-Represented Employees - Sample Script

Reference these thought-starters for having initial conversations regarding expectations.

Performance and Workplace Expectations Memo

Partner with your HR Consultant to explore customization opportunities for non-academic, non-represented employees. For non-academic, represented employees, consult with Labor Relations.

Workplace Expectations Guide

Use this guide to help customize your expectations memo by selecting expectations that best reflect the needs of your department.

New Hire Checklist Sample

Customize this checklist to meet the needs of your new non-represented, non-academic staff member.

Non-Represented, Non-Academic Absence Summary Template

Share this document to recap the employee’s status as it pertains to WSU policies and any agreed-upon next steps.

Setting Attendance Expectations for Non-Represented Employees – Sample Script

Partner with your **HR Consultant** and **Labor Relations** for support. Note that you may choose to discuss the following:

- HR Consultants: Whether to place an emphasis on unscheduled absences with exempt employees.
- Labor Relations: If both unscheduled absences and tardiness should be emphasized with non-exempt, represented employees.

Attendance Expectations for Non-Represented Employees

“In order to meet the needs of those we serve (our students, fellow WSU employees, etc.) we rely upon each and every team member’s regular attendance at work. Because it is important to the University, a policy has been crafted (distribute copies). Some areas that I thought may be helpful to highlight include:

- An “occasion” refers to any absence that is unplanned – such as an illness or personal emergency.
- A “tardy” refers to any time an employee arrives after their scheduled work start time.
- Occasions and tardies are totaled and looked at in a “rolling year” time period.
- You’ll be responsible for accurately coding your time off in Web Time Entry and calling-in according to our department procedure (discuss procedure and any consequences of it not being followed).
- I’ll monitor all absences and share your status with you on a regular basis (insert time frame, i.e. monthly, and how it will occur, i.e. in writing or verbally as part of a one-on-one meeting)

Performance and Workplace Expectations Memo (Non-Academic, Non-Represented Employees)

Partner with your **HR Consultant** to ensure this memo is customized to meet your needs for any new/transferred non-represented, non-academic role. S/he can share an electronic copy of this document. Note: The Sample Workplace Expectations on the following page can help create a targeted list of requirements to be included in your memo.

WAYNE STATE UNIVERSITY

DATE:

TO: (Non-Academic, Non-Represented) Employee

FROM: Manager

SUBJECT: Department Workplace Expectations

The purpose of this memo is to provide you with a road map to success in the _____ department. It includes areas in which we'll rely upon you to help us achieve our goals as well as basic workplace expectations that we each will adhere to as enablers for achieving our goals.

Below are some critical areas where your position as a/an Job Title, plays a critical role to the success of Department.

- **Insert highlights of position requirements as it contributes to department goals**

It may be helpful to review your job description (attached) as well as our department goals, vision, mission and values (if applicable):

- **Insert department goals**

To help you get off to a great start, below are workplace expectations to keep in mind. The list below is by no means all inclusive, and only represents a few key areas that require your focus and attention. Further areas may be identified and will be communicated to you as needed.

Customize below list of sample expectations

Sample Workplace Expectations

Workplace Expectations Guide

Use the list of options below to determine the expectations that best suit the needs of your unit and position and include them in your performance and workplace expectations memo for non-rep, non-academic employees.

| | |
|---|--|
| <p>Schedule</p> <p>Work Hours, Overtime Guidelines, Lunch & Break Times</p> | <ul style="list-style-type: none"> • To meet the needs of those we serve, I expect you to be at your desk and ready to work (computer booted up, etc.) at the designated start time. • Department hours are _____ to _____ with a one-hour lunch and two 15-minute breaks. • Hourly employees are responsible for accurately reporting work time in Web Time Entry; salaried employees are responsible for accurately reporting time-off in Web Time Entry. • If your position is non-exempt, approval in advance is needed for any overtime. • The primary consideration in determining work schedules for individual employees will be to assure the department’s service needs are met for students, faculty and staff. • All non-academic employees need to establish regular work schedules with start and stop times and lunch breaks. Schedules must be approved by your supervisor and communicated to team members. • (Optional) During specified times, the service our department must be uninterrupted (i.e. first week of class in January or August; fiscal year close or other “busy” time). In this timeframe, all employees are expected to be at work every day and on time to cover the increased need in services. Care should be taken to minimize absences during this time. • Refer to and share the WSU Flextime Guidelines. <p>Refer to the non-rep manual or appropriate collective bargaining agreement for additional support.</p> |
| <p>Absence Reporting</p> <p>Refer to WSU policy: 3.0.11 Attendance Standards for Non- Academic Employees and Non- Represented Academic Employees</p> | <ul style="list-style-type: none"> • Attendance consistent with your work schedule is essential to our department’s ability to be successful and to help those we serve to reach their goals. • Our department’s call-in procedure is (customize as needed): <ul style="list-style-type: none"> ○ Absences must be reported a minimum of __ hours before the start of your schedule via (phone, email or voice mail) to your supervisor (and, if applicable, administrative assistant). ○ Provide the reason for your absence and your expected return to work date. ○ Address any outstanding work needs that may need to be handled in your absence. |

| | |
|---|---|
| <p>Absence Reporting (continued)</p> | <ul style="list-style-type: none"> When an employee is sick, they must code their time off in Web Time Entry as illness (“IL” for the first day and “IC” or illness continuation for any subsequent days). If an employee does not have sick time available the time off should be coded as _____. Employees who are unable to adhere to their work schedule for any reason must call their immediate supervisor as soon as possible. This contact must be made either prior to or within ___ minutes of their scheduled start time or end time in the event of an inability to return to work on time following a lunch or break. In the event the supervisor can’t be reached, a message to the supervisor’s voice mail along with an email to the administrative assistant and/or team members is needed. In the case of tardiness, employees must send a text or email to their supervisor (and, if applicable, administrative assistant) when they arrive at their work stating the time they arrived. <p>Note: Sick time is intended to protect employees from loss of income during periods of illness and may not be used for any other purpose. An employee may be required to provide medical certification to confirm illness/absence.</p> <p>Note: Personal time is not to be used routinely to come in late or leave early from work.</p> |
| <p>Time Off Eligibility and Requests</p> | <ul style="list-style-type: none"> Refer to the collective bargaining agreement or non-rep manual for holidays and leave eligibility. Vacation requests must be submitted via _____ a minimum of _____ (days or weeks) prior to requested time off. When doing so, please share: <ul style="list-style-type: none"> Day you are leaving and day you will be returning. Pending tasks during this time frame and recommendation for how they will be handled. Vacation requests received for “peak times” (during _____) may not be approved if the department is unable to provide uninterrupted service. |
| <p>Technology Use Refer to WSU policy: <u>Acceptable Use of Information Technology Resources</u></p> | <ul style="list-style-type: none"> Abide by the policy requirements. Keep personal cell phone and internet usage to a minimum (during breaks unless emergency situation that should be discussed with your supervisor). |
| <p>Attire and Casual Day (if applicable)</p> | <ul style="list-style-type: none"> Our department is at all times a client-facing unit, whether the client is internal or external. As a result, it is the responsibility of department members to dress appropriately. This includes _____. Attire that is not acceptable includes that which is ill-fitting or shows skin at cleavage, midriff or backside or is in need of repair (i.e. holes). |

Non-Academic Attendance Guide

| | |
|--|---|
| | <ul style="list-style-type: none"> • Our department does or doesn't support casual Fridays. |
| Performance Management | <ul style="list-style-type: none"> • As a new or transferred employee, you will be on a probationary or provisional status. During this time, we will meet more frequently to set established expectations and review progress. Review the <u>Probationary, Provisional and Qualifying Period Performance Review Guide and Forms</u>. |
| Climate of Safety and Respect | <ul style="list-style-type: none"> • Three key University policies are important to review as we all work together to ensure a climate of collegiality and respect: <ul style="list-style-type: none"> ○ <u>99-3 Workplace Violence</u> ○ <u>APPM 3.0.4 Sexual Harassment</u> ○ <u>APPM 3.0.2 Non-Discrimination/Affirmative Action</u> |
| Customer Service | <ul style="list-style-type: none"> • Create a professional environment for those we serve by adopting a positive and approachable attitude, being willing to help each other, communicating respectfully, being aware of non-verbal messages and being open to interruptions. • Answer phone calls and emails within ___ hours. • If there is no deadline given for an assignment, ask. • When there are problems or questions, go to the source for resolution first and assume a positive intent. |
| Workplace Expectation Violation | <ul style="list-style-type: none"> • Employees in violation of a workplace expectation may be subject to the disciplinary process. |

New Hire Checklist Sample

Customize this document to include the activities that are best suited to help your new non-represented, non-academic employee get acclimated.

| | | | |
|---|--|---|----------------|
| WAYNE STATE UNIVERSITY | | Division of Human Resources Employment Procedure Checklist | |
| New Hire Employee Checklist* | | | |
| Employees: Work with your supervisor to review and complete each item listed below within the first two weeks of your hire date. Turn the complete form into your supervisor, and keep a copy to incorporate into your departmental orientation. | | | |
| Supervisors: Incorporate the items below into your employee's departmental orientation. Ensure each item is completed within the first two weeks of the employee's start date. | | | |
| More detailed university policy, health and welfare benefits information is available during the formal university orientation process. Contact the Employment Service Center and Total Compensation and Wellness for more information. | | | |
| Employee Name: | | Classification: | |
| Personnel Date: | | Banner ID: | |
| Hiring Manager: | | Supervisor: | |
| Personnel/Hiring Information | | | |
| Initiated Action/Function | Location | | Date Completed |
| Copy of Position Posting (from OHS) | https://jobs.wayne.edu/hr | | |
| Personnel Paperwork | http://www.hr.wayne.edu/help/ http://www.hr.wayne.edu/esc/supervisors/transactions.php | | |
| Veterans/Disability Survey | Available during F/S Orientation | | |
| OISS Form (if applicable) | http://www.oiss.wayne.edu/departments/work-authorization.php | | |
| Signed Offer Letter | ESC collects, attached to incoming paperwork | | |
| Confidentiality Statement | Provided by department | | |
| Departmental Orientation | | | |
| Initiated Action/Function | Location | | Date Completed |
| Campus Map | http://www.campusmap.wayne.edu/ | | |
| Organizational Chart of Unit and Division | Provided by department | | |
| Security Building Access | http://police.wayne.edu/building.php | | |
| Keys | See section 5.3 of http://fisopsprocs.wayne.edu/appm/ | | |
| E-mail Access | http://computing.wayne.edu/accessid/ | | |
| Voice-mail Access | http://computing.wayne.edu/phone/voicemail.php | | |
| Faculty & Staff Directory | http://www.ucomm.wayne.edu/~fsd/index.html | | |
| Supplies ordered | Provided by department | | |
| Identified/cleaned workspace | Provided by department | | |
| Introduction to Staff & Orientation to Department | Provided by department | | |
| Introductory email to department & applicable units | Provided by department | | |
| Banner Information Systems Access | | | |
| Initiated Action/Function | Location | | Date Completed |
| FMS | http://computing.wayne.edu/forms/banner-access.php | | |
| HRMS | http://computing.wayne.edu/forms/banner-access.php | | |
| RAPP | http://computing.wayne.edu/forms/banner-access.php | | |
| P-CARD | http://purchasing.wayne.edu/about/card-team.php | | |
| Page 1 of 2 | | Non-Academic Checklist | |
| | | Last Revised: 5/19/11 | |

| WAYNE STATE UNIVERSITY | | Division of Human Resources Employment Procedure Checklist | |
|--|--|---|--|
| Faculty/Staff Orientation | | | |
| Initiated Action/Function | Location | Date Completed | |
| Veterans/Disability Survey | Provided at orientation | | |
| One Card | http://www.onecard.wayne.edu/ | | |
| Parking Pass | http://www.parking.wayne.edu/ | | |
| I-9 Employment Eligibility Form | Instructions provided at http://www.hr.wayne.edu/esc/form-9.php Form completion at http://www.newi9.com/ | | |
| Tax forms | http://fisops.wayne.edu/payroll/forms/w-4.php | | |
| Direct deposit | Provided at orientation | | |
| Union applications/forms | Provided at orientation | | |
| University Orientation | Scheduled by employee via Pipeline/TSW http://lumprod.wayne.edu/cp/home/loginf | | |
| Employee Assistance Program | http://www.hr.wayne.edu/avp/eap | | |
| Policies & Procedures | | | |
| Initiated Action/Function | Location | Date Completed | |
| Attendance Policy/Time Off Request | See section 3.0.11 of http://fisopsprocs.wayne.edu/appm/ | | |
| Sexual Harassment Policy | See section 3.0.4 of http://fisopsprocs.wayne.edu/appm/ & http://www.deo.wayne.edu/pdfs/policy.php | | |
| Nondiscrimination/Affirmative Action Policy | http://oeo.wayne.edu/pdfs/affm_actn_policy.pdf | | |
| Non-Rep Manual | http://www.hr.wayne.edu/avp/pdfs/hrmanual.pdf | | |
| Human Resources Manual | Provided by Department | | |
| Telephone Policy | Designated by department | | |
| Acceptable Use of Information Technology Resources | See section 00-1 of http://fisopsprocs.wayne.edu/policy/ | | |
| University Policies | http://fisopsprocs.wayne.edu/policy/ | | |
| WSU Administrative Policies & Procedures | http://fisopsprocs.wayne.edu/policy/ | | |
| Departmental Policies & Procedures | Designated by department | | |
| Smoke-Free Campus Policy | See section 00-3 of http://fisopsprocs.wayne.edu/policy/ | | |
| Workplace Violence | See section 99-3 of http://fisopsprocs.wayne.edu/policy/ | | |
| Risk Management | See section 02-7 of http://fisopsprocs.wayne.edu/policy/ | | |
| Travel Expense Policy (if necessary) | See section 7.1 of http://fisopsprocs.wayne.edu/policy/ | | |
| Date completed and submitted to Supervisor: | | | |
| Employee Signature: _____ | | | |
| *Upon completion, hiring manager uploads this document to Xtender under "Department Docs". | | | |

Non-Represented, Non-Academic Absence Summary Template

Use this template to proactively share the current status of an existing employee's attendance.

