



**Newark Board of Education
765 Broad Street
Newark, New Jersey 07102**

Labor/Employee Relations Department

Attendance Improvement Plan (AIP)

Foreword

Unchecked employee absenteeism, lateness and/or early departures can have a detrimental effect on the quality of education provided to our students. This document represents the District's Attendance Improvement Plan and is designed to help supervisors and administrators address such concerns with their staff in a non-disciplinary manner before a more significant problem develops and, this document also provides guidance for supervisors and/or administrators to invoke disciplinary action, consistent with the just cause provisions of union contracts and the good cause requirements established by the New Jersey Civil Service Commission, Merit System Board. Should you have any questions with respect to any provision of this document or the application of same, please contact the Office of Labor and Employee Relations- (973) 733-8957.

Roger León
Superintendent

JoAnne Y. Watson, Esq.
Executive Director
Labor/Employee Relations

GENERAL INFORMATION AND INSTRUCTIONS

The purpose of the Attendance Improvement Plan is to encourage District staff members to report to work and to arrive to work on time. One of the District's most valuable resources is its staff. Every employee of the District has an obligation to perform with regularity the functions for which he/she was hired. It is the intent of the District to manage employee absenteeism and lateness in a fair and consistent manner. **The Attendance Improvement Plan applies to all employees including Instructional staff members.**

In the event an employee does not call in to report his/her absence and does not report to work, the employee should be issued a written AWOL letter of warning if he/she has no prior disciplinary record for AWOL violations. [A sample of this letter may be found on page sixteen (16).] If the employee has a prior disciplinary record for AWOL violations, disciplinary action should be requested. [A sample of this letter may be found on page seventeen (17).]

If questions are raised regarding missing documentation the employee claims were previously submitted, a follow-up communication indicating what the results of a search yielded is appropriate.

If an employee indicates that documentation is available but not currently in his/her possession, a final date for the submission should be set during the conference (not more than five (5) working days later). If the date passes without receipt of the document(s), a follow-up communication should be issued, to support the fact that an opportunity was granted to the employee for submission of appropriate documents.

Any and all copies of correspondence to an employee should be forwarded to the appropriate union.

OPERATIONAL DEFINITIONS

1. Absent Without Leave (AWOL)

Code: Q

All employees are required to report their absence to their respective Supervisor **and** SubFinder prior to their scheduled starting time. Any employee who does not provide the above notification of his/her absence shall be AWOL and recorded accordingly. [In the event of a conflict with procedures set forth in a collective bargaining agreement, the collective bargaining agreement shall control.]

“ [A]ny employee who is absent from duty for five (5) or more consecutive days without the approval of his or her superior shall be considered to have abandoned his/her position and shall be recorded as resignation not in good standing.” N.J.A.C. 4A:2-6.2 (b)

2. Administrative Day

Code: I

An approved and scheduled school and/or central office closing. Does not include Christmas (winter) and/or Easter (spring) recess.

3. Administrative Day (Weather)

Code: J = Whole Day

Code: Z = Half Day

The District schools and/or central offices have been **officially** closed due to actual or impending weather conditions.

4. Administrative Excuse

Code: H

An employee has received authorization for absence due to professional reasons; including but not limited to: workshops, conferences, conventions, in-service seminar and outside district visitations. These days are not counted as occasional absences.

5. Bereavement/Funeral

Code: C

An employee has reported absence under the appropriate contractual bereavement provision, or administrative regulation **and** has complied with documentation requirements. These days are not counted as occasional absences.

6. Deceased

Code: S

An Employee has expired.

7. Holiday

Code: G

An approved and scheduled acknowledgement of federal, state and/or local non-business days.

8. Military Duty

Code: M

An employee has received formal notice of requirements to report for duty (national guard/reserves) and has submitted a formal request for a leave of absence to Human Resource Services, Administrative Support Unit, with a copy to his/her location administrator.

9. Personal Day

Code: B = Whole Day

Code: U = Half Day

An employee has complied with requirements for reported absence due to personal reasons. These days are not counted as occasional absences.

10. Professional Day

Code: H = Whole Day

Code: Y = Half Day

An employee has received authorization for absence due to professional reasons; including but not limited to: workshops, conferences, conventions, in-service seminar and outside district visitations. These days are not counted as occasional absences.

