

THE ROLE OF THE BUILDING REPRESENTATIVE AT ATTENDANCE AND LATENESS CONFERENCES

Before the meeting:

- Be prepared
- Know your contract
Look for relevant clauses
(Article XIV.A.B)
- Assess the seriousness of the meeting and determine which level of representation is necessary.
When to involve the Staffer.
- Meet with the member prior to going into the meeting. Get the facts of the case. What is the issue?
- Advise the member to answer the questions accurately, briefly.
Don't volunteer information at the conference.
- Caution the member that a benign meeting can escalate to one that may result in discipline. Explain Weingarten rights (The right to Union representation) and due process in conjunction with the contract. (Article XIV.A.4)
- The PFT contract insures 24 hours notice Article XIV.A.5 (except in an emergency) and the member must be given a written notice containing the subject of the conference and the right to union representation. The employee must request union representation.
- The member has a right to choose a representative in accordance with the contract (Article XIV.A.6).

During the meeting with administration:

- Remember that you represent the member.
- You have the right to speak on behalf of the member.
- Do your best to keep the member calm and in control.

- Keep an accurate record. The power of pen and paper is very important for use in future conferences and possible grievances or arbitrations.
- *Take detailed notes regarding questions and answers.
- **Keep an individual file on each employee you represent and retain all pertinent documents. Send a copy of these documents to the Staffer.
- You have the right to ask for clarification of questions. Do not permit "fishing expeditions".
- Do not permit the administrator to be intimidating. Remember, by contract, the member has rights and you are the legitimate union representative. Be respectful but be firm.
- You can caucus with the member during the conference if a problem arises.
- Use good judgment.

The issue - Computer Generated Attendance Policy (3, 5, 7, 9)
 RE: Attendance and/or Lateness

- Ask to see the member's SEH-90 (Employee calendar) See attachment.
- Look for patterns of absence
 - Before or after holidays
 - Mondays or Fridays
- codes that trigger and count toward disciplinary action.
 - 04 - personal illness
 - 31 - illness in the family
 - 61 - unapproved absence without pay
 (Five (5) days of F-61 coding is considered to be job abandonment and grounds for termination)

- Counting occasions or instances of absence.
Continuous days of absence are counted as one (1) occasion of absence.

(Over three (3) days of personal instance require a note from a doctor).
- Personal leave cannot be counted against the member in the discipline process.
- Sporadic absences trigger the 3, 5, 7, 9 process.
- The Family Medical Leave Act can protect the member against further disciplinary action process if a proper written application with medical documentation is made to Ms. Carol Kenney at the Office of Health Services. This is particularly helpful in cases of personal illness and illness in the family.
- Under School District Policy, if the employee has more than two (2) years as an appointed employee, he/she is entitled to thirty (30) days leave for illness in the family at half salary during one (1) school year. In addition, the employee is entitled to up to a full year without pay including the first thirty (30) days. Approval is necessary.
- Workers' Compensation Leave (F-78 - job related injury or F-79 - job related injury as result of an assault) cannot be used in the discipline process.
- The Americans with Disabilities Act Application for a 504 Accommodation must be made to **Executive Director of Employee Relations** in cases where a member can be accommodated and assisted by the employer to do every day job related duties.
- What to say to a member when he/she insists that they have every right to ten (10) days of absences noted in the Public School Code.

Arbitrators have ruled that the Employer has every right to expect the Employee to come to work and be on time.

- Latenesses are difficult to defend. The member should be made to understand, if not accept this fact. Do the best you can with this kind of case.
- Be sure to request that the summary of the conference be retained in the school (In June it can be removed from the Principal's file as per the Kramer Arbitration) after the meeting.
- When the conference ends, be sure to always escort the member out of the office.
- Review the meeting. Gauge the member's response and discuss the need for any further action.

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