This is **NOT** to be customized for represented, non-academic staff without first consulting with Labor Relations. Partner with your **HR Consultant** for any questions and to receive an electronic copy of this document. Note: It may be customized for exempt employees by removing any reference to "tardiness".

Date:

To: Name, Title

From:

Subject: **Absence Summary**

As we discussed today, records show that you are currently (*not*) in violation of the WSU APPM 3.0.11 Attendance Standards as it pertains to absenteeism and/or tardiness. Below is a summary of the policy requirement and your status for the rolling year consisting of the past 12-month period of ____ to ____:

| | Absenteeism Policy Standard | Your Absence Summary | Tardiness Policy Standard | Your Tardiness Summary |
|---|--|---|---------------------------|------------------------------|
| <i>Customize based upon the number of hours employee is scheduled to work/day</i> | | | | |
| If 7.5 hours/day | 6 separate occasions of unscheduled absence in a rolling year OR 45 total hours of unscheduled absence involving at least 4 separate occasions | (Insert number of total hours and separate occasions). <i>Optional: include the dates & WTE codes used.</i> OR (Insert number of total hours and separate occasions) | 7 incidents | (Insert number of incidents) |
| If 8 hours/day | 6 separate occasions of unscheduled absence in a rolling year OR 48 total hours of unscheduled absence involving at least 4 separate occasions | (Insert number of total hours and separate occasions) <i>Optional: include the dates & WTE codes used.</i> OR (Insert number of total hours and separate occasions) | 7 incidents | (Insert number of incidents) |

While the (insert department name) may not have rigorously enforced University attendance standards in the past, this is official notice that University attendance standards will now be attentively enforced. For further information on attendance-related issues, please refer the APPM 3.0.11 policy.

Monitoring, Tracking & Approving Time Off

“What’s Measured Improves”

Peter F. Drucker
Management Consultant, Author and Educator

It is often said that if something is not measured, it cannot be managed. Using WSU’s Cognos ATS Occasions Report enables managers to track attendance in their unit. This report will help managers to have an understanding of the level and pattern of absences for each member of their team. This data can help you determine the appropriate next steps to achieve improvements.

Any measurement efforts should be applied equally across all individuals covered under WSU’s attendance policy. This will ensure **consistency and fairness** – both of which are key contributors to beneficial and accurate metrics.

Best Practices...

Partner with your HR Consultant to assess opportunities to:

- Identify **patterns** of absence.
- Investigate **causes** of non-attendance.
- **Benchmark** absence levels against national averages or WSU peers.
- Compare absence levels with other S/C/D’s.
- Establish **trigger points** for individual attendance reviews.
- Devise **plans** to improve attendance.
- **Calculate the impact** of non-attendance in your unit in order to continually monitor, analyze and assess progress. Any target set should be done in accordance with WSU’s Attendance Standards and leave eligibility, as stated in the collective bargaining agreement or Non-Rep Manual. Aspects to consider include:
 - Total number of potential working days or hours in a year.

Additional Resources

To support your monitoring efforts, reach out to your **HR Consultant or Business Affairs Officer** for a copy of the following WSU reports:

- **Cognos ATS Occasions Report** (number/hours of unscheduled occasions of absence)
- **Cumulative Labor Distribution Report** (regular and overtime paid hours)
- **Leave Balances**
- **FMLA Reports & Communications**

New Metrics Reporting/ Summaries are currently being developed for attendance. Check with your HR Consultant to learn more!

- Total number of days or hours lost through absence across all employees in your unit.
- Number of separate occasions of absence for all employees.
- Reason for each absence, highlighting unplanned absences as described in the call-in log.
- Direct and indirect cost of absence.

Note: You can determine the financial impact of lost time with a few basic calculations. Determine the **“lost-time rate”** using the total amount of time lost as a percentage of the total number of potential working days. Your HR Consultant can help with this calculation. S/he may also be able to help by breaking this rate down by the type of absence and by the type of position. Once lost-time rates have been determined, you can calculate the financial impact by multiplying it against wages.

It’s helpful to put any number in context... When looking at lost-time, consider comparing it to overall trends within your unit as well as potentially benchmarking against peers.

What’s in it For Me?

While you may have a hunch that attendance could be better, you won’t know for sure without the data to back it up. The data from the Cognos ATS Occasions Report enables you to not only track total lost-time but to also devise an individual plan of action for each employee. This plan should be based on their current compliance with WSU’s Attendance Standards, as well as their own unique patterns and reasons for time off.

Having an active approach to measuring attendance is part of good overall management and helps to ensure strong productivity in your group.

Two Thirds...

of U.S. employees call in sick for reasons other than physical illness.

CCH Unscheduled Absence Survey, 2007

Using the “Absence Measurement” Resources...

Call-In Log Template

Indicate an unscheduled absence by documenting a conversation with an employee who calls in.

E-Class Codes

Review this chart to ensure proper coding of employee classifications.

Web Time Entry Codes

Data is only as good as the way it was entered into the report. It may be helpful to review Web Time Entry codes with employees to ensure that they are familiar with proper coding. It is also incumbent upon managers to approve Web Time Entry to ensure an accurate categorization of absences.

Cognos ATS Occasions Report Checklist

As you review your reports, it may be helpful to use this sample to prompt several key questions. To be sure the report is properly interpreted, reference the APPM 3.0.11 WSU Attendance Standards and work with your HR Consultant or Labor Relations.

Call-In Log Template

Use this template to capture information regarding any unscheduled absence within your department.

| Name/ Name of Person Who Made the Call | Date/Time Call Was Received | Call Time/ Name of Employee Who Took the Call | Reason for Absence <i>(Consider asking "What 'Leave Bank' Would You Like to Use?")</i> | Expected Return Date | Notes |
|---|-----------------------------------|--|--|-------------------------|-------|
| | | | | | |
| | | | | | |
| | | | | | |
| | | | | | |
| | | | | | |

Note: Asking about the **Leave Bank** enables you to understand the reason for absence without seeming like you're prying. It may be a more non-threatening approach to lead into a discussion with the employee. Gaining additional information about his/her thoughts could also help you ascertain if the leave type is valid. If it's not, this is a great time to share your thoughts about why it should or shouldn't be used.

E-Class Codes

| Non-Academic E-Class Codes - Included in Cognos ATS Reports | | | |
|---|-------------------|--|-----------------------|
| E-Class Code | Exempt/Non-Exempt | E-Class Description | Represented / Non-Rep |
| 24 | Non-Exempt | Janitors Local 24 | Represented |
| 7M | Non-Exempt | Custodial Local 177M | Represented |
| AS | Non-Exempt | Custodians/Parking Attendants, Mail Clerks - AFSCME | Represented |
| EX | Exempt | Executive employees | Non-Rep |
| HX | Non-Exempt | Housekeepers - WSU Housing Authority Local 24 | Represented |
| MA | Exempt | Non-executive management | Non-Rep |
| NC | Non-Exempt | clerical employees | Non-Rep |
| NE | Exempt | Professional employees not eligible for O/T | Non-Rep |
| NN | Non-Exempt | Professional employees eligible for O/T | Non-Rep |
| OE | Non-Exempt | Facility Engineers - non supervisory, Local 547 | Represented |
| PE | Exempt | Professional exempt employees, P&A Local 1979 | Represented |
| PN | Non-Exempt | Professional non-exempt, P&A Local 1979 | Represented |
| PS | Non-Exempt | Public Safety Officers - Police Officers Labor Council | Represented |
| SA | Non-Exempt | Employees - Staff Association, Local 2071 | Represented |
| SK | Non-Exempt | Skilled Trades employees Det Bldg Const Trades Council | Represented |

| TEMPORARY POSITIONS - Not included in ATS Reports | | | |
|---|-------------------|--|-----------------------|
| E-Class Code | Exempt/Non-Exempt | E-Class Description | Represented / Non-Rep |
| CW | Non-Exempt | College Work Study Students | Non-Rep |
| ST | Non-Exempt | Student Assistants | Non-Rep |
| TE | Non-Exempt | Hourly Temporary employees (non-student) | Non-Rep |

Web Time Entry Codes

| Electronic Timesheet Submission Codes | | Hardcopy Timesheet Correction Only Codes | |
|---------------------------------------|---------------------------------|--|-------------------------------|
| 10 | Overtime at 1.0 | L10 | Late - Overtime |
| 15 | Overtime at 1.5 | L15 | Late - OT 1.5 |
| 20 | Overtime at 2.0 | L20 | Late - OT 2.0 |
| AA | Approved Absence without Pay | LAA | Late Approved Abs w/out Pay |
| AW | Absence without Pay | LAC | Late Continuing Abs w/out Pay |
| AC | Continuing Absence without Pay | LAP | Late Any Purpose |
| ACH | Apprentice Class Hours | LAW | Late Absence w/out Pay |
| AP | Any Purpose Day | LBR | Late Bereavement |
| CL | Closure | LCW | Late College Work Study |
| CLO | Web Closure | LEC | Late Emergency Closure |
| CW | College Work Study | LFA | Late FMLA w/out Pay |
| DD | Duty Related Disability | LFH | Late Floating Holiday |
| DF | Death in Immediate Family | LFI | Late FMLA Illness |
| DL | Disciplinary Suspension | LFN | Late Funeral Day |
| EC | Emergency Closure | LFS | Late FMLA Special Needs |
| ECL | Emergency Web Closure | LFV | Late FMLA Vacation |
| FA | FMLA Absence without Pay | LIC | Late Illness Continuation |
| FH | Floating Holiday | LIL | Late Illness |
| FI | FMLA Illness | LJD | Late Jury Duty |
| FN | Funeral Not in Immediate Family | LRH | Late Regular Hourly Pay |
| FS | FMLA Special Needs | LSN | Late Special Needs |
| FV | FMLA Vacation | LVC | Late Vacation Leave |
| HOL | Web Holiday | | |
| IC | Illness Continued | | |
| IL | Illness | | |
| JD | Jury Duty | | |
| SN | Special Needs Day | | |
| VC | Vacation | | |

Highlighted codes indicate those that count toward the number of occasions.

Check the collective bargaining agreement to determine time increments that can be taken.

Cognos ATS Occasions Report Checklist

- Set a **schedule** for how often an audit will be done (i.e., monthly or quarterly).
- Look for **patterns**.

More than 2/3rds of employers discovered a pattern in unscheduled absences, with 37% of organizations reporting the most noticeable pattern is people calling in sick on Mondays and Fridays and 17% calling in around holidays. (CCH Unscheduled Absence Survey, 2007)

- Define a trigger point. This requires staying apprised of leave bank balances and WSU's Attendance Standards. It is established based upon the total number of days absent in a rolling year and the number of individual occasions or total unscheduled hours during which the employee was absent during that period. Refer to APPM 3.0.11 and partner with your HR Consultant to define a trigger point system that will work best for your needs.
- Determine actions to be taken at each trigger point. This may include having an initial discussion and the issuance of a warning for continued unsatisfactory attendance.

What absences should not count toward this trigger point? Those due to:

- An approved leave.
- Pregnancy-related condition.
- A documented disability.
- Accidents that have occurred on the job.
- Manager's discretion such as a single, long-term illness. These should be done after a discussion with the employee to validate the reason for the absence and if determined to be exempt from the trigger point determination, the reasons should be documented. This will be important should the employee's management relationship change in the future (i.e. transferred or your role changes and new management comes into your unit). His/her new manager may need to reference this decision.

If you're unsure if an absence should count, contact your HR Consultant.

- **Document** when conversations occur including:
 - Date
 - Employee name
 - Message shared with employee
 - Employee's general response
 - Agreed-upon next steps

Not sure what to look for on the Cognos ATS Occasions Report?