11. Sick

N.J.A.C. 4A:6-1.3 Sick Leave

(g) Sick leave may be used by employees who are unable to work because of:

1. Personal illness or injury (Federal Family and Medical leave);
2. Exposure to contagious disease (Federal Family and Medical Leave);

(h) Sick leave may be used by an employee with a disability for absences related to the acquisition or use of an aid for the disability when the aid is necessary to function on the job. In such cases, reasonable proof may be required by the appointing authority.

Occasional Absence

All staff absences exclusive of personal, bereavement, administrative excuse, jury duty, approved vacation and approved leave.

Sick with Documentation

Code: E = Whole Day

Code: W = Half Day

An employee has reported absence due to personal illness and has submitted doctor's certification for the date (s). These days are included in counting occasional absences.

Sick without Documentation

Code: D = Whole Day

Code: V = Half Day

An employee has reported absence due to personal illness and has not submitted doctor's certification for the date(s). These days **are** included and counted as occasional absences.

12. Subpoena/Jury Duty

Code: N

An employee has been lawfully served with a subpoena to appear in court on behalf of the District or served with a jury duty notice. These days **are not** included and counted as occasional absences.

13. Suspension

Code: O = With Pay

Code: P = Without Pay

An Employee has received formal notice of suspension with or without pay from assigned duties and responsibilities.

14. Termination

Code: R

An Employment relationship with the school district has ended, includes resignation and retirement.

15. Union Business

Code: L

An employee has received approval from the Office of Labor Relations for absence due to union business in accordance with contractual provisions.

16. Vacation

Code: A = Whole Day

Code: T = Half Day

Vacation days are not counted as occasional absences for the AIP. Inclusion is for notation purposes only.

17. Worker's Compensation

Code: F = Whole Day

Code: X = Half Day

An employee has sustained an injury arising out of and in the course of employment, has an accepted claim and has complied with all administrative regulations.

I. ADMINISTRATOR'S/SUPERVISOR'S RESPONSIBILITIES WHEN AN EMPLOYEE HAS NOT RECEIVED ANY PRIOR DISCIPLINE.

A. CHRONIC/EXCESSIVE ABSENTEEISM

PHASE I -- SCHEDULE CONFERENCE AND CONFIRM CONFERENCE IN WRITING.

1. **Five (5) occasional absences** for ten (10) month employees or **six (6) occasional absences** for twelve (12) month employees within a fiscal year (July 1 – June 30), the location administrator shall schedule an informal conference with the employee to discuss his/her attendance, related issues and advise the employee that the he/she has been verbally warned.
2. A sample of the letter scheduling the conference can be found on page eleven (11).
3. All district collective bargaining agreements allow the employee to request and to have a union representative present for conferences. It is the employee's responsibility to both request, and arrange for, union representation.
4. A letter must go out confirming the conference and informing the employee that he/she has been verbally warned regarding attendance. A sample of the confirmation of conference letter can be found on page twelve (12).

PHASE II – ISSUE WRITTEN WARNING.

1. **Nine (9) occasional absences** for ten (10) month employees and **eleven (11) occasional absences** for 12 month employees within a fiscal year, the location administrator shall issue a written warning to the employee.
2. The letter should include specifics, such as dates of absences and confirmation of the Phase I AIP counseling/verbal warning. A sample of the letter to the employee may be found on page thirteen (13).

PHASE III -- REQUEST DISCIPLINARY ACTION.

1. **At eighteen (18) occasional absences** for both ten (10) and twelve (12) month employees, the location administrator may request disciplinary action.
2. A sample of the letter to be issued to the employee may be found on page fourteen (14).
3. Requests for disciplinary action must be forwarded to the Office of Labor/Employee Relations. Form(s) may be requested from the Office of Labor/Employee Relations (973-733-8957).

B. CHRONIC/EXCESSIVE LATENESS/ EARLY DEPARTURES

PHASE I -- SCHEDULE CONFERENCE AND CONFIRM CONFERENCE IN WRITING.

1. **Three (3) late arrivals and/or early departures** within a fiscal year, the location administrator shall schedule an informal conference with the employee to discuss his/her punctuality, related issues and advise the employee that he/she has been verbally warned. A sample of the letter scheduling the conference can be found on page eleven (11).
2. All district collective bargaining agreements allow the employee to request and have present union representative for conferences. It is the employee's responsibility to both request, and arrange for, union representation.
3. A letter must go out confirming the conference and informing the employee that he/she has been verbally warned regarding punctuality and early departures. A sample of the confirmation of conference letter can be found on page twelve (12).

