



Attendance and Work Schedule

(HC1)

POLICY STATEMENT

The New Orleans Regional Transit Authority (RTA) considers punctual and regular attendance an essential responsibility for all employees. RTA requires that employees work in accordance with their approved work schedule: showing upon time; being ready for work; and completing the workday as scheduled. Those who are regularly or excessively absent, tardy, extend breaks or leave early may be subject to progressive discipline, up to and including termination. This policy provides a viable, flexible work option when both the employee and the job are suited to such an arrangement. This policy is intended to address attendance, regular and occasional telecommuting arrangements, alternative work schedules, flexible work schedules, and alternative worksites. Work schedule Policies allows employees to work from home, on the road, at an alternative worksite or in a satellite location for all or part of their workweek.

PURPOSE

This policy may be appropriate for some employees and jobs but not for others. This policy is not an entitlement, it is not an agency-wide benefit, and it in no way changes the terms and conditions of employment with RTA. This policy will only be permitted with approval of the Department Head (Chief or Deputy CEO), in concurrence with the Chief Human Resources Officer and the CEO.

APPLICATION

This policy applies to all RTA employees, vendors, and contractors while on RTA property, or when performing business with, or providing service for RTA. If a conflict occurs between this policy and a collective bargaining agreement (CBA), the CBA will prevail.

ADOPTED BY:

The RTA Board of Commissioners on 02/23/2021, Resolution 21-007

APPROVED BY:

A handwritten signature in blue ink, appearing to read "Alex Z. Wiggins", is written over a horizontal line.

Alex Z. Wiggins
Chief Executive Officer

Effective Date: 2/23/2021
Date of Last Review: 2/23/2021

1.0 GENERAL

SCOPE AND PROCEDURES

The Work Schedule Policy could potentially assist with recruiting where there is a talent shortage in some locations, improve employee effectiveness, productivity, and morale, reduces absenteeism, and improves air quality and reduces traffic congestion.

In addition, RTA encourages all managers and supervisors to think creatively about how to support their employees in caring for their health and well-being and reducing the risk of exposure to a widespread occurrence of an infectious disease or any incident that may cause harm to an employee or natural disaster.

The definition of the Attendance and Work Schedule Policy does not include any work done while on official travel or work that is approved on a case-by-case basis (i.e. for inclement weather or doctor's appointments). An employee's salary, benefits, and job responsibilities will not change when participating in the Attendance and Work Schedule Policy. All RTA policies and procedures will continue to apply to anyone participating in the Attendance and Work Schedule Policy.

All employees participating in this policy will be on a trial basis for the first three months and may be discontinued at will and at any time at the request of either the employee or RTA. Every effort will be made to provide a two-week notice of such arrangements to accommodate commuting, childcare and other issues that may arise from the termination of the work schedule arrangement. There may be instances, however, when no notice is possible.

The provisions of this rule apply to regularly appointed employees. For regularly appointed employees who are represented under the terms of a collective bargaining agreement, this rule prevails except where it conflicts with the collective bargaining agreement, any memoranda of agreement or understanding signed pursuant to the collective bargaining agreement, or any recognized and established practice relative to the members of the bargaining unit.

This rule does not apply to individuals who are employed under the terms of a grant that includes employment provisions that conflict with this rule. This rule does not apply to individuals hired on a temporary, intermittent, or seasonal basis, or for a work schedule of fewer than 20 hours per week, nor does it apply to individuals hired under contract.

RTA divides absences into two categories: excused and unexcused.

Excused Absences or Tardiness

RTA will not penalize employees for tardiness or leaving early due to an emergency. Employees who are unexpectedly affected by illness, emergency, or a sudden and urgent situation should notify their supervisor at least one half hour before their scheduled workday, or as soon as possible. Those who have scheduled an upcoming absence, or know they will be absent should notify their supervisor as soon as possible, obtaining approval when necessary.

- Excused absences consist of the following:
- Approved RTA-related training, seminars, or conferences;
- Approved Paid Time Off (PTO);
- Approved Paid Sick Time (PST)
- Approved Family Medical Leave and Pregnancy Disability Leave;
- Approved Personal Leave;
- Approved Bereavement Leave;
- Jury duty and witness service;
- Absence resulting from an accident or industrial illness at work;
- Military training leave or other military "active duty" requirements; and
- Approved time off due to a religious observance.