Below are a few key areas to note:

Sample Report

| WAYNE STATE UNIVERSITY | | ATS Occasions Data | | | | | | | | | | As Of: Apr 29, 2014 Time: 10:21:36 AM Report ID: HR018A | |
|----------------------------------|--------|--------------------|----------------|--------------|--------------------|-----------------------------|-----------|-----------------|-------------|---------------|----|---|--|
| Human Resource Management System | | | | | | | | | | | | | |
| ATS Start Date: | | | | | | | | | | | | | |
| ATS End Date: Apr 29, 2014 | | | | | | | | | | | | | |
| ID | Name | Employee Class | Seniority Date | 2. Occasions | 3. Occasions Hours | 1. Non Compliance Indicator | Earn Code | Date Of Absence | Day of Week | Absence Hours | | | |
| H8210 - Department Name | | | | 12 | 109 | Y | | | | | | | |
| Number | Name A | SA | 06-Sep-1995 | | | | IL | 04-Apr-2014 | FRIDAY | 4.00 | | | |
| | | | | | | | LIL | 24-Jan-2014 | FRIDAY | 7.50 | | | |
| | | | | | | | IL | 10-Oct-2013 | THURSDAY | 2.50 | 5. | | |
| | | | | | | | IC | 11-Sep-2013 | WEDNESDAY | 7.50 | | | |
| | | | | | | | IL | 10-Sep-2013 | TUESDAY | 7.50 | | | |
| | | | | | | | IL | 04-Sep-2013 | WEDNESDAY | 7.50 | | | |
| | | | | | | | LIL | 26-Aug-2013 | MONDAY | 7.50 | | | |
| | | | | | | | IL | 14-Aug-2013 | WEDNESDAY | 7.50 | | | |
| | | | | | | | IL | 05-Aug-2013 | MONDAY | 7.50 | | | |
| | | | | | | | IL | 29-Jul-2013 | MONDAY | 7.50 | | | |
| | | | | | | | IL | 19-Jul-2013 | FRIDAY | 7.50 | | | |
| | | | | | | | IL | 11-Jul-2013 | THURSDAY | 7.50 | | | |
| | | | | | | | IL | 01-Jul-2013 | MONDAY | 7.50 | | | |
| | | | | | | | IC | 19-Jun-2013 | WEDNESDAY | 7.50 | | | |
| | | | | | | | IC | 18-Jun-2013 | TUESDAY | 7.50 | | | |
| | | | | | | | IL | 17-Jun-2013 | MONDAY | 7.50 | | | |
| | | | | | | | IC | 01-May-2013 | WEDNESDAY | 7.50 | | | |
| | | | | | | | IC | 30-Apr-2013 | TUESDAY | 7.50 | | | |
| | | | | | | | | | | 126.50 | 4. | | |
| Number | Name B | SA | 05-Dec-1994 | 1 | 7.5 | | IL | 07-Mar-2014 | FRIDAY | 7.50 | | | |
| | | | | | | | | | | 7.50 | | | |
| Number | Name C | SA | 30-Aug-2011 | 1 | 7.5 | | IL | 28-Mar-2014 | FRIDAY | 7.50 | | | |
| | | | | | | | | | | 7.50 | | | |
| Number | Name D | SA | 28-Nov-2000 | 4 | 61.3 | Y | IC | 11-Apr-2014 | FRIDAY | 7.50 | | | |
| | | | | | | | IL | 10-Apr-2014 | THURSDAY | 1.30 | | | |
| | | | | | | | IL | 27-Feb-2014 | THURSDAY | 7.50 | | | |
| | | | | | | | IC | 08-Nov-2013 | FRIDAY | 7.50 | | | |
| | | | | | | | IC | 07-Nov-2013 | THURSDAY | 7.50 | | | |
| | | | | | | | IC | 06-Nov-2013 | WEDNESDAY | 7.50 | | | |
| | | | | | | | IL | 05-Nov-2013 | TUESDAY | 7.50 | | | |
| | | | | | | | IC | 27-Sep-2013 | FRIDAY | 7.50 | | | |
| | | | | | | | IL | 26-Sep-2013 | THURSDAY | 7.50 | | | |
| | | | | | | | IL | 23-Jul-2013 | TUESDAY | 2.00 | | | |
| | | | | | | | | | | 63.30 | | | |

1. Is the employee not compliant with WSU's attendance policy? Y = yes, N or blank = no.
2. What is the total number of occasions for the employee? See Attendance Standards
3. What is the total number of occasion hours? See Attendance Standards
4. What is the total number of hours for which absence occurred?
Note: This may include occasions as well unscheduled hours that do not count toward occasions (those less than 3.8 hours, or 4.0 hours for employees scheduled to work 8 hours/day).
5. Example of an unscheduled absence that is fewer hours than an occasion.

Holding an Initial Attendance Discussion with Non-Represented Employees

Note: Represented employees will receive their attendance guidance from their union representation.

Initial attendance conversations could take several forms. One may be to just informally recognize positive improvement or a strong attendance record. Another could be to share the status of each employee's attendance on a regularly, pre-determined basis to merely help them stay apprised. Likewise, an additional option is to maintain a system that incorporates trigger points for each employee and to proactively schedule a discussion when the first trigger point is reached. And finally, another form of an initial discussion can occur once an employee returns to work after an unscheduled discussion (see the "Return-to-work" conversation checklist).

For this section, let's focus upon an initial discussion that occurs when the first trigger point is reached for an employee. This is a terrific opportunity to proactively share the attendance status with the employee in the hopes of preventing future potential non-compliance with WSU's Attendance Standards.

The purpose of this initial attendance review meeting is to share a "heads up" about the number of occasions (and/or tardies for *non-exempt employees*) that have taken place in relationship to the WSU policy. Ask for input about the reasons for the absences and jointly consider any ways you might work together to address it *before* the policy is breached.

Best Practices...

- Keep the focus of the conversation **positive**. The employee is not in violation of the policy, therefore this shouldn't feel like a discipline discussion. The focus should be on providing a status update and to explore options for keeping the employee in compliance.
- **Prepare**. To ensure that you feel confident and comfortable, speak with your HR Consultant and/or Labor Relations prior to the conversation. Confirm that this is the appropriate next step and to review options for discussion items and documentation.
- Refer to the **WSU policy**. Be prepared to share a copy with the employee and reference the allowance of occasions and tardies.
- Refer to objective, quantifiable attendance **data**. Use the Cognos ATS Occasions Report to share the specific number of occasions, the dates in which they occurred, their duration and the WTE code

Attendance Conversation

Because every situation is unique and should be handled on a case-by-case basis, when planning for attendance conversations:

- Reach out to your **HR Consultant** for non-academic, non-represented employee discussion preparation
- Refer to the contract and consult with **Labor Relations** for non-academic, represented employees to determine what documentation is appropriate and any employee rights to have a union representative present

utilized. Provide a copy of this summary for the employee to reference. See the **Non-Academic, Non-Represented Absence Summary** template as a customizable tool for this or consult with Labor Relations about the proper document for non-academic, represented employees.

- Share the **consequences** of continued absences. Reference the policy for the rolling year timeframe and the number of remaining absences that would be allowed before compliance is jeopardized. Briefly describe actions that would be taken should this occur. Be careful to be clear but use a non-threatening tone.
- Share any **patterns** observed and ask the employee for his/her input. This should be done in a non-accusatory manner and approached from a problem-solving perspective.
- Offer **support**. This is a great time to proactively explore obstacles to an employee's ability to meet attendance expectations before it becomes an issue. While it may not be possible to deliver on all the things an employee needs in order to live up to policy, it is OK to ask for what the employee needs and offer to consider those that may be possible and to be clear and transparent about what may not be possible.
- Determine **next steps**, if appropriate. If any commitments were made during the problem solving discussion, capture who will do what and by when. This will be a helpful document to reference during follow-up.
- Schedule a **follow-up** date. Share this date with the employee as the next touch base conversation.
- **Document** the discussion. This should include the date of the discussion, key points addressed, relevant employee reactions, any next steps and the follow-up date.
- Share a **"warning"** with the employee as a follow up. Use this to reiterate the highlights of the discussion for their records. Note: This must be done in partnership with Labor Relations for represented, non-academic employees.
- Consider incorporating **"return-to-work" conversations** with each employee on a regular basis. This is the number one way research has found that managers can prevent absences from escalating. These discussions informally occur with an employee once they return from an unscheduled absence to check in and see how he/she is faring. It shows your care and concern for the individual and also reinforces the importance you place on attendance. The Return-to-Work Checklist can be found at the back of this section.

What's in it For Me?

Being proactive helps you to partner with employees before a problem arises – and may even prevent the problem from happening in the first place. This conversation is designed to help individuals to stay in touch with the topic of attendance, hear the importance you and the University place on it and to jointly explore options for improvement. While it may be tough to address it head-on, it will be a lot easier than waiting for

One of the Best...

Return-to-work conversations are one of the best, most effective ways to foster reliable employee attendance.

things to improve... because they could potentially get worse during this time. Then the conversation you would be planning may be even more difficult.

Using the “Initial Attendance Discussion” Resources...

Non-Represented Employee Attendance Review Meeting: Discussion Planner

Periodically review each employee’s attendance status with them to proactively recognize strong performance or manage issues before they become a concern.

Consult with **Labor Relations** if the employee is non-academic, represented to ensure that this conversation covers the necessary elements and to identify if there is an appropriate document to share at the conclusion of the discussion. No documents about attendance should be distributed to a represented employee without first connecting with Labor Relations.

Partner with your **HR Consultant** as needed to map out a plan for non-academic, non-represented employees.

Addressing Unsatisfactory Attendance/Tardiness: Conversation Guide for Non-Represented Employees

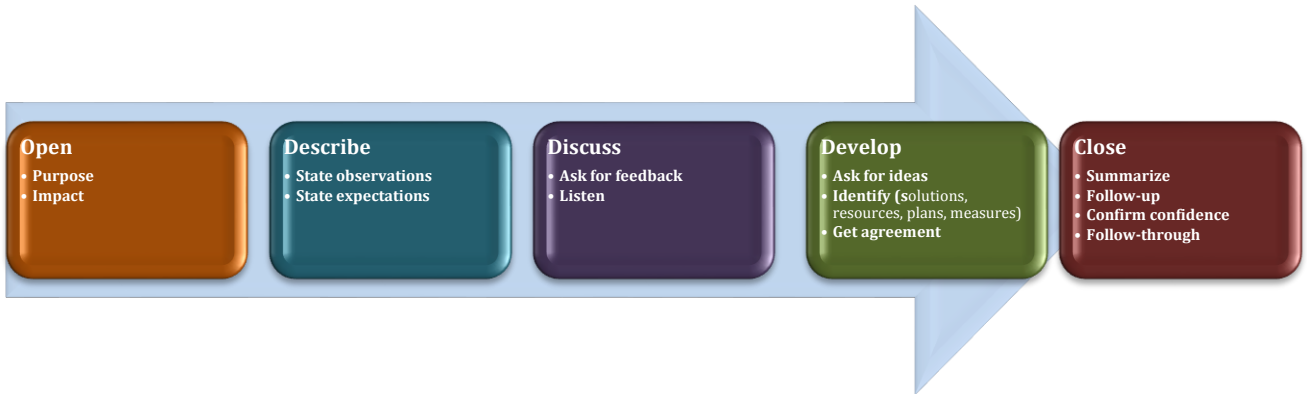
As problem attendance (and/or tardiness for *non-exempt employees*) occurs, it is important to immediately address the issue it. A conversation outline is shared to provide a sample for how this discussion could occur.

Return-to-Work Conversation Checklist for Non-Represented Employees

When connecting with an employee upon their return from an unscheduled absence, you may find it helpful to use this checklist to ensure that you cover the essential talking points.

Non-Represented Employee Attendance Review Meeting: Discussion Planner

When planning for this conversation, just like any other coaching discussion, consider using **WSU's Discussion Guidelines** (below). This serves as a framework for ensuring that the appropriate content is covered and delivered in a way that will enable for the highest success.



Employee Name: _____ Discussion Date: _____

Open: Share discussion purpose & importance.

Example: "I thought it would be helpful to step back and take a look at your attendance status as it relates to our WSU policy. You are not in violation and this is not a discipline meeting. I'd just like us both to be proactive in staying apprised of your status and to explore ways in which we can work together to ensure continued compliance. Your role is important to our department and we rely upon you in order to meet our goals."

Describe: Share observations & expectations.

This can include:

- Review of policy, status (number of occasions/tardies) and impact.
- Consequences of continued absence.

Example: "As we refresh our memory about the WSU policy (hand out a copy), excessive absenteeism (and/or excessive tardiness for non-exempt employees) is defined as _____. In the past 12 months, I see your status as _____ (reference Cognos ATS Occasions Report for specific dates/hours/WTE code). While this is not outside the parameters of acceptability, I feel it's important for us to discuss options to ensure that you do not exceed the allowance. If that were to occur, according to the policy, medical verification or discipline may occur."

Discussion: Ask for feedback & listen to ensure understanding.

This can include:

- Seek input about the reasons for absence.
- Share any observed absence patterns (if applicable).

Example: "What do you feel may be driving this?" (If no reference is given to any observed pattern, specifically state that based upon the dates of the absences you perceive there could be a pattern of ___ and ask, "Is this true?") Listen to responses and probe to ensure that you have an understanding of employee's response.

Develop: Ask for ideas, explore solutions and agree upon actions/next steps (if applicable).

This can include:

- Ask for ways that employee could prevent continued absence.
- Inquire if you can provide any support.

Example (customize based upon employee response): "In light of this, what could be done differently to minimize absences and/or tardies? (Determine next steps if applicable.) In what way can I help you to accomplish this?"

Note: *It may be helpful to reference WSU resources such as the Employee Assistance Program (EAP), Wellness Warriors or annual flu shots.*

Close: Summarize, Express Confidence, And Determine Follow-Up Date.

Example (Customize based upon employee response): "So our next steps are ___ (if applicable)." Or: "So we're in agreement that you will ___ to ensure that you remain in compliance our policy. I know you understand the importance of this – and the impact on those we serve in our department as well as you co-workers/colleagues – and I have confidence that you'll meet this expectation. Let's touch base on your progress on ___(date)__. Thanks for your efforts on this."

Addressing Unsatisfactory Attendance/Tardiness: Conversation Guide for Non-Represented Employees

This approach places **responsibility** for the unsatisfactory attendance/tardiness on the non-represented employees and holds them accountable for the **resolution** of it.

Below is an example focused on a potential non-academic, non-represented, non-exempt situation.

1. Statement of Fact or Observation
 - Today you were late for the second time this week.
 - Your WTE was due today at ____ and I do not have it.
 - This was the third unscheduled absence this month.
2. Pause (If Silence Doesn't Prompt a Response, Ask for an Explanation)
 - Can you share why this happened?
 - Please explain what happened.

Allow the employee to explain fully. You may need to prompt for additional information. Based upon the circumstances you may empathize with the situation the employee is facing (i.e., I can imagine your frustration with finding your car won't start every morning).