PHASE II. -- WRITTEN WARNING.

1. **Five (5) late arrivals and/or early departures** within a fiscal year, the location administrator shall issue a written warning to the employee.

2. The letter should include specifics, such as dates and confirmation of the Phase I AIP counseling/verbal warning. A sample of the letter to the employee may be found on page thirteen (13).

PHASE III -- REQUEST DISCIPLINARY ACTION.

1. **Seven (7) late arrivals and/or early departures** within a fiscal year, the location administrator may request disciplinary action.
2. A sample of the letter to the employee may be found on page fifteen (15).

II. ADMINISTRATOR'S/SUPERVISOR'S RESPONSIBILITIES WHEN AN EMPLOYEE HAS RECEIVED PRIOR DISCIPLINE.

When an Employee has received prior discipline, it is not necessary to start from the beginning of the discipline process. There are only two (2) phases to this process: 1.) Issue a Letter of Warning 2.) Request Disciplinary Action.

A. CHRONIC/EXCESSIVE ABSENTEEISM

PHASE I -- ISSUE WRITTEN WARNING.

1. If the employee's attendance pattern does not improve (meaning he/she continues to be absent) issue a warning letter. Refer to page eighteen (18) for a sample letter. At this point, it is recommended that you meet with the employee to advise him/her that if improvement is not made, more harsh disciplinary action will be taken.

PHASE II -- REQUEST DISCIPLINARY ACTION.

1. If the employee's sub-standard attendance pattern continues, the location administrator may request disciplinary action.
2. A sample of the letter to be issued to the employee may be found on page fourteen (14).

3. Requests for disciplinary action must be forwarded to the Office of Labor/Employee Relations. Form(s) may be requested from the Office of Labor/Employee Relations (973-733-8957).

B. CHRONIC/EXCESSIVE LATENESS (TARDY)/EARLY DEPARTURES

PHASE I -- ISSUE WRITTEN WARNING.

1. If the employee's punctuality does not improve (meaning he/she continues to arrive to work late and/or leaves early) issue a warning letter. Refer to page eighteen (18) for a sample letter. At this point, it is recommended that you meet with the employee to advise him/her that if improvement is not made, more harsh disciplinary action will be taken.

PHASE II -- REQUEST DISCIPLINARY ACTION.

1. If the employee's sub-standard attendance pattern continues, the location administrator may request disciplinary action.
2. A sample of the letter to be issued to the employee may be found on page eighteen (18).
3. Requests for disciplinary action must be forwarded to the Office of Labor/Employee Relations. Form(s) may be requested from the Office of Labor/Employee Relations (973-733-8957).

Sample Letter
Five (5) or Six (6) Absences
Or
Three (3) Tardies/Early Departures

Date

Employee Name
Address

ID #
Title

Re: AIP Conference

Dear:

It has come to my attention that your number of occasional absences or number of tardies/early departures now stands at _____ days.

You are requested to appear in my office on _____ at _____ for a conference to discuss your absences and the state standard.

Sincerely,

c: Labor/Employee Relations
Assistant Superintendent Office
Union (insert appropriate union)

Sample Letter
Letter Confirming Conference/Verbal Warning

Date

Employee Name
Address

ID #
Title

Re: Confirmation of AIP Conference/Verbal Warning

Dear:

This letter serves to confirm a meeting I held with you at [Place and time] to discuss [state what the meeting was for, i.e., to discuss your attendance, tardiness/ early departure, performance etc]. Present at this meeting was/were [names and titles of persons present at this meeting].

[Optional - Add any issues or questions raised by employee and responses during this meeting].]

Please be advised that failure to improve your pattern of attendance will result in more harsh disciplinary action being taken.

Sincerely,

c: Labor/Employee Relations
Assistant Superintendent Office
Union (insert appropriate union)

Sample Letter – Written Warning
Nine (9) or more / Eleven (11) or more Absences
Or
Five (5) or more Tardies/Early Departures

Date

Employee Name
Address

ID #
Title

Re: Warning Letter --Absenteeism

Dear:

I have notified you by a previous letter dated _____ of the number of days [times] you have been absent [tardy/deperted early] from your work assignment.

Please be advised that as of this date your occasional absences [tardiness/early departures] now total ____ or more days. You are presently at or have exceeded the state standard.