Regularly Scheduled Absences/Appointments

If an employee requires a regularly scheduled absence or appointment for on-going medical treatment (e.g., prenatal care, chemotherapy, etc.), he/she must work with his/her supervisor to schedule appointments so as to minimize disruption of work. If an employee cannot schedule an appointment outside of work hours, he/she should schedule them at the beginning or end of the workday. The supervisor has the right to request that the employee reschedule appointments due to work needs. If these appointments interfere with work productivity, the supervisor may work with Human Capital to adjust the employee's assignment or work schedule.

Note: a supervisor may request that the employee provide a doctor's note or other proof of these scheduled appointments.

Unexcused Absences or Tardiness

Employees must notify their supervisor each day they are unable to report to work, as described above, if possible, unless they have provided a doctor's note about the anticipated length of illness. Supervisors may request a doctor's verification if an employee's unscheduled absence extends beyond three (3) working days; or for a period of less than three (3) days if the employee has had frequent incidents of illness.

If the tardiness extends beyond one half of the scheduled workday, it is considered an absence. However, any employee whose tardiness or leaving early is frequent, excessive, or unsubstantiated may be subject to disciplinary action up to and including termination. Employees may have their paychecks docked for tardy time.

Failure to Report an Absence

If an employee fails to notify his/her supervisor of an absence for three (3) consecutive working days, the employee will be considered to have abandoned his/her position and voluntarily resigned from RTA. (See the Termination of Employment (HC17))

Prior to termination of employment due to a failure to report an absence, the employee's supervisor will make reasonable attempts to contact the employee, and/or the employee's emergency contact. If unsuccessful in making contact, the supervisor will contact Human Capital for further instructions. This will allow the supervisor to determine whether an employee was incapacitated at the time of absence, and unable to call in due to a medical emergency.

Excessive Absences

RTA considers six (6) separate incidents of unexcused absences within any rolling 12-month period excessive. Supervisors must communicate clearly the standards for discipline to employees and apply them consistently.

If a supervisor believes that an employee's absences or tardiness may be caused by personal problems or substance abuse, he/she may refer the employee to the Employee Assistance Program. For more information, see the Drug and Alcohol Free Work Environment and/or the Employee Assistance Program policy, or contact Human Capital.

Disclose Felony Charges and/or Convictions

RTA employees are required to provide notification if they are charged with or convicted of a felony crime. Information about an employee's criminal activity helps RTA maintain a safe community and prevents placing individuals at risk of harm. A felony charge or conviction does not automatically disqualify an individual from employment.

Felonies are more serious crimes than misdemeanors and are often punishable by jail time, probation and fines. They include offenses such as

murder, child abuse, aggravated use of a weapon, criminal sexual conduct, identity theft and home invasion.

Individuals can disclose by contacting the Chief Human Resources Officer or designee. Once a felony is disclosed, the Chief Human Resources Officer will assess the information on a case-by-case basis using similar criteria as the current background screening process. This includes: the nature and gravity of the offense; the timeliness and accuracy of the disclosure; and the relevancy to the role held at RTA.

All RTA employees must disclose any felony charges and any felony convictions that occur while employed, appointed, otherwise engaged in RTA duties, associated with RTA or while during a period of approved leave. The disclosure must be made within one week of knowledge of the charge, within one week of the conviction, and if on an approved leave, within one week of returning to RTA.

Individuals disclosing a felony charges and/or convictions must provide truthful and accurate information and consent to a background check. Individuals who fail to disclose felony charges and convictions, and/or fail to provide accurate details regarding felony charges and convictions, or fail to consent to a background check will be subject to disciplinary actions up to and including termination. More expansive self-disclosure of criminal charges/convictions may be required of certain classes of individuals, including those who are subject to external licensing requirements (e.g. commercial vehicle operators, licensed technician, etc.)

2.0 DEFINITIONS

Absence - The failure of an employee to report for work according to his/her regular schedule.