3. State the Attendance Standard
 - Your shift begins at 8:00am and you are expected to be here and ready to work at that time. Our (students/customers/team) depend upon you.
 - Your WTE must be in by ____ and accurately stated without prompting from me. Attendance tracking is important not only to me, but to the University.
4. Ask the Employee How S/He Plans to Correct This in the Future
 - What can you do to prevent this from happening?
 - How could you improve in this?

Ask the employee for options on the spot to improve in this area. Or, if circumstances warrant, ask for a plan to be devised and shared with you as a follow up. Thank employee for coming up with a plan and express confidence in finding the right resolution. Share your plan for follow up.

5. Follow Up

Return-to-Work Conversation Checklist for Non-Represented Employees

Return-to-work conversations are held informally with the employee immediately upon his/her return from an unscheduled absence.

This not only shows your concern for the employee but helps to:

- Provide a forum for frank discussion about any relevant issues affecting the employee's attendance.
- Pinpoint any underlying pattern of absence or root cause of the absence, which then can be discussed and tackled.
- Enable the reason for the absence to be confirmed or clarified.
- Show the employee that you notice their absence and demonstrate the importance you and the University place on attendance.
- Make it more difficult for employee to be untruthful about the reason for absence and discourage casual absence.

Considerations when preparing for this discussion include:

- **Respect their privacy.** While this discussion is a more casual, touch-base they should be done in private to ensure that an employee could speak freely (if s/he chooses).
- **Express concern.** Ask employee about the reasons for his/her absence or reference the reason provided in a general way (i.e. "I was sorry to hear you weren't feeling well..."). Leaving a pause at the end of the statement enables the employee to clarify with additional information. If employee shares medical information, ask that s/he speak with HR Consultant.
- **Reinforce need to follow established department call-in procedure.** This is particularly important if it was not properly followed at the start of the absence as it may result in a failure to follow instructions. Consult Labor Relations when working with non-academic, represented employees and your HR Consultant when working with non-academic, non-represented [non-union] employees.

Document the response by capturing:

- Employee name, title
- Your name
- Discussion date/time
- Length of absence
- Date of employee's return to work
- Reason given for the absence
- Additional clarification shared during the discussion
- If employee followed the established call-in procedure
- If employee sought medical attention
- If the absence is a part of any overall pattern
- If the employee has any type of documented disability or currently approved leave
- If employee suggested any factors at work that may have caused or contributed to the absence, and if so, what the factors were and what action has been agreed upon to support the employee
- If WTE codes accurately reflect the true reason for the absence

What if you feel that the reason provided for a non-represented employee's absence isn't genuine?

Consult with your **HR Consultant** or **Labor Relations**.

In preparation for this discussion it may be helpful to gather as much information as possible about the circumstances and present the facts to the employee in a private discussion. In doing so, state that no accusations are being made – that your goal is to simply make the employee aware of the situation and allow him/her to share a response.

If an investigation is warranted according to your HR Consultant or Labor Relations, the following items may be considered:

- Whether concrete evidence exists about the absence and the sources of that evidence.
- If the source of this evidence is another employee. If so, they will remain open to any possibility of bias or misunderstanding.
- Validation of the evidence, if possible.

What shouldn't managers consider? Opinions, assumptions, unrelated factors, "gut feelings".

It's always OK for a manager to share information, ask for input and probe for understanding.

Following Up on an Initial Attendance Discussion for Non-Represented Employees

Should an individual's unscheduled absence continue after an initial discussion or exceed the policy allowance, a conversation will be needed. This could potentially lead to other actions and next steps. It will be important to partner with your HR Consultant for non-academic, non-represented employees or Labor Relations for non-academic, represented employees to determine appropriate next steps. According to the WSU APPM 3.0.11 Attendance Standards policy, these may include:

- Medical Verification
- Discipline

Best Practices...

- **Consult with your WSU partner** to prepare for this discussion. Each situation is unique and should be handled on a case-by-case basis:
 - For Non-Academic, Represented employee contact Labor Relations
 - For Non-Academic, Non-Represented employees contact your HR Consultant
- **Schedule** this discussion in advance.
- **Prepare** by referencing past discussions/documentation.
- **Be direct** by stating that the employee's level of attendance has fallen below the required standards, as defined by university policy APPM 3.0.11.
- **Provide evidence** by sharing the number of occasions and/or tardies, specific dates, reasons provided for the absence, the variance between these instances and what the policy allows. Reference prior documentation and any agreed-upon actions.
- **Share consequences** in a simple, matter of fact tone. Based upon HR Consultant or Labor Relations input, share the next steps or consequences (i.e., medical verification or discipline). There is less of a need to gain employee input at this stage and more emphasis on what will occur next.

Attendance Follow-up Conversation

When planning for this conversation, reach out to your **HR Consultant**. It may be helpful to have a sounding board and to review a checklist of things to consider.

Never begin a discipline process without first connecting with your **HR Consultant** (for a non-academic, non-represented employee) or **Labor Relations** (for non-academic, represented employees).

It is imperative that you connect with **Labor Relations** prior to any discipline process or issuance of any written documentation.

What's in it For Me?

Following through on your initial attendance conversations and enforcing WSU's Attendance Standards demonstrates credibility by doing what you say you will do. It also helps to build morale within your group. Often times co-workers feel the impact of absent employees and will appreciate your role in creating compliance. Finally, it may prevent future issues. When other employees see you taking attendance seriously, they will do the same.

Using the "Follow-Up Discussion" Resources...

Challenging Conversations: Discussion Planner for Non-Represented Employees & Sample Script

This planner shares an approach for preparing, holding and following up on challenging conversations.

Diagnosing Absences Decision Tree for Non-Represented Employees

This tool can be used to explore root causes for problem attendance and options for adapting your coaching style in response.

Sample Medical Verification Memo

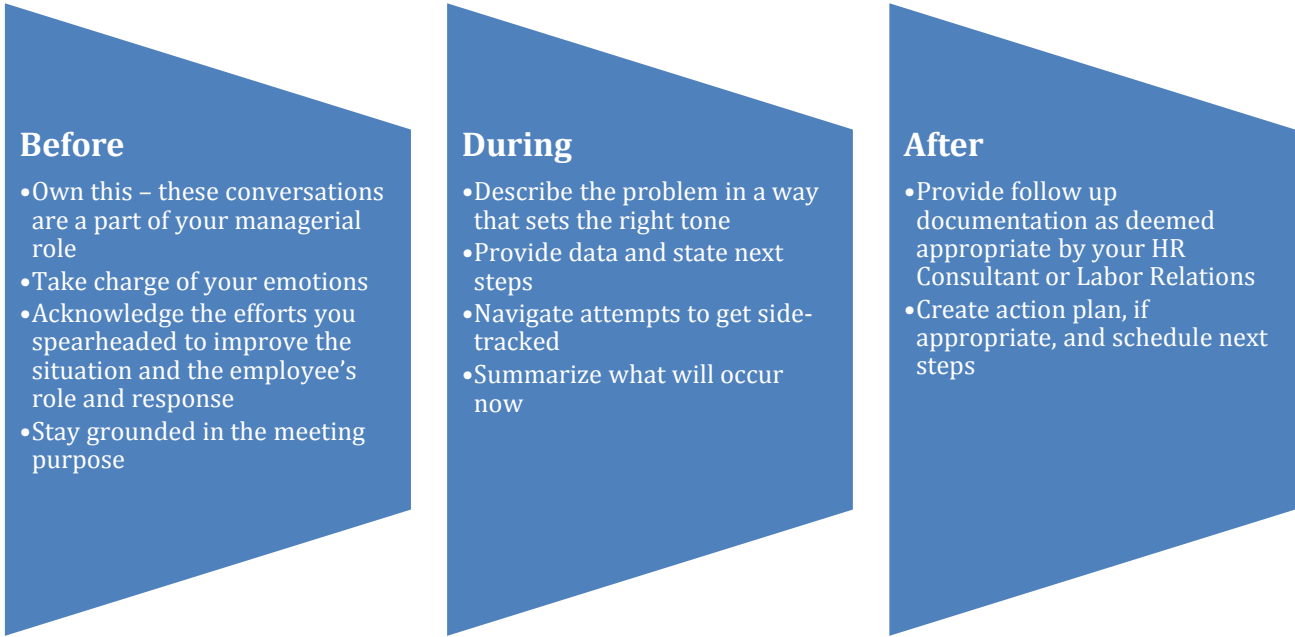
Populate this memo as needed when requiring an employee to begin providing medical verification.

Sample Medical Verification Notice of Discontinuation Memo

Use this memo to indicate that an employee is no longer required to provide medical verification.

Challenging Conversations: Discussion Planner for Non-Represented Employees

There are **three critical stages to preparing for a challenging conversation**. These include what we do before the conversation, how we prepare to manage the conversation itself and how we develop a structure of follow up and follow through after the discussion. Below is a framework that highlights each of these areas:



The template below offers a planning document for moving through these three stages.

Employee Name: _____ Discussion Date: _____

Meeting Purpose:

Anticipated Employee Reaction:

What’s Been Done So Far?

Brief Recap of Your Efforts, Documented Conversations, Employee Response, Agreed Upon Next Steps, Current Employee Status:

Discussion Planner Sample Script

Open

- Purpose
- Impact

Example: "We're meeting today to discuss your lack of improvement on the attendance goals we set (or if appropriate, your violation of WSU's Attendance Standards)."

Describe

- State observations
- State expectations

Example: "When we last met, we agreed ____ would be done. However, since that time ____ occasions of unscheduled absence or ____ tardy incidents have occurred. This brings your total to ____ occasions or tardies which is (over/close to reaching) the WSU APPM 3.0.11 Attendance Standard's definition of excessive."

Discuss

- Ask for feedback
- Listen

Example: "While I am interested in hearing your thoughts, I must move forward with the policy requirements in terms of ____ (next steps as provided by Labor Relations for non-academic, represented employees or by your HR Consultant for non-academic, non-represented employees)."

Develop

- Ask for ideas
- Identify (solutions, resources, plans, measures)
- Get agreement

Example: "So our plan then for making these next steps happen should look like...."

Close

- Summarize
- Follow-up
- Confirm confidence
- Follow-through

Example: "I'll follow up on _____. Thanks for moving forward as we agreed (if appropriate, express confidence in individual as it relates to plan)."

Diagnosing Absences Decision Tree for Non-Represented Employees

Exploring the root causes of absences can help managers to develop a more targeted strategy for working with employees. If we understand what’s driving attendance or tardiness issues – it will be easier to develop a plan to address it! To really assess the factors that influence an employee’s absence – it’s important to ask him/her about it. Some initial thought-starter questions are below.

The employee’s response to these questions will give you an indication of their drive and ability to achieve attendance expectations. If you feel the employee **wants to and can** achieve the attendance expectations, you have an opportunity to encourage the employee by recognizing/rewarding success and defining best practices that could be spread to other areas. If you feel the employee **wants to but cannot** achieve expectations, it is possible something is happening in his/her personal life that could be interfering. Explore this and ways you can offer support. If you feel s/he **doesn’t want to but could** achieve expectations, it may be helpful to explore what’s happening at work that could be impacting this. Finally, if it is determined that s/he **doesn’t want to and cannot** achieve expectations, there may not be a strong fit with the individual and the work.

Employee **Wants to** Achieve Attendance Standards

| | | | |
|--|---|---|---|
| Employee Can Achieve Attendance Standards | Encourage | Support | Employee Can't Achieve Attendance Standard |
| | <ul style="list-style-type: none"> • How could you recognize success? • What best practices could be shared? <ul style="list-style-type: none"> ○ Do you hire individuals more likely to succeed? ○ Have you instituted employee engagement strategies? ○ In what way could you transfer these best practices to other areas in the organization? | <ul style="list-style-type: none"> • Is there anything happening from a work-life balance perspective that may be impacting attendance? Is individual facing anything in his/her personal life that could be a factor? • What support could be helpful (i.e. EAP Program, explore leave eligibility, etc.)? | |
| | Engage | Re-Align | |
| | <ul style="list-style-type: none"> • Is there anything happening at work that is impacting attendance (i.e. hostile work environment, avoidance of work tasks/ outcomes, misaligned personal/work values, team/leadership dynamics)? • Are there WSU systems or processes that are impacting attendance (i.e. Are we somehow rewarding absence problems?) | <ul style="list-style-type: none"> • What are you as the leader doing to manage performance? Begin process of counseling with HR Consultant or Labor Relations. • Is the individual not a strong fit for the role? For the work environment? Can you explore ways to re-align the person/situation? | |

Employee **Doesn't Want to** Achieve Attendance Standards

Most Common Underlying Causes of Frequent, Short-Term Absence

- Overwork and long hours, leading to fatigue
- Job insecurity
- Job content (i.e., repetitive or boring tasks)
- Lack of motivation
- Environmental factors (i.e., lack of natural light, poor ventilation, cramped conditions)
- Bullying and harassment or difficult working relationships
- Stress
- Management style
- Poor communication, leading to poor understanding of how job contributes to overall organizational objectives
- Problems with child care, adult care
- Personal or family problems
- Inability to establish a satisfactory work-life balance
- Transportation issues

Sample Medical Verification Memo

Should you require medical verification for any of your employees, contact **Labor Relations** to obtain a copy of this memo. Be sure to update the content of the memo as needed and note the appropriate people to copy (see below).

