

Clinical Attendance Policy

Responsible Oversight Executive: Executive Vice President of HSC

Date of Current Revision or Creation: July 1, 2024

A. PURPOSE

Attendance and punctuality are essential elements of a Clinical Employee's job performance. In order to ensure that Clinical Employees report to work as scheduled and keep excessive unscheduled absences and tardiness to a minimum, attendance and punctuality will be monitored, and disciplinary action taken, as necessary, in accordance with this policy.

B. AUTHORITY

[Code of Virginia Section 23.1-1301](#), as amended, grants authority to the [Board of Visitors](#) to make rules and policies concerning the institution. Section 7.01(a)(6) of the [Board of Visitors Bylaws](#) grants authority to the President to implement the policies and procedures of the Board relating to University operations.

[Virginia Department of Human Resource Management Policy 1.60 – Standards of Conduct](#)

C. DEFINITIONS

Administrative and Professional (AP) Faculty - Employees who perform work directly related to the management of the educational and general activities of the institution, department, or subdivision or whose professional positions serve the educational, research, athletic, medical, student affairs, and development functions or activities of the institution. For purposes of this policy AP Faculty shall be those employees who have administrative duties in support of EVMS Medical Group operations.

Administrative and Professional (AP) Medical Faculty - Employees who have administrative or professional duties directly related to the management or administration of, or patient care services in, a clinical care setting on behalf of EVMS Medical Group.

Classified Medical Staff - A salaried employee whose terms and conditions of employment are subject to the [Virginia Personnel Act, Code of Virginia Section 2.2-2900 et seq.](#), as amended, and who is employed in a classified position to perform administrative or patient care services in a clinical setting on behalf of EVMS Medical Group.

Clinical Employees - Employees who are classified as AP Faculty, AP Medical Faculty, TR Medical Faculty, Classified Medical Staff, and Wage Employees under this policy.

Health Sciences - The Macon & Joan Brock Virginia Health Sciences at Old Dominion University.

Occurrence - Any documented instance of unauthorized leave by a supervisor where a Clinical Employee was either absent or late for a scheduled shift.

Teaching and Research (TR) Medical Faculty - Employees who hold academic rank and whose work assignments primarily involve instruction, research, or scholarly activity for trainees in a clinical setting and/or the management or administration of, or patient care services in, a clinical setting and who have a faculty appointment in a department of the School of Medicine.

Wage Employee - A non-salaried employee who receives pay for hours worked and is not covered by the provisions of the Virginia Personnel Act. Wage Employees are sometimes referred to as hourly employees. Wage Employees have no guarantee of employment for a particular term or a particular daily or weekly work schedule; they serve at the will of the designated hiring official and may be terminated at any time. Wage Employees may have clinical duties or may have non-clinical administrative duties in support of EVMS Medical Group operations.

D. SCOPE

This policy applies to all Clinical Employees within the Macon & Joan Brock Virginia Health Sciences at Old Dominion University.

E. POLICY STATEMENT

This policy outlines the attendance and punctuality expectations for Clinical Employees and the resulting Occurrences for individuals who do not meet such requirements. This policy supplements the Standards of Conduct that apply to Classified Medical Staff.

F. PROCEDURES

1. Unauthorized Leave. For most employees, unscheduled absences such as personal or family illness are legitimate, occur infrequently, and present few problems. Excessive Occurrences of unscheduled absenteeism and tardiness, however, place a burden on other employees who must perform the duties of the chronically absent or late employee. Leave types listed below are considered unauthorized and shall be considered Occurrences as follows:
 - i. **Unauthorized absence = 1 Occurrence**. An unauthorized absence occurs when an employee misses more than four (4) hours of work within a regularly scheduled workday as a result of a call-in or leaving early due to illness or family illness. An unauthorized absence of consecutive days due to the same illness will be counted as the same Occurrence up to a maximum of five (5) days. Each unauthorized absence for illness after the 5th day may be counted as an individual Occurrence unless the employee is eligible and has been approved for leave under the [Family Medical Leave Act \(FMLA\)](#). For example, if an employee calls in sick on Monday, Tuesday, and Wednesday, this counts as one (1) Occurrence. If an employee calls in sick on Monday and reports back to work on Tuesday, this counts as one (1) Occurrence. If an employee calls in sick Monday, Wednesday, and Friday and works Tuesday and Thursday, this counts as three (3) Occurrences. Unauthorized absences of consecutive days for any reason other than illness will be counted as individual Occurrences. For example, if an employee calls in due to lack of transportation on Monday, Tuesday, and Wednesday, this counts as three (3) Occurrences.