During a conference held on _____ you were provided with information regarding your absences [tardiness/early departures]and advised that the Newark Public Schools considers any substantial number of occasional absences [tardies/early departures] a serious matter. This conference was confirmed via letter dated _____.

You are hereby warned that continued absenteeism [tardiness/early departures] will result in further disciplinary action being taken against you.

If you desire to discuss this matter, please contact me to arrange an appointment.

Sincerely,

c: Labor/ Employee Relations
Assistant Superintendent Office
Union (insert appropriate union)

Sample Letter – Request for Disciplinary Action
Eighteen (18) or more absences

Date

Employee Name
Street
Address

ID #
Title

Re: Absenteeism/Request for Disciplinary Action

Dear:

It has come to my attention that your number of absences now totals _____ or more days.

You were advised previously in a conference held on _____ and by letter(s) dated _____ that the Newark Public Schools considers any substantial number of occasional absences a serious matter.

Please be advised that the Newark Public Schools reserves the right to take action against you as a result of your attendance. Action may include, but not limited to: tenure charges, disciplinary action, loss of increment and/or salary increase, or separation from employment.

Due to your failure to improve this behavior, this correspondence is being forwarded to the appropriate department for disciplinary action.

Sincerely,

c: Labor/Employee Relations
Assistant Superintendent Office
Union (insert appropriate union)

Sample Letter – Request for Disciplinary Action
Seven (7) or more Tardies /Early Departures

Date

Employee Name
Street
Address

ID #
Title

Re: Tardies/Early Departures - Request for Disciplinary Action

Dear:

It has come to my attention that your number of tardies/early departures now totals _____ or more hours.

You were advised previously in a conference held on _____ and by letter (s) dated _____ that the Newark Public Schools considers any substantial number of tardies/early departures a serious matter.

Please be advised that the Newark Public Schools reserves the right to take action against you as a result of your attendance. Action may include, but not limited to: tenure charges, disciplinary action, loss of increment and/or salary increase, or separation from employment.

Due to your failure to improve this behavior, this correspondence is being forwarded to the appropriate department for disciplinary action.

Sincerely,

c: Labor/Employee Relations
Assistant Superintendent Office
Union (insert appropriate union)

**Sample Letter
AWOL**

Date

Employee Name
Street
Address

ID #
Title

Re: AWOL Violation(s)

Dear:

On _____, you were absent from your assigned duties without calling this location and your immediate supervisor to report your absence. This letter constitutes a reprimand and shall serve to notify you that you will be docked one day's pay for this absence.

Repeated failure to report your absence according to contractual provisions and administrative rules will result in more severe disciplinary action up to and including loss of increment/reduction in salary and/or separation from employment with the Newark Public Schools.

If you desire to discuss this matter, please contact me to arrange an appointment.

Sincerely,

c: Labor/Employee Relations
Assistant Superintendent Office
Union (insert appropriate union)

**Sample Letter
AWOL – Request for Discipline**

Date

Employee Name
Street
Address

ID #
Title

Re: Disciplinary Action

Dear:

On _____, you were absent from your assigned duties without calling this location or your immediate supervisor to report your absence. This infraction was confirmed via letter of reprimand on _____. At that time, you were warned that repetitive behavior would warrant discipline.

On _____, you were again absent for your assigned duties without authorization and notification.

Due to your failure to comply with the rules established in your contractual provisions and administrative regulations, this correspondence is being forwarded to the appropriate authority for disciplinary action.

If you desire to discuss this matter, please contact me to arrange an appointment.

Sincerely,

c: Labor/Employee Relations
Assistant Superintendent Office
Union (insert appropriate union)

Sample Letter

Memorandum To:

From:

Date:

**Subject: Letter of Warning/Excessive Absenteeism/Excessive
 Tardiness and/or Excessive Early Departures**

TO BE USED WHEN EMPLOYEE HAS ALREADY BEEN DISCIPLINED

A review of your attendance record shows that you have been absent/late and/or left work early as follows:

[Provide specific dates] _____

_____ for

a total of _____ absences/late arrivals and/or early departures.

You were previously warned, counseled, and disciplined regarding your poor attendance pattern; however, you have not improved. Please be advised that continued absenteeism will result in a request for major disciplinary action.

If you desire to discuss this matter, please contact me at your earliest convenience.

c: Labor/Employee Relations
 Assistant Superintendent Office
 Union