WAYNE STATE UNIVERSITY

Friday, June 27, 2014 [Should be date of issuance]

[Employee Name]
[Department/Unit]

Subject: Medical Verification Requirement Notice

A review of your attendance record indicates that you have obtained **6** occasions and **97.5** hours of unexcused absences for the rolling year period of **6/27/13** through **6/27/14**. Your attendance record reveals the following unscheduled absences that exceed the limitations of the attendance standards policy (APPM 3.0.11 Attendance Standards):

| Absence Record – 6/27/13 – 6/27/14 (base on date of issue) Rolling Year | | |
|--|-----------------|--|
| 1. 8/21-8/22/13 | 15 hours | Wednesday through Thursday |
| 2. 12/11-12/13/13 | 22.5 hours | Wednesday through Friday |
| 3. 1/2-1/3/14 | 15 hours | Thursday through Friday |
| 4. 1/8-1/9/14 | 15 hours | Wednesday through Thursday |
| 5. 4/14/14 | 7.5 hours | Monday |
| 6. 6/23-6/24/14 | 15 hours | Monday through Tuesday |
| | 90 hours | (Provide related Cognos ATS Report with memo) |

You are being required to provide Medical Verification for all future unexcused absences beginning on this date through **3 months from today's date**. Medical Verification is not considered discipline. The Medical Verification must be submitted to either your supervisor (me) or, the HR Consultant [enter HRC name here], **on or before** the date that you return from an unexcused absence. You will be required to produce Medical Verification in order to return to work.

On **Friday, 9/26/14** (the last date indicated above), your attendance record will be reviewed to determine whether the medical verification requirement will be extended.

The failure or refusal to provide the required documentation shall result in disciplinary action against you, up to and including discharge, and may also result in the dockage of your pay.

[Issuing Manager's Name]
[Issuing Manager's Title]

Date

C: Department/Manager's File
University Personnel File
Labor Relations (if employee is represented)
Union Office (if employee is represented)

Sample Medical Verification Notice of Discontinuation Memo

Following the three month period during which your employee regains compliance with the attendance standards policy, contact your **Labor Relations** to obtain a copy of this memo to indicate that they are no longer required to provide medical verification. Be sure to update the content of the memo as needed and note the appropriate people to copy (see below).

**WAYNE STATE
UNIVERSITY**

Date: [date]

To: [employee name]
[Department/Unit]

Subject: Medical Verification Requirement, **Notice of Discontinuation**

A review of your record indicates that your attendance has improved to the extent that you are no longer in violation of the attendance standards policy. You have obtained [#] occasions and [#] hours of unexcused absences for the rolling year period of [ATS report start date] through [ATS report end date].

This memo serves to notify you that, effective today, you are no longer required to provide medical verification for unexcused absences under the "Medical Verification Requirement" status. However, should your attendance record exceed the University policy limit in the future (45 hours, 4 or more occasions), you may be placed on "medical verification requirement" status again at such time.

Thank you for your efforts.

[Name of Issuing Manager]
[Manager's Title]

Date

C: Department Personnel File
University Personnel File
Labor Relations (if represented – skip if non-rep)
Union Office (if represented – skip if non-rep)

Sustaining an Ongoing Focus on Attendance

How can I keep the focus on attendance “alive”? Consider options for ongoing communication, recognition and reinforcement of the WSU Attendance Standards. Where possible, creating a climate of employee engagement.

Best Practices...

- **Communicate** the APPM 3.0.11 Attendance Standards early and often. It’s never too late to share a renewed emphasis on this policy with your team. Gather members in a regular meeting to announce that you’ll now be tracking attendance on a regular basis and meeting with each individual to share their status. Schedule follow up activities to be sure that you’ll have the follow through that you desire.
- **Post** the Attendance Standards in a visible location.
- Incorporate the Attendance Standards in your **recruitment and onboarding** process. Partner with your HR Consultant or Talent Management Coordinator to explore if targeted interview and reference check questions might be created with this in mind – but be careful to ensure that they remain job-focused and don’t lead to any assumptions about a person’s ability (as this could be discriminatory). Ensure all new/transferred employees receive the standards and sign-off to state they understand them. Include the department call-in procedure.
- Embed the Attendance Standards in **performance appraisals**, when possible.
- For non-represented employees, set goals (if appropriate) and **share progress** with team members. Your HR Consultant can assist with this. Your goal may simply be to ensure compliance with the policy, however employees may benefit from a more “public” and ongoing focus on team status. Goals could be compared against others, where applicable. This may include contrasting your team’s status with other WSU teams or with external peer groups. However, this could potentially lead to an unhealthy competition, so use this concept with caution and care.

Culture of Attendance

Not sure how to create a **culture** that reinforces attendance?

Contact your **HR Consultant!**

- **Recognize and reward** (if possible) positive attendance levels of non-represented employees. (Note: As with any recognition, be sure to **acknowledge the positive benefits** of their efforts. What did your students, customers or those you serve receive as a result of that individual's presence on the job? How were colleagues positively impacted?) For individuals with strong track records, consider methods of recognition that would be most motivating for them, such as:
 - Hand written letters.
 - Informal "certificates" to post in the work space.
 - Public recognition, such as team meetings.
 - Team lunches for those who are in compliance with the policy each year. During it, highlight the achievements that were possible for the department because of their presence.
 - "First Choice" for scheduled time-off. For instance, if two individuals both want the same vacation week off but only one can take it in order to meet department needs, enable the one with the best attendance record to have first dibs.
- **Note:** For represented employees, recognition and reward are contained within the appropriate collective bargaining agreement.
- Reinforce WSU's **Wellness Warriors** and **Employee Assistance Program (EAP)** as support resources.
- Consider options for helping individuals balance **work-life goals**. While it may not always be possible to implement, it is helpful to at least have a conversation to understand each individual's goals and to consider where you can make adjustments that will help. The key to this is to be consistent across your unit – whatever allowances are made for one individual should be available to another. Refer to and share WSU's Flextime Guidelines.
- Assess the **climate** in your department's work environment. Your HR Consultant can help with creating a tool and process to assess employee satisfaction. Where possible, the following employee engagement concepts may be considered:
 - What **prevents** employees from achieving their goals?
 - How well do employees see the **impact** of what they do on WSU students? Do they feel urgency in their work for the organizational purpose?
 - What might be done to provide more **job variety** (i.e., job rotation)? Note: Consult with Labor Relations before making any changes to a non-academic, represented role and your HR Consultant and Total Compensation & Wellness before making changes to a non-academic, non-represented role.
 - Is there an opportunity to enhance **employee involvement** or empowerment? In what way? Perhaps starting with continuous improvement.
 - To what degree is the **team dynamic** positive? Can positions be more interdependent and collaborative? Individuals who have a strong commitment to the team will be less hesitant to be absent for fear of letting others down. Recognition for attendance could then be team-focused as opposed to individually based – to foster continued focus on teamwork.

- To what degree do individuals feel **prepared** to meet job challenges? Is training needed to enhance skills? Are individuals well suited for the challenges given? Could a career development conversation help individuals to see where they fit with their long term goals?

What's in it For Me?

Taking steps to reinforce the WSU Attendance Standards helps to more deeply ingrain them in the way your department does business – making them a part of the fabric of the way you operate. This will lead to a more proactive and positive work climate and help your team to achieve its goals. After all, that's what all this is about– ensuring your team is best prepared to meet the needs of those you serve and ultimately our WSU students.

Using the “Attendance Standard Reinforcement” Tools for Non-Represented Employees

Recruitment Integration Thought-Starters for Non-Represented Employees

It will be important to partner with your HR Consultant or Talent Management Coordinator in this process for help exploring potential options for embedding a focus on attendance into your hiring efforts. These thought-starters provide some initial questions to consider together.

Recognizing Positive Attendance for Non-Represented Employees: Letter Template

For those individuals with a positive attendance track record, consider sharing a hand-written note of thanks. Customize this template to incorporate the department achievements that have occurred as a result of the individual's dependability and ongoing presence.

Recognizing Positive Attendance for Non-Represented Employees: Certificate Template

Where appropriate, consider sharing a certificate of achievement for those who meet the criteria of perfect attendance (or meet the policy expectation). When presenting this, highlight the impact the employee has had on students or those individuals that your department serves. Seeing the link between their efforts and WSU's goals will continue to reinforce the importance of their presence and the value they add.

Recruitment Integration Thought-Starters for Non-Represented Employees

Screening Considerations

The degree to which a job candidate will be able to fit in with your department dynamic and needs will impact his/her desire to want to come to work. Consider the important indicators for “job fit”.

- Commute ease and comfort
- Over/under qualifications
- Fit with team/culture (i.e., personality, temperament, behavior preferences as it pertains to the needs of the position and your department)

Interview Questions

Partner with your HR Consultant or Talent Management Coordinator to devise the best questions for your needs and to ensure that your approach in asking them will not lead into any potentially discriminatory bias.

- Can you perform the physical requirements of this position (i.e., lift 20 pounds on a routine basis)?
- Tell me about a time when absence prevented you from meeting your performance goals. What happened? What did you do to remedy it?
- Have you ever had a time sensitive project in which you missed, or were delayed in meeting a deadline? What happened? What did you do?
- Have you ever missed or arrived late to a meeting? What did you do?
- Have you ever been disciplined for unscheduled absences or tardiness?

Reference Checks

Your Talent Management Coordinator can assist you with creating the best questions to include.

- Has this person ever been disciplined for absence?
- Has this person ever been unable to complete performance expectations due to unscheduled or unapproved absence?

Orientation/Onboarding Communications

- Include the WSU APPM 3.0.11 Attendance Standards in your onboarding checklist.
- Share your department’s call-in procedure and process for regular attendance monitoring and communications.
- Provide a list of holidays and eligibility for time-off in accordance with the collective bargaining agreement or WSU’s Non-Rep Manual.

Recognizing Positive Attendance for Non-Represented Employees: Letter Template

Date

Dear _____,

Your ongoing commitment to our department and those we serve has shown in your perfect attendance track record over the past 12 months. While I realize it's just the way you are, I felt compelled to share with you my note of gratitude for this. Your regular presence in our team has enabled us to achieve our key priorities and is deeply valued – by me, your co-workers and ultimately our WSU students.

Many Thanks – Keep it Up!

(Signature)

Recognizing Positive Attendance for Non-Represented Employees: Certificate Template

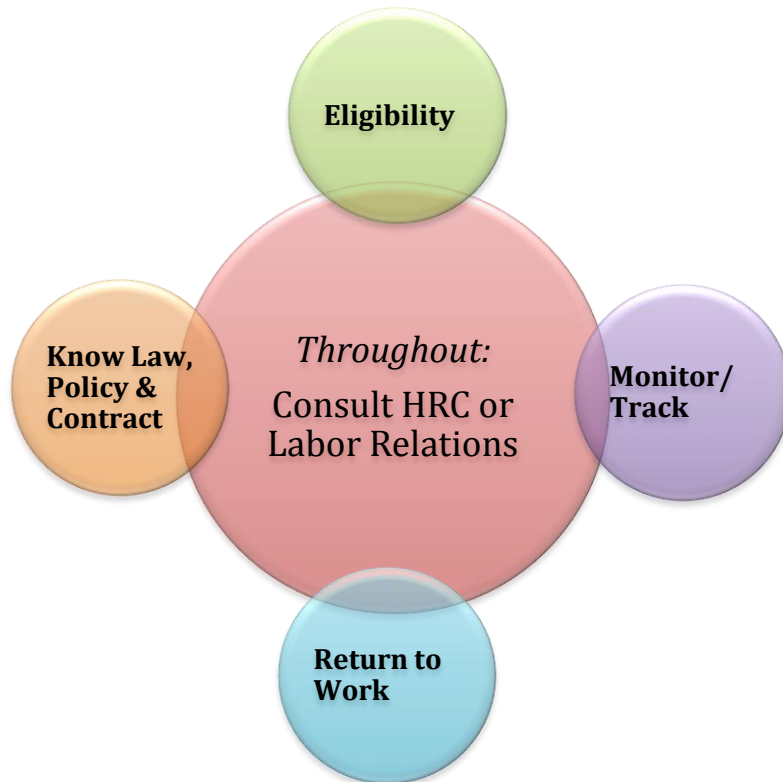
Contact your HR Consultant for an electronic version of this template.



Partners & Resources for Leave Management

There are several resources that may be helpful to reference when working with your **HR Consultant** or **Labor Relations** on questions pertaining to leave management.

