
Leave-Related Misconduct

Leave-Related Misconduct may consist of an employee who is showing signs of excessive use of sick leave and/or emergency leave request, unplanned annual leave, frequent tardiness or suspected leave abuse.

Supervisors and employees should be aware of the various leave categories, especially as they relate to “entitlements” so that leave is being requested, and approved or disapproved appropriately. Having a basic understanding of the various leave programs, the do’s and don’ts, when to act, supervisory discretion, etc. may help resolve attendance issues early and can help ensure that actions taken are done properly and are supportable.

In dealing with attendance related issues a manager or supervisor should:

- Establish clear expectations for employees. Employees should know when leave must be requested in advance, procedures to follow to request leave, how to handle unscheduled leave requests, and that the responsibility for requesting and documenting leave is the employees. Creating an office policy or sharing expectations in a staff meeting are examples of communicating expectations to your employees.
- Inform employees as a group and individuals when necessary of general leave issues concerning scheduling vacations, use or lose procedures, call-in procedures, and contact information. Ensuring that employees are well informed may help prevent some leave issues.
- Be consistent when applying the rules and document when rules are not followed. Apply leave rules and policies consistently, while taking into consideration the different circumstances of each case. Employees in an office are very aware if one employee is being treated more or less leniently for leave requests. Inconsistent or negligent leave approval may affect employees’ morale and productivity. Document or keep a record of leave request and leave use. Document counseling sessions and concerns that you have addressed with employees. Documented concerns create a clear message to employees and put them on notice.
- Handle leave matters early. There are a wide range of useful tools that can be used in lieu of or in addition to disciplinary actions to assist in correcting attendance related problems. Some of these tools consist of:

Written Office Policy
Oral Counseling
Written counseling/caution/warning

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Letter of requirement
Training
Closer supervision
Employee Assistance Program

NOTE: Bargaining Unit employees covered by negotiated agreements may have special requirements involving some of the tools mentioned above. Refer to the Negotiated Agreement before taking any actions.

<u>RELATED TOPICS</u>	<u>REFERENCES</u>
Counseling employees Medical/disability issues Disciplinary actions – selecting the appropriate penalty Leave	5 CFR §752 http://www.opm.gov/oca/leave/Index.asp