- ii. **Tardy = .5 Occurrence.** An employee is considered tardy when he or she has an unauthorized, unapproved late arrival to work, is late from lunch, or is back late from a break, as determined by department policy and the time recorded on the Time and Attendance system in each department.
 - iii. **Unauthorized early departure = .5 Occurrence.** Leaving before the end of a scheduled shift or leaving for lunch early without having received prior approval is considered an early departure.
 - iv. **Failure to report for overtime =** If an employee is scheduled to work overtime and either fails to report or reports after the scheduled start time, an Occurrence will be charged as noted above.
 - v. **No-call/no-show = 7.5 Occurrences.** An employee is considered a no-call/no-show if he or she fails to report to work and fails to call in accordance with the department's call-in procedure. If there is no department-specific call-in procedure, employees who are not in approved leave status must provide notice to their direct supervisor via email or text message at least 30 minutes prior to their start time. A no-call/no-show will result in probation if no prior disciplinary action for attendance has been taken, regardless of the number of prior Occurrences. If an employee is involved in the disciplinary process for attendance and is considered a no-call/no-show, the next level of disciplinary action may include termination. Any no-call/no-show lasting three (3) days is considered job abandonment and will result in immediate termination of employment.
2. **Occurrence Calculations.** Occurrences are counted collectively (absences, tardies, and early departures combined) in a rolling six (6) month period (an approved leave status other than approved vacation will not count towards the rolling six (6) months) and shall result in disciplinary action as indicated below. Extenuating circumstances may be considered when determining discipline (for instance, the employee is in a serious accident or is hospitalized), and Health Sciences Human Resources reserves the right to combine or skip steps when the progressive discipline process, outlined in the chart below, has failed to remedy the unacceptable behavior and/or when there is evidence of a pattern for which multiple disciplinary actions have been taken within a one (1) year time frame. [Health Sciences Human Resources](#) must approve all disciplinary action before it is taken.

Number of Total Occurrences	Action
5.5	Verbal warning in accordance with Health Sciences Disciplinary Action and Termination policy.
6.5	Written warning in accordance with Disciplinary Action and Termination policy.
7.5 or No call/no show with no prior disciplinary action	90 Days Probation in accordance with Disciplinary Action and Termination policy
Greater than 7.5 or any future Occurrence while on probation	Termination in accordance with Disciplinary Action probation and Termination policy.

- 3. Exceptions.** The University recognizes the occasional need for Clinical Employees to be absent due to pre-scheduled medical appointments, authorized vacations, or certain other circumstances and offers various forms of leave benefits. Leave types listed below are considered authorized and shall not be included in any Occurrence calculation.
- a. Vacation leave must be approved in advance in accordance with ODU policy and will not be considered an Occurrence.
 - b. Sick leave for medical appointments or other foreseeable medical issues must be approved in advance by the department supervisor and taken in accordance with the ODU policy and will not be considered an Occurrence.
 - c. Late arrivals or early departures, when approved by the department supervisor in accordance with the department's policy, will not be considered an Occurrence.
 - d. Family and Medical Leave is authorized when taken in accordance with [University Policy #6050 - Family and Medical Leave Act](#) and will not be considered an Occurrence.
 - e. Military leave is authorized when taken in accordance with the [Virginia Department of Human Resource Management Policy #4.50 - Military Leave](#) policy and will not be considered an Occurrence.
 - f. Civil leave is authorized when taken in accordance with the [Virginia Department of Human Resource Management Policy #4.05 - Civil and Work Related Leave](#) and will not be considered an Occurrence.
 - g. Inclement Weather/Emergency Leave is authorized when the clinical practices are closed in accordance with [University Policy #1020 - Closure of the University Due to Inclement Weather & Emergencies](#) and will not be considered an Occurrence.

G. RECORDS RETENTION

Applicable records must be destroyed in compliance with the [Commonwealth's Records Retention and Disposition Schedules](#).

H. RELATED INFORMATION

[Virginia Department of Human Resource Management Policy #1.60 - Standards of Conduct](#)
[Virginia Department of Human Resource Management Policy #4.05 - Civil and Work-Related Leave](#)
[Virginia Department of Human Resource Management Policy #4.50 - Military Leave](#)
[University Policy #1020 - Closure of the University Due to Inclement Weather & Emergencies](#)
[University Policy #6050 - Family and Medical Leave Act](#)