Always refer to the collective bargaining agreement or Non-Rep Manual for specific information pertaining to **eligibility, accruals and return to work procedures.**



Leave Management

Reference the [WSU APPM 3.4.5 Family and Medical Leave Act](#)

For leave questions, partner with your **HR Consultant** (for non-academic, non-represented staff) and **Labor Relations** (for non-academic represented staff)

Total Compensation & Wellness is a resource for questions about Family Medical Leave, Short Term Disability and Non-Contractual Unpaid Leaves of Absences

Click [here](#) for resources from **FMLASource**, our third party administrator for Family Medical Leaves

Risk Management can help with any work-related injury or Workers' Compensation questions

Who to Contact When, for Non-Academic Leaves of Absence

| WSU Contact | Role & Responsibilities |
|--|--|
| <p>Manager</p> <p><i>It all comes down to you! Should questions arise about your responsibilities, reach out to your manager or your HR Consultant.</i></p> | <ul style="list-style-type: none"> • When applicable encourage employees to review WSU’s FMLA policy and eligibility for time-off in accordance with their collective bargaining agreement or non-represented manual • Advise employee to file for FMLA when receive sufficient notice to indicate potential employee eligibility • Notify HR Consultant when absences are inconsistent with approved FMLA as indicated in the “Designation (Decision) Notice” • Contact HR Consultant immediately if employee returns to work with restrictions that cannot be accommodated • Forward doctor notes submitted by employee to HR Consultant. Do not keep a copy of any medical notes. • Notify HR Consultant if employee files for FMLA on same dates serving disciplinary action • Review and process leave of absence requests in accordance with contract and/or non-rep manual • Notify HR Consultant regarding employee leave of absence requests • Track and record employee absence information daily • Verify employee timesheets submitted in Web Time Entry are accurate • Submit time exception reports or late paper timesheets when necessary <p><u>Policies that may be helpful to reference:</u></p> <ul style="list-style-type: none"> • 3.3.6 Administrative Policy and Procedure Manual, <u>Leave of Absence</u> • 3.4.5 Administrative Policy and Procedure Manual, <u>Family and Medical Leave Act</u> • Personnel Manual for Non-Represented Employees NRM 2.3, <u>Leaves of Absence</u> |

| WSU Contact | Role & Responsibilities |
|---|--|
| <p>Employee</p> | <ul style="list-style-type: none"> • Notify supervisor, BAO, HRC or other designated person in unit of need for leave in accordance with call-in procedure • Provide at least 30 days advance notice for foreseeable FMLA leaves • Provide notice as soon as possible for unforeseeable FMLA leaves • Notify FMLASource of request for FMLA • Ensure completion of medical certification form and return to FMLASource within time allotted • If approved for intermittent leave, contact supervisor, BAO, HRC or other designated individual to review appointment schedule • Accurately complete timesheet in Web Time Entry including: <ul style="list-style-type: none"> ○ Record time accurately with the correct earning code before deadline ○ Add comments to timesheet if necessary • Confirm leave balance is correct • When appropriate, provide return-to-work certification before returning to work from illness leave |
| <p>HR Consultant (HRC)</p> <p><i>A good first point of contact for non-academic, non-represented leave of absence questions and counsel.</i></p> <p><i>Always contact your HRC prior to taking disciplinary action for non-academic, non-represented employees.</i></p> <p><i>Click here for contact information</i></p> | <ul style="list-style-type: none"> • Ensure policy and collective bargaining agreement compliance • Provide advice and counsel (in partnership with Labor Relations and as needed, Office of Equal Opportunity and Office of General Counsel) • Support customer with FMLA leave administration (in partnership with FMLASource) • Review FMLA appeals and retroactive FMLA claims • Schedule second and third medical opinion evaluations • Notify BAO with requests for employee to return to work with restrictions (in partnership with Office of Equal Opportunity) • Notify BAO with employee eligibility for leave of absence • Review FMLA claims filed for employee on same dates as serving discipline • Review employee information regarding leave of absence, short term disability, continuation of benefits (in partnership with Total Compensation & Wellness) |

| WSU Contact | Role & Responsibilities |
|---|--|
| <p>HR Administrator (HRA)</p> <p>Will upload documentation into AppXtender as needed.</p> <p>Click here for contact information</p> | <p>Your HRA will upload:</p> <ul style="list-style-type: none"> • Medical verification documentation • Leave administration correspondence |
| <p>Labor Relations</p> <p><i>Always contact Labor Relations first for represented, non-academic (unionized) employee leave of absence provisions and prior to taking any disciplinary action.</i></p> <p>Contact Labor Relations at 313-577-2081</p> | <p>Labor Relations responsibilities:</p> <ul style="list-style-type: none"> • Advises and counsels departments relative to all non-academic contract administration • Interpret all non-academic Union contracts and their provisions <p>Labor Relations is responsible for the below bargaining unit employees. Click here for a link to contracts.</p> <ul style="list-style-type: none"> • UAW Staff Association 2071 • UAW Professional and Administrative (P&A) Local 1979 • AFSCME Local 1497 • Michigan Building and Construction Trades Council • Unite Here! Local 24 (Janitors) • Unite Here! Local 24 (Housekeepers) • Operating Engineers • Service Employees International Union SEIU 517M • Police Officers Labor Council |
| <p>Business Affairs Officer (BAO)</p> <p><i>Be sure to check with your BAO prior to approving overtime to confirm that the budget is loaded with funds to support it.</i></p> <p>Click here for contact information</p> | <ul style="list-style-type: none"> • Provide support with Leave Reports, such as the Leave Balances report • Assist with Web Time Entry related issues (e.g. unable to see timesheet, extraction of WTE hours, etc.), prior to escalating the matter to FBO Functional Systems Support. • Assist with submissions of corrections for incorrectly coded hours (e.g. FMLA, illness, etc.) |
| <p>FMLASource</p> <p><i>WSUs Third-Party Administrator for Family and Medical Leaves</i></p> | <ul style="list-style-type: none"> • Administers FMLA in accordance with the FMLA Act of 1993 and WSU’s FMLA Leave policy and/or applicable collective bargaining agreement • Emails BAO or designated person when an employee requests a FMLA form and when a decision is made • Reviews employee certification information |

| WSU Contact | Role & Responsibilities |
|---|---|
| <p>FMLASource <i>(continued)</i></p> | <ul style="list-style-type: none"> • Provides employee with “Notice of Eligibility and Rights and Responsibility FMLA” within 5 business days after employee request • Provide employee and BAO with written “Designation Notice” (decision) for FMLA leave request within 5 business days of complete certification from employee • Notifies employee of incomplete or insufficient certification • Manages FMLA leave request in accordance with “Designation Notice” by providing BAO and HR with standard reporting • Request employee recertification and “Annual Medical Certification” • Conduct a “Peer to Peer” review with employee’s healthcare provider upon HRC request |
| <p>Total Compensation & Wellness (TCW) <i>Contact a TCW Customer Service Associate at 313-577-3717</i></p> | <ul style="list-style-type: none"> • Answer questions about leaves of absences – including Short-Term Disability, Long-Term Disability and Paid or Non-Contractual Unpaid Leaves of Absences • Send notification to employee, HR Consultant and BAO related to leaves of absences • Monitor leave of absences for return to work dates • Facilitate return to work exams in accordance with collective bargaining agreement • Notify HR Consultant of employee terminations for long term disability approval and/or failure to return from leave • Share information/resources with employees regarding WSU wellness programs – including Wellness Warriors, Employee Assistance Program and Flu Shots on Campus |
| <p>Risk Management <i>For any workers’ compensation (work related injury) questions, contact Risk Management at 313-577-3110</i></p> | <p>Key resources can be found on Risk Management’s website, including:</p> <ul style="list-style-type: none"> • Report of Injury Form • Authorization Medical Treatment Form • Supervisor’s Investigation Form • Workers’ Compensation Policies and Responsibilities • Workers’ Compensation Section of the APPM 10.2.9 • Student Injuries |

WSU APPM, Policy 3.4.5, Family and Medical Leave Act

Note: This document is provided for informational purposes. **ALWAYS** refer to the online version when making FMLA decisions.

WAYNE STATE UNIVERSITY

Administrative Policy and Procedure Manual

3.4.5 Family and Medical Leave Act

POLICY

Wayne State University (WSU) is a covered employer under Title I of The Family and Medical Leave Act (FMLA) of 1993. The FMLA is a federal law enacted to help employees balance their work and family life and to promote the stability and economic security of families. It allows eligible employees to take job-protected unpaid leave, or substitute appropriate paid leave if the employee has earned it, for up to a total of 12 work weeks during a 12-month period for a family or personal serious health condition which qualifies under FMLA, or a combined total of 26 weeks during a single 12-month period if a service member family leave is taken.

It was intended that the Act accomplish these purposes in a manner that accommodates the legitimate interests of employers.

This document describes WSU's FMLA leave policy. It does not alter, amend or diminish any leave provisions that may be provided by any Collective Bargaining Agreement (CBA) entered into by WSU. WSU will provide leave under and according to whichever statutory provision or CBA provides the greater rights to its employees.

A Third Party Administrator (TPA) will administer WSU's FMLA policy in accordance with these provisions and the applicable provisions of any CBA in effect with WSU. In all instances relating to administering this policy, the TPA acts as the designated representative of WSU.

Full details of FMLA, relevant definitions and the Department of Labor (DOL) regulations can be found at the TPA's website, <http://www.fmlasource.com/>, or at <http://www.hr.wayne.edu/esc>.

Employee Eligibility:

Employees who have worked for WSU for a total of 12 months (may have been intermittent) during the seven (7) years prior to the date FMLA leave is to begin, and have at least 1,250 work hours during the 12-month period immediately before the beginning of FMLA leave, are eligible for FMLA.

Whether an employee has worked the minimum 1,250 hours of service in the previous 12 months is determined according to the principles established under the Fair Labor Standards Act (FLSA) for determining compensable hours of work.

The 1,250 hours requirement is counted only for hours actually worked and does not count hours spent on vacation, sick and personal leave, short and long-term disability, workers' compensation, etc.

An exempt employee under FLSA (i.e., bona fide executive, administrative and professional employees), for whom only exception time records are kept, will be presumed to have worked at least 1,250 hours in the previous 12 months unless WSU can clearly demonstrate that the employee did not meet the 1,250 hour requirement.

WSU uses a rolling 12-month period for all employees to determine whether an employee has

worked 1,250 hours in the previous year to be eligible for FMLA leave.

Under the federal Uniformed Services Employment and Reemployment Rights Act (USERRA), an employee returning from fulfilling his or her National Guard or Reserve military obligation shall be credited with the hours of service that would have been performed but for the period of military service in determining whether the employee worked the 1,250 hours of service. In order to determine the hours that would have been worked during the period of military service, the employee's pre-service work schedule can generally be used for calculations.

Covered Situations For FMLA Leave:

Employees are entitled to FMLA leave under the following situations:

1. For the birth and care of a newborn child of the employee, anytime within the first 12 months of the birth of the child.
2. For the placement of a child for adoption or foster care with the employee, anytime within the first 12 months of the placement of the child.
3. To care for an employee's spouse/eligible partner, son, daughter, or parent with a serious health condition.
4. Because of a serious health condition that makes the employee unable to perform the essential functions of his/her job.
5. Because of a qualifying exigency relating to a family member's active military duty or call to active duty status in support of a contingency operation.
6. For military caregiver leave related to care of a spouse, son, daughter, parent, or next of kin of either a current covered service member who has, or is recuperating from, a serious illness or injury incurred in military service that renders the service member medically unfit to perform the duties of his or her office, grade, rank or rating, or for a veteran who required medical treatment, recuperation or therapy.

Amount of Leave:

For FMLA leave under categories 1 through 5 above, an eligible employee can take a total of 12 workweeks of FMLA leave during any 12-month period.

For FMLA leave under category 6 above, an eligible employee can take a total of 26 workweeks of FMLA leave during a single 12-month period. The 26 workweeks of leave are decreased by FMLA leave taken by the employee for other qualifying reasons. In other words, 26 workweeks is the maximum amount of leave available to an employee to care for a covered service member and for all other FMLA reasons.

Spouses employed by WSU can take a combined total of 12 workweeks of leave for categories 1 through 3 during any 12-month period. When spouses use a portion of the combined 12 workweeks for any of categories 1 through 3 above, the spouses can each take the difference between the amount he or she has taken individually and 12 workweeks of FMLA leave for other purposes. For example, if each spouse took 6 weeks of leave to care for a healthy newborn child, each could use the additional 6 weeks due to his or her own serious health condition.

Spouses employed by WSU can take a combined total of 26 workweeks during a single 12-month period for FMLA leave under category 6, with the same limitations as stated above.

Employee Notice Requirements:

The following rules apply in giving notice to WSU of the need for FMLA leave:

1. Employees must notify their supervisor, business manager or designated person in the unit of the need for FMLA leave in accordance with their unit or department's usual and customary practice. An employee need not share specific personal information (diagnosed illness/injury). An employee calling in "sick" is not sufficient notice of the need for FMLA leave.
 2. Employees must notify WSU's TPA of the need for FMLA leave. This can be done on the TPA's website: <http://www.fmlasource.com/>, which can also be reached through at link at <http://www.hr.wayne.edu/esc>.
 3. Once the employee provides WSU with notice sufficient to make it aware that the employee needs an FMLA-qualifying leave, if it is necessary to have more information, WSU will be expected to inquire further of the employee. An employee has a duty to respond to WSU's questions so WSU can determine whether an absence is potentially FMLA-qualifying. Alternatively, the employee can sign a Medical Release so that WSU can obtain the necessary information directly from the applicant's health care provider.
- Amount of Notice Required For Foreseeable Leave.

An employee must provide WSU with at least 30 days advance notice before FMLA leave is to begin if the need for the leave is foreseeable. If 30 days' notice is not practicable, such as because of a lack of knowledge of approximately when leave will be required to begin or because of a change in circumstances, notice must be given as soon as practicable.

When planning medical treatment, the employee must consult with his/her supervisor or designated person in the unit or department and make a reasonable effort to schedule the treatment so as not to unduly disrupt the employer's operations, subject to the approval of the health care provider.

The employee shall advise his/her supervisor or designated person in the unit or department as soon as practicable if dates of scheduled leave change or are extended, or were initially unknown.

- Amount of Notice Required For Unforeseeable Leave

If the need for FMLA leave is unforeseeable, notice must be given by the employee as soon as practicable under the facts and circumstances of the particular case. It generally should be practicable for the employee to provide notice of leave that is unforeseeable within the time required by WSU's usual and customary notice requirements applicable to such leave.

Employer Notice Of Eligibility And Rights And Responsibilities:

When an employee requests FMLA leave, or when WSU acquires knowledge that an employee's leave may be for an FMLA-qualifying reason, WSU will provide to the employee a [Notice of Eligibility and Rights and Responsibilities](#). Absent extenuating circumstances, this Notice will be given within five (5) business days of an employee notifying WSU of the need for FMLA leave. This Notice will indicate the following:

1. Whether the employee is eligible for FMLA leave;
2. If not eligible, the reason or reasons why the employee is not eligible;
3. The employee's rights and responsibilities for taking FMLA leave;
4. The required deadline for providing certification to WSU's TPA.