- Excused - Approved time off using: RTA's "Leave" policies; Louisiana and federal leave statutes detailed in this policy's attachments, or similar; compensatory time off;
- Paid Time Off, or at the supervisor's discretion: unpaid time off (the employee must have depleted his/her PTO); or when an employee has any injury or sickness in or caused by the workplace. Prior notification, a doctor's note, or documentation of extenuating circumstances may be required.
- Unexcused - Any unapproved days off; or tardiness or early departure (if more than half the scheduled workday).

- Incident - An unscheduled absence of four or more consecutive scheduled work hours.
- Tardiness - Being late for work, or returning late from lunch or break so that it interferes with the job to be performed.

Telecommuting:

Working at a location other than the employee's customary work location, which may include the employee's home or at a site other than the employee unit's primary worksite.

Eligibility & Determination:

The determination of whether an employee is eligible to participate and will be approved for telecommuting, will be made in accordance with this policy and the department's business needs. The Department Head (Chief or Deputy CEO), in concurrence with the Chief Human Resources Officer and the CEO, is ultimately responsible for any decision to start or discontinue a telecommuting arrangement. Final approval and arrangements for situations covered by this policy are at the discretion of RTA.

Job Criteria:

Not all positions are suitable for telecommuting. Following a discussion with management and the employee, Human Resources will review the position description with the Department Head to determine the suitability of the position for telecommuting. Other factors that may be considered include, without limitation: potential impact on co-workers; whether the employee works with restricted data; financial, technological or other possible burdens to the department; and consistency with other telecommuting requests. More specifically, possible positions that would be considered are analysts, technical expertise positions, stand-alone performers, and positions that do not require departmental support or daily interactions with management and/or co-workers.

Telecommuting is not to be used as a substitute for leave for personal needs or dependent care including, but not limited to, childcare or elder care.

Schedules:

The Department Head or designee will determine the workload and approve the work schedule the employee will maintain. Telecommuters are expected to establish work practices that make working remotely as seamless as possible to co-workers and RTA management and vendors. Generally, employees who are telecommuting are expected to maintain the same schedule as if they were working in the office, and are expected to remain available by phone, email, and



applicable appropriate technology to management and co-workers while they are telecommuting.

Telecommuting employees who are not exempt from the overtime requirements of the Fair Labor Standards Act will be required to accurately record all hours worked. Hours worked in excess of those scheduled per day and per workweek require the advance approval of the telecommuter's supervisor. It is the responsibility of the supervisor to avoid contacting, or allowing co-workers or customers to contact the employee outside of his or her scheduled work hours. Work-related contact with the employee is compensable time whenever it occurs. Failure to comply with this requirement may result in the immediate termination of the telecommuting agreement.

Work Area:

The employee must establish an appropriate and safe work environment consistent with the guidelines outlined in the telecommuting agreement. RTA assumes no responsibility for the telecommuter's expenses related to heating, electricity, water, security, and insurance. In addition, RTA is not responsible for costs associated with the setup of the employee's home office, such as remodeling, furniture, or lighting, nor for repairs or modifications to the home office space.

Equipment:

Employees may choose to use their own equipment and software in order to perform work at home. RTA Information Technology (IT) department reserves the right to inspect the employee's home equipment for security purposes. Employees shall not be reimbursed for the use of their own equipment. If the employee chooses to use RTA's equipment, RTA's IT department will define and provide the specific tools required by the employee to perform their expected duties. This may include computer hardware and software, email, telephony, secure connectivity to RTA's applications and any other equipment deemed appropriate by IT.

The use of hardware, software, supplies and any other equipment provided by RTA for use at the remote location is limited to authorized persons for purposes related to RTA business. RTA will be responsible for the service and maintenance of RTA-owned equipment only.

The telecommuter must sign off on an inventory of all RTA property received and agree to take appropriate action to protect the items from damage or theft. The telecommuter must immediately notify RTA of any problems with any RTA property, including malfunction, damage, theft, etc. Upon termination of employment, all agency property will be returned to RTA, unless other arrangements have been made.