Employee Certification Requirements:

At the time an employee gives WSU's TPA notice of the need for leave, or within five (5) business days of receiving said notice, WSU's TPA will request that the employee furnish a complete and sufficient certification of the need for leave.

An employee who desires FMLA status must provide the requested certification to WSU's TPA within fifteen (15) days after the request was made, unless it is not practicable under the particular circumstances to do so despite the employee's diligent, good faith efforts or unless the employer provides more than fifteen (15) calendar days to return the certification.

Appropriate certification forms are available at: (<http://www.fmlasource.com/>).

A. Notification Of Incomplete Or Insufficient Certification.

WSU shall notify the employee whenever WSU finds a certification incomplete or insufficient, and shall state in writing what additional information is necessary to make the certification complete and sufficient. A certification is incomplete if WSU receives a certification, but one or more of the applicable entries have not been completed. A certification is insufficient if WSU receives a complete certification, but the information provided is vague, ambiguous, or non-responsive.

WSU will provide the employee with seven (7) calendar days to cure any deficiency. If the deficiencies specified by WSU are not cured in the resubmitted certification, WSU may deny the taking of FMLA leave.

B. Second Opinion.

If WSU has reason to doubt the validity of a medical certification, it may require the employee to obtain a second opinion at WSU's expense. Pending receipt of the second medical opinion, the employee is temporarily entitled to the benefits of the Act, including maintenance of group health benefits. If the certifications do not ultimately establish the employee's entitlement to FMLA leave, the leave shall not be designated as FMLA leave and may be treated as paid or unpaid leave under WSU's established leave policies or under any relevant CBA.

C. Third Opinion.

If the opinions of the employee's and the employer's designated health care providers differ, WSU may require the employee to obtain certification from a third health care provider, again at WSU's expense. This third opinion shall be final and binding.

D. Annual Medical Certification.

Where the employee's need for leave due to the employee's own serious health condition, or the serious health condition of the employee's covered family member, lasts beyond a single leave year, WSU may require the employee to provide a new medical certification in each following leave year. Such new medical certifications are subject to the rules for authentication and clarification set forth above, including second and third opinions.

E. Request For Additional Certification Where WSU Has Reason To Question The Appropriateness Of Leave Or Its Duration.

WSU may request additional certification at some later date if it later has reason to question the appropriateness of the leave or its duration. The employee must provide the requested certification to WSU's TPA within fifteen (15) calendar days after the employer's request,

unless it is not practicable under the particular circumstances to do so despite the employee's diligent, good faith efforts, or unless the employer provides more than fifteen (15) calendar days to return the requested certification.

Consequences For Failure To Comply With Notice And/or Certification Requirements:

Where an employee does not notify the supervisor, business manager or designated person in the unit, and no unusual circumstances justify the failure to comply, FMLA-protected leave may be delayed or denied.

WSU may also delay the taking of FMLA leave to an employee who fails to provide a complete and sufficient certification on a timely basis.

It is the employee's responsibility either to furnish a complete and sufficient certification or to furnish the health care provider providing the certification with any necessary authorization from the employee or the employee's family member in order for the health care provider to release a complete and sufficient certification to the employer to support the employee's FMLA request. This provision will apply in any case where an employer requests a certification permitted by these regulations, whether it is the initial certification, a recertification, a second or third opinion, or a fitness for duty certificate, including any clarification necessary to determine if such certification are authentic and sufficient.

For foreseeable leave, where the employee is required to provide at least 30 days notice of foreseeable leave and does not do so, WSU may delay the taking of FMLA. The employee shall explain the reasons why such notice was not practicable upon a request from WSU for such information.

For unforeseeable leave, an employee has an obligation to respond to WSU's questions designed to determine whether an absence is potentially FMLA-qualifying. Failure to respond to reasonable WSU inquiries regarding the leave request may result in denial of FMLA protection if WSU is unable to determine whether the leave is FMLA-qualifying.

Employer Responsibility For Providing Designation Notice:

WSU is responsible, in all circumstances, for determining whether an employee leave from work is an FMLA-qualifying event, and if so, for designating the leave as FMLA and for giving notice of the designation to the employee.

When a requested FMLA leave is approved, WSU's TPA will notify the employee that the requested leave is designated as FMLA-protected and will inform the employee of the amount of leave that will be counted against the employee's FMLA leave entitlement.

If additional information is needed to determine if the employee's FMLA leave request can be approved, WSU's TPA will notify the employee what additional information is requested and the deadline for providing that information.

When a requested FMLA leave is denied, WSU's TPA will notify the employee that the requested leave is denied and the reason for the denial.

Return to Work

WSU may require an employee on FMLA leave to report periodically on the employee's status and intent to return to work. WSU's policy regarding such reports will not be discriminatory and will

take into account all of the relevant facts and circumstances related to the individual employee's leave situation.

An employee who takes a leave under this policy will be returned to the same or an equivalent position with the same benefits and terms of employment.

An employee's use of FMLA leave will not result in the loss of any employment benefit that the employee earned or was entitled to before using FMLA leave.

Employees returning from a medical FMLA leave may be required, when appropriate, to present medical certification of fitness for duty. Failure to provide a fitness for duty certification may result in a denial of job reinstatement until the certification is provided.

General Information:

A. Equal Application.

The right to take FMLA leave applies equally to male and female employees. A father, as well as a mother, can take family leave for the birth, placement for adoption, or foster care of a child.

B. Absolute Right For Qualifying Reasons.

Eligible employees have an absolute right to FMLA leave, which means leave may not be denied for FMLA-qualifying circumstances.

C. Paid/Unpaid Leave.

FMLA leave may be paid, unpaid or a combination of paid and unpaid depending upon the circumstances and as specified in this policy or a particular CBA. FMLA leave is concurrent with existing maternity leave, workers' compensation absence due to an on-the-job injury or illness (provided it also qualifies as a serious health condition), and other paid/unpaid leaves of absence taken for FMLA reasons. Unless a CBA provides differently, the following rules apply:

1. Employees who take leave because of their own serious health condition or to give birth to a child, must use paid leave before being eligible for unpaid leave in the following order:
 - a. Accrued Illness Banks
 - b. Vacation Banks
 - c. Personal Business Time (where applicable)
2. Employees who take a service member family leave or a leave for the birth, adoption or foster care of a child or to care for a seriously ill spouse, child, or parent, must use all accrued vacation and personal business time respectively before being eligible for unpaid leave.
3. Sick leave used for short-term illnesses or absences (i.e., less than 3 days) that are not qualifying FMLA events will not be counted as FMLA leave.

D. Maintenance of Health Benefits.

An employee may continue medical and dental benefits under the same conditions and at the same cost as if the employee had continued to work. Payroll deduction of benefit premiums will continue while the employee is on paid FMLA leave. Benefit premiums due during unpaid FMLA leave will be billed to the employee.

If an employee chooses not to return to work for reasons other than a continued serious health

condition, WSU will require the employee to reimburse the university the amount the university paid for the employee's health insurance during the leave.

E. Holidays.

Holidays will be counted as FMLA leave if the employee is on FMLA leave the entire week in which the holiday falls. If the employee takes FMLA leave for less than a full workweek in which a holiday falls, the holiday does not count as FMLA leave.

Enforcement And Protection:

FMLA makes it unlawful for any employer to: (1) Interfere with, restrain, or deny the exercise of any right provided under FMLA; or (2) Discharge or discriminate against any person for opposing any practice made unlawful by FMLA or for involvement in any proceeding under or relating to FMLA.

The U.S. Department of Labor is authorized to investigate and resolve complaints of violations. An eligible employee may bring a civil action against an employer for violations.

Interaction With Collective Bargaining Agreements And With State And Federal Anti-Discrimination Laws

Nothing in this policy modifies affects or diminishes any rights provided to employees under an existing CBA. WSU will provide leave under and according to whichever statutory provision or CBA provides the greater rights to its employees.

Nothing in this policy modifies affects or diminishes any Federal or State law prohibiting discrimination on the basis of race, religion, color, national origin, sex, age, or disability.

These FMLA leave provisions are wholly distinct from WSU's reasonable accommodation obligations under the ADA or regulations issued under that Act.

ADA's "disability" and FMLA's "serious health condition" are different concepts, and must be analyzed separately. If an employee is a qualified individual with a disability within the meaning of the ADA, WSU will make reasonable accommodations, etc., barring undue hardship, in accordance with the ADA. At the same time, WSU will afford the employee his or her FMLA rights.

PROCEDURE

Responsibility

Action

Employee

1. Notify supervisor, business manager or designated person in unit and notify WSU's TPA with sufficient information to indicate need for FMLA-qualifying leave:
 - --at least thirty (30) day notice when illness is foreseeable;
 - --as soon as practicable when illness is not foreseeable;
2. Submit to WSU's TPA a complete and sufficient medical certification within fifteen (15) business days of request for same.
3. When appropriate, provide a "fitness-for-duty" certification to WSU's TPA before returning to work from leave.

| | |
|---|---|
| Supervisor, Business Manager or Designated Person in Unit | <ol style="list-style-type: none">1. Contact TPA if employee is absent from work more than three (3) consecutive work days due to illness. Work days are defined as days an employee is normally scheduled to work.2. Notify TPA when unit receives notice from employee sufficient to indicate need for FMLA-qualifying leave.3. Verify employee timesheets are accurately coded in accordance with the information provided in the "Designation Notice" and approve employee time sheets. |
| Risk Manager | <ol style="list-style-type: none">1. Contact TPA and business manager, supervisor or designated person in unit if an employee has been approved for Workers' Compensation. |
| Third Party Administrator | <ol style="list-style-type: none">1. Administer FMLA in accordance with Family and Medical Leave Act of 1993, WSU's FMLA leave policy, and/or any applicable CBA.2. Immediately notify the supervisor, business manager or designated person in employee's unit that employee has applied for FMLA.3. Review employee certification information.4. Provide employee with "Notice of Eligibility and Rights and Responsibility FMLA" form within five (5) business days after employee requests FMLA leave, absent extenuating circumstances.5. Within five (5) business days of receipt of notice, request employee to provide complete and sufficient certification within fifteen (15) business days.6. Provide employee and business manager with written "Designation Notice" for FMLA leave within five (5) business days of receiving complete and sufficient certification, absent extenuating circumstances.7. Manage leave in accordance with the parameters outlined in the "Designation Notice". |

FMLA Return-To-Work Notification

Refer to the collective bargaining agreement or non-rep manual to confirm procedure.

FMLA Source Brochure

Wayne State University is teaming up with FMLASource®

Are you facing the birth of a child?

Qualifying Exigency?

Care for an injured service member?

Adoption & foster care?

Care for your own serious health condition?

Care for a child, spouse/eligible partner

You may qualify for a paid or unpaid leave under the Family Medical Leave Act of 1993, also known as FMLA



FMLASource Family Medical Leave Act

Wayne State University is teaming up with FMLASource to offer employees a fast, easy and secure way to manage their family medical leaves.



AIM HIGHER

WAYNE STATE
UNIVERSITY

Employment Service Center

Phone (313) 577-2010
FAX (313) 577-7508
jobs@wayne.edu
www.hr.wayne.edu/esc/

06/2010



Need to submit a request for FMLA?

Step 1:
Contact your Supervisor, Business Manager, or Designated Representative to inform them when you are absent for an FMLA qualifying event.

Step 2:
Contact FMLASource to submit a leave request:
FMLASource Options for Employees:
■ www.FMLASource.com
■ 1-877-462-3652

Step 3:
Login or Register online to begin your leave request. You will need your access ID.

Step 4:
You will need to enter the following information to submit a request:
■ Access ID
■ Leave information

Why FMLASource?

FMLASource® is an easy and convenient way to request, track and manage family and medical leaves.

An employee can request a leave, check eligibility for leave, download medical certifications, check status of a leave request, keep track of leave time, and learn about Federal FMLA Regulations.

FMLASource can be used anytime, anywhere — available 24 hours a day, 7 days a week access FMLASource via www.fmlasource.com

Times have changed, so have your options!

or
Fax: 1-877-309-0218
E-mail: FMLACENTER@fmlasource.com
1-877-GO2-FMLA (1-877-462-3652)

Monday-Friday, 8:30 a.m. – 8 p.m. (EST)

Eligible employees have an absolute right to FMLA leave.

FMLA can be taken on a continuous, intermittent or reduced schedule basis.

FMLASource®

Visit www.fmlasource.com today to learn more!

FMLASource Customer Service Contact:
(888) 243-5137



FMLA Action Responsibilities

FMLA

Action Responsibility

Employee

1. Notify your supervisor, business manager, or designated person in the unit of the need for FMLA-qualifying leave in accordance with your unit or department's usual and customary practice.
--at least thirty (30) day notice when illness is foreseeable
--as soon as practicable when illness is not foreseeable

You need not share specific personal information (diagnosed illness/injury). However, calling in "sick" is not sufficient notice of the need for FMLA leave.

2. Contact WSU's Third Party Administrator, FMLASource, to submit a leave request and provide sufficient medical certification within fifteen (15) business days of request for same.
3. When appropriate, provide a "fitness-for-duty" certification to FMLASource before returning to work from leave, *subject to contractual provisions for union employees*.

If, for any reason, your condition or status changes significantly while on FMLA leave, please notify FMLASource immediately, tel # 877-GO2-FMLA.

Supervisor, Business Manager, or Designated Person in Unit

1. Contact FMLASource, if employee is absent from work more than three (3) consecutive work days due to illness. Work days are defined as days an employee is normally scheduled to work.
2. Notify FMLASource when unit receives notice from employee sufficient to indicate need for FMLA-qualifying leave.
3. *The department is responsible for coding timesheets.* Verify employee timesheets are accurately coded in accordance with the information provided in the "Designation Notice" and approve employee time sheets. Should an employee exhaust FMLA hours, and/or illness /vacation banks, TCW will be notified by FMLASource and provide copy of employee leave letter regarding coding of timesheet.

Risk Manager

Contact FMLASource and business manager, supervisor, or designated person in unit if an employee has been approved for Workers' Compensation. FMLA runs concurrently with WC.

Third Party Administrator

1. Administer FMLA in accordance with Family and Medical Leave Act of 1993, WSU's FMLA leave policy, and/or any applicable Collective Bargaining Agreement.
2. Immediately notify the supervisor, business manager, or designated person in employee's unit that employee has applied for FMLA.
3. Review employee certification information.
4. Provide employee with "Notice of Eligibility and Rights and Responsibility FMLA" form within five (5) business days after employee requests FMLA leave, absent extenuating circumstances.
5. Within five (5) business days of receipt of notice, request employee to provide complete and sufficient certification within fifteen (15) business days.
6. Provide employee and business manager with written "Designation Notice" for FMLA leave within five (5) business days of receiving complete and sufficient certification, absent extenuating circumstances.
7. Manage leave in accordance with the parameters outlined in the "Designation Notice".

FMLASource Claim Submission Checklist

FMLASource®

FMLA Claim Submission Checklist

The following are step-by-step instructions on what you need to do to apply for an FMLA leave.

Step #1:

- Contact FMLASource to notify your need for a leave by either the FMLASource website or by phone:
 - > **Website:** www.fmlasource.com
 - > **Phone:** 1.877.GO2.FMLA (1.877.462.3652)

Step #2:

- Receive the Medical Certification Form from either your FMLA Notification Packet sent by FMLASource or download from www.fmlasource.com.
 - > The FMLA Medical Certification Form is time sensitive material. Be certain to check for the certification due date on your initial request letter provided in your FMLA Notification Packet.

Step #3:

- Take the blank Medical Certification Form to either your or your family member's health care provider.

Step #4:

- Ensure that FMLASource received the completed Medical Certification Form prior to the certification due date. It is your responsibility to ensure completed paperwork is timely submitted. If there are delays associated with completing your forms, be sure to contact FMLASource prior to your certification due date.

The Health Care Provider must return the completed Medical Certification Form to FMLASource by fax or e-mail:

- > **Fax:** 1.877.309.0218
- > **E-Mail:** fmlacenter@fmlasource.com

You may return the completed form by mailing the original completed Medical Certification Form:

- > **Address:** FMLASource, NBC Tower – 13th Floor, 455 N. Cityfront Plaza Drive, Chicago, IL 60611-5322

Step #5:

- Receive and review the FMLA Decision Letter from FMLASource. Please note the decisions are based on the certification completed by the health care provider. Notify FMLASource if your leave was denied and you need clarification on next steps.

Step #6:

- If approved for the leave, you will be responsible for keeping track of your available entitlement.
 - > **Intermittent Leave:** Be sure to report each intermittent FMLA absence in accordance with Wayne State's call-in procedures. Failure to do so may result in disciplinary action.
 - > **Continuous Frequency Leave:** Pay close attention to the date range on your decision letter. Your position with your employer is only protected during that date range. To keep your entitlement accurate and ensure protection, please notify FMLASource if your leave differs from what is provided on the decision letter.

FMLASource,® Inc. is a ComPsych® company.

© 2013 ComPsych Corporation. All rights reserved. This information is for educational purposes only. It is always important to consult with the appropriate professional on medical, legal, behavioral or other issues. As you read this information, it is your responsibility to make sure that the facts and ideas apply to your situation.

U.S. Department of Labor, Wage and Hour Division, Fact Sheet #28A Employee Protections Under the Family Medical Leave Act

U.S. Department of Labor
Wage and Hour Division



Fact Sheet #28A: Employee Protections under the Family and Medical Leave Act

The Family and Medical Leave Act (FMLA) entitles eligible employees who work for covered employers to take unpaid, job-protected leave for specified family and medical reasons. Eligible employees may take up to 12 workweeks of leave during any 12-month period for certain family and medical reasons and up to 26 workweeks of leave during a single 12-month period for military caregiver leave. *See Fact Sheet 28F: Qualifying Reasons for Leave under the FMLA and Fact Sheet 28M: The Military Leave Provisions under the FMLA.* This fact sheet describes the protections the FMLA affords to employees while taking FMLA leave and upon returning to work from FMLA leave.

PROTECTIONS DURING FMLA LEAVE

Group Health Insurance Benefits

If an employee is provided **group health insurance**, the employee is entitled to the continuation of the group health insurance coverage during FMLA leave on the same terms as if he or she had continued to work. If family member coverage is provided to an employee, family member coverage must be maintained during the FMLA leave. The employee must continue to make any normal contributions to the cost of the health insurance premiums.

If paid leave is substituted for FMLA leave, the employee's share of group health plan premiums must be paid by the method normally used during paid leave (usually payroll deduction). An employee on unpaid FMLA leave must make arrangements to pay the normal employee portion of the insurance premiums in order to maintain insurance coverage. If the employee's premium payment is more than 30 days late, the employee's coverage may be dropped unless the employer has a policy of allowing a longer grace period. The employer must provide written notice to the employee that the payment has not been received and allow at least 15 days after the date of the letter before coverage stops.

In some instances, an employer may choose to pay the employee's portion of the premium, for example, in order to ensure that it can provide the employee with equivalent benefits upon return from FMLA leave. In that case, the employer may require the employee to repay these amounts. In addition, the employer may require the employee to repay the employer's share of the premium payment if the employee fails to return to work following the FMLA leave unless the employee does not return because of circumstances that are beyond the employee's control, including a FMLA-qualifying medical condition.

Benefits Other than Health Insurance

An employee's rights to benefits other than group health insurance while on FMLA leave depend upon the employer's established policies. Any benefits that would be maintained while the employee is on other forms of leave, including paid leave if the employee substitutes accrued paid leave during FMLA leave, must be maintained while the employee is on FMLA leave.

FS 28A

Substitution of Paid Leave

FMLA entitles eligible employees to take unpaid leave. Under certain conditions, employees may “substitute,” or run at the same time as their FMLA leave, accrued **paid** leave (such as sick or vacation leave) to cover some or all of the period of FMLA leave. An employer may also require employees to substitute accrued paid leave for unpaid FMLA leave even when the employee has not elected to do so. In order to substitute accrued paid leave, the employee must follow the employer’s normal rules for the use of that type of leave, such as submitting a leave form or providing advance notice. If an employee does not meet the requirements to take paid leave under the employer’s normal leave policies, the employee may still take unpaid FMLA leave. Paid leave taken for reasons that do not qualify for FMLA leave does not count against the employee’s FMLA leave entitlement.

PROTECTIONS UPON RETURN FROM FMLA LEAVE (JOB RESTORATION)

When an employee returns from FMLA leave, he or she must be restored to the same job or to an "equivalent job". The employee is not guaranteed the actual job held prior to the leave. An equivalent job means a job that is virtually identical to the original job in terms of pay, benefits, and other employment terms and conditions (including shift and location).

Equivalent pay includes the same or equivalent pay premiums, such as a shift differential, and the same opportunity for overtime as the job held prior to FMLA leave. An employee is entitled to any unconditional pay increases that occurred while he or she was on FMLA leave, such as cost of living increases. Pay increases conditioned upon seniority, length of service, or work performed must be granted only if employees taking the same type of leave for non-FMLA reasons receive the increases. Equivalent pay includes any unconditional bonuses or payments. If an employee does not meet a specific goal for achieving a bonus because of taking FMLA leave, however, the employer must only pay the bonus if employees taking the same type of leave for non-FMLA reasons receive it. For example, if an employee is substituting accrued paid sick leave for unpaid FMLA leave and other employees on paid sick leave are entitled to the bonus, then the employee taking FMLA-protected leave concurrently with sick leave must also receive the bonus.

All benefits an employee had accrued prior to a period of FMLA leave must be restored to the employee when he or she returns from leave. An employee returning from FMLA leave cannot be required to requalify for any benefits the employee enjoyed before the leave began.

LIMITATIONS TO FMLA PROTECTIONS

An employee on FMLA leave is not protected from actions that would have affected him or her if the employee was not on FMLA leave. For example, if a shift has been eliminated, or overtime has been decreased, an employee would not be entitled to return to work that shift or the original overtime hours. If an employee is laid off during the period of FMLA leave, the employer must be able to show that the employee would not have been employed at the time of reinstatement.

An employer may also deny restoration to a “key” employee under certain circumstances. A key employee is a salaried, FMLA-eligible employee who is among the highest-paid 10 percent of all of the employer’s employees within 75 miles. To deny restoration to a key employee, an employer must have determined that substantial and grievous economic injury to its operations would result from the restoration, must have provided notice to the employee that he or she is a key employee and that restoration will be denied, and must provide the employee a reasonable opportunity to return to work.

ENFORCEMENT

It is unlawful for any employer to interfere with, restrain, or deny the exercise of or the attempt to exercise any right provided by the FMLA. It is also unlawful for an employer to discharge or discriminate against any individual for opposing any practice, or because of involvement in any proceeding, related to the FMLA. *See Fact Sheet 77B: Protections for Individuals under the FMLA.* The Wage and Hour Division is responsible for administering and enforcing the FMLA for most employees. Most federal and certain congressional employees are also covered by the law but are subject to the jurisdiction of the U.S. Office of Personnel Management or Congress. If you believe that your rights under the FMLA have been violated, you may file a complaint with the Wage and Hour Division or file a private lawsuit against your employer in court.

For additional information, visit our Wage and Hour Division Website: <http://www.wagehour.dol.gov> and/or call our toll-free helpline, available 8 a.m. to 5 p.m. in your time zone, 1-866-4-USWAGE (1-866-487-9243).

This publication is for general information and is not to be considered in the same light as official statements of position contained in the regulations.

U.S. Department of Labor
Frances Perkins Building
200 Constitution Avenue, NW
Washington, DC 20210

1-866-4-USWAGE
TTY: 1-866-487-9243
[Contact Us](#)

Short Term Disability

Short Term Disability is compensation (available to some employees) following exhaustion of your sick/vacation time and continuing thru the last day of the sixth month of continuous absence. Please refer to your union contract/personnel manual for participation and eligibility requirements regarding Short Term Disability.

The non-academic union contracts can be accessed at <http://laborrelations.wayne.edu/contract-info.php>

The academic union contract can be accessed at <http://provost.wayne.edu/bargaining/aaup.php>

The non-represented personnel manual can be accessed at <http://policies.wayne.edu/non-rep>

| Union | Section of Contract |
|-------------------------------------|---|
| AAUP/AFT | Article XIII Leaves of Absence – C.1.d |
| AFSCME Local 1497 | Article (20) Income Disability Programs – 1-4 |
| Michigan Building Trades | Letter of Agreement #1 – Medical Leave (unpaid) |
| Operating Engineers | Article (12) Income Disability Programs – C.1-6 |
| Police Officers | (not addressed) |
| Service Employees Local 517-M | Article (33) Income Disability Program – C.1-5 |
| U.A.W. P&A Local 1979 | (not available) |
| U.A.W. Staff Association Local 2071 | Article (41) Income Disability Programs – C.1-5 |
| Unite Here Local 24 (Janitors) | (not addressed) |
| Unite Here Local 24 (Housekeepers) | (not addressed) |

Note: If you exhaust your sick/vacation time and have questions about Short Term Disability eligibility, please contact Total Compensation & Wellness at 313-577-3000. If Short Term Disability is applicable, medical certification will be required before such status can be implemented.

Accelerate e-Resources for Attendance Management



For a general overview of absence management eResources, consider the following items from WSUs eLearning library, Accelerate!

Important: Always check with Labor Relations regarding the appropriateness of any of the following sources before attempting to follow practices with non-academic, represented employees.

eBooks

- [101 Tough Conversations to Have with Employees: A Manager's Guide to Addressing Performance, Conduct and Discipline Challenges, Chapter 6: Excessive Absenteeism and Tardiness](#) by Paul Falcone (2009)
- [The Absence Management Pocketbook](#) by Max A. Eggert (2009)
- [Dealing with Absence](#), Chapter 6 of the Employer's Handbook by Barry Cushway (2008) [Note: while this provides good support overall for key concepts – *please consult with your HR Consultant and/or Labor Relations for WSU specific policies and procedures*]
- [Wellness at Work: Protecting and Promoting Employee Health and Wellbeing](#) by Lynda A. C. Macdonald (2005)
- [The Communication Problem Solver: Simple Tools and Techniques for Busy Managers](#) by Nannette Rundle Carroll (2009)
- [Working with the FLSA: Fair Labor Standards Act](#) by J. J. Keller & Associates (2011)
- [FMLA Essentials \(2013 Edition\)](#) by J. J. Keller & Associates (2013)

eCourses

- [WSUs FMLA & FMLASource for Managers & Supervisors](#) (45 min)
- [WSUs Web Time Entry for General Users](#) (20 min)
- [WSUs Web Time Entry for Approvers](#) (20 min)
- [WSUs Web Time Entry for SuperUsers](#) (15 min)
- [First Steps for Turning Around a Performance Problem](#) (1 hour)
- [Preventing Problem Performance](#) (1 hour)
- [Giving Feedback](#) (1 hour)
- [A Primer for Ensuring Accountability](#) (4.5 hours, consider focusing upon “principles of consistency”, “being fair with your staff”, “strategies for providing informal feedback”)

Job Aids

- [Areas for Assessing Engagement](#)