RTA will supply the employee with appropriate office supplies (pens, paper, etc.) as deemed necessary. RTA will also reimburse the employee for approved business-related expenses, such as phone calls and shipping costs that are reasonably incurred in carrying out the employee's job.

Security:

Telecommuters are expected to ensure that the expectations for information security are met in compliance with RTA's Information and Data Security Policy and that property is secured the way it is for employees working at the office. Equipment containing RTA's data should always be secured, never left in an unlocked vehicle or home office. Unnecessary printing of RTA's data should be avoided. Any printed data should be filed in locked cabinets, or shredded as necessary.

Safety:

Employees are expected to maintain their home workspace in a safe manner, free from safety hazards. Injuries sustained by the employee in a home office location and in conjunction with his or her regular work duties may be covered by workers' compensation. Telecommuting employees are responsible for notifying the employer of any injuries that occur in their home office in connection with his or her regular work duties as soon as practicable. The employee is liable for any injuries sustained by personal visitors to his or her home worksite.

Telecommuting is not designed to be a replacement for appropriate childcare. Although an individual employee's schedule may be modified to accommodate child care needs upon approval of HR and management, the focus of the arrangement must remain on job performance and meeting business demands. Prospective telecommuters are encouraged to discuss expectations of telecommuting with family members prior to entering a trial period.

Taxes:

Home office tax deductions are the ultimate responsibility of the employee to pay appropriate taxes as necessary related to their telecommuting employment. The employee shall be responsible for all home office deduction rules, transportation expenses, and other telecommuting-related expenses which have federal or state tax implications. RTA makes no representation about the employee's eligibility for tax deductions and strongly urges the telecommuter to seek the advice of a professional tax consultant. The employee shall also promptly notify RTA of any changes to the employee's home address.

Alternative Worksite:

Similar to telecommuting in all items above except the alternative worksite applies when employees cannot work at one of RTA's facilities because of damage to one of the facilities which causes that facility to be inoperable. These reasons can be

a natural disaster such as a hurricane, tornado, or fire, etc. Some employees will be able to work from home because of the reasons above. Other employees cannot and will be reassigned to an alternative worksite.

In regards to the alternative worksite, the employee must permit his or her supervisor, or a management representative access to the alternative worksite in order to perform routine inspections to ensure adequate health and safety conditions and a proper work environment are maintained.

The appointing authority shall determine and communicate the standards for safe and healthful working conditions required for the work being performed by the employee. The employee shall be responsible for establishing and maintaining these safe and healthful working conditions at the alternative worksite.

The appointing authority shall determine the frequency with which the alternative worksite may be inspected and shall provide a minimum of 24 hours' notice before such inspections. The appointing authority may perform a safety assessment that ensures that the alternative worksite meets Occupational Safety and Health Administration guidelines as well as provides adequate lighting and physical space requirements, fire protection, and reasonable security for city equipment and/or data.

Flexible Work Schedules:

Flex time allow employees to begin and end work at nonstandard times within limits set by management.

Examples (may be modified according to the needs of the department)

- Staggered hours within a fixed schedule: Employee and Manager establish start and end times that differ from the department's norm, but keep the same schedule each day (e.g., Monday-Friday, (9:30a - 6p) or (7a - 3:30p).
- Core hours within a variable schedule: Employees must be present during specified core hours determined by the supervisor/manager, but may adjust their arrival and departure times each day (e.g., set coverage 10a-2p every day, but the other four and a half hours per day vary). It is expected that the employee will work a set number of hours each week.
- Variable day: Employees may work a consistent schedule of a different number of hours each day as long as they achieve the expected number of hours within the week (e.g., Monday, Wednesday ten hours; Tuesday, Friday eight hours; Thursday six and a half hours).

- **Mid-Day Flextime:** Employees may take a longer scheduled break than usual if they make up the extra time by starting work earlier or staying later (e.g., work 8a-12p; break 12p-2p; work 2p - 6:30p)

Flexible schedule proposals need to address:

- How customer service will be maintained
- How effective channels of communication will be established
- How work hours will be tracked
- How will success be measured?

Alternative Work Schedules or Compressed workweek: Any schedule which allows a full-time employee to work a 40-hour workweek in less than five days.

Examples (may be modified according to the needs of the department)

Five-Forty (5/40)

Employees on a 5/40 schedule work five days at eight hours a day in a workweek. The workweek commences at 12:01 a.m. Sunday and ends at 12:00 midnight Saturday.

Four-Forty (4/40)

Employees on a 4/40 schedule work four days at ten hours per day in a workweek. The workweek commences at 12:01 am. Sunday and ends at 12:00 midnight Saturday.

Nine-Eighty (9/80)

Employees on a 9/80 schedule will work eight days at nine hours per day, and one day at eight hours per day, equaling 80 hours each pay period.

Below are examples of 9/80 work schedule start and end times.

Start Time End Time

6:00 am 3:30 pm

7:00 am 4:30 pm

8:00 am 5:30 pm

9:00 am 6:30 pm

Day-to-day flexibility in arrival and departure time is at the discretion of the department management, and will be based on business necessity.

Supervisors whose departments operate 7 days a week, 24 hours a day may assign employees to specific work days and hours. All employees working in such departments must: work the hours assigned subject to operational needs of RTA; and work additional hours as RTA may reasonably request.

Flex Days

Employees on a 4/40 work schedule, will have three consecutive days off per week. Employees on a 9/80 work schedule may flex one day per pay period. Employees may choose either a Monday or Friday as their flex day. Any changes to this schedule require management approval.

Flex days may not be accumulated or carried over to another pay period.

A flex day may be canceled at any time to meet a business necessity. Employees must report to work as needed.

Compressed work week proposals need to address:

- How customer service will be maintained
- How to coordinate schedules
- How effective channels of communication will be established
- For non-exempt staff, the need to be careful not to incur overtime
- How will success be measured?

Management and Supervision:

Managers are responsible for managing the Work Schedule Policy arrangement and work product with the employee. Management must ensure that departmental needs are met and all work is accomplished at or above existing levels absent the Work Schedule Policy arrangement. Managers shall maintain regular and necessary communications with the employee, and include the employee as appropriate in meetings and other interactions.

Evaluation and Discontinuation:

Evaluation of the Work Schedule Policy during the trial period will include regular interaction by phone, e-mail, and/or appropriate technology between the employee and the manager, and routine face-to-face meetings to discuss work progress and problems. At the end of the trial period, the employee and manager will each complete an evaluation of the arrangement and make recommendations for continuance or modifications. This evaluation will be sent to Human Resources for filing in the employee's personnel file. The Manager will continue to evaluate the arrangement. Evaluation of the employee's performance beyond the trial period will be consistent with that received by employees working at the office in both content and frequency but, if appropriate, will focus on work output and completion of objectives rather than on time-based performance.

An appropriate level of communication between the employee and manager will be agreed to as part of the discussion process and will be more formal during the trial period. After conclusion of the trial period, the manager and employee will

communicate at a level consistent with employees working at the office or in a manner and frequency that is appropriate for the job and the individuals involved.

Going forward, all Work Schedule Policy arrangements will be periodically assessed for their effectiveness. They will be reviewed for renewal on an annual basis. RTA has the right to terminate the arrangement at any time at the discretion of RTA management.

Where practicable, employees will be given a two-week notice regarding the termination of the agreement, so all arrangements may be appropriately concluded.

2.0 ENFORCEMENT

Any employee found to have violated this policy may be subject to disciplinary action, up to and including termination of employment.

3.0 RESPONSIBILITIES

Employees are responsible for their own good attendance and punctuality. If it is necessary for an employee to be tardy or absent, he/she must comply with the guidelines established for this policy.

Supervisors are responsible for setting all standards of punctuality for the department, and applying them consistently to all employees, setting work schedules with employees in accordance with RTA standards for flexible work weeks and/or flexible starting times; working with employees to address problems of attendance or punctuality.

4.0 FLOWCHART

N/A

5.0 REFERENCES

- Employee Code of Conduct
- Family Medical Leave (HC26)
- Bereavement (HC29)
- Jury Duty (HC30)
- Military Leave (HC7)
- Pregnancy Disability Leave (HC12)
- Progressive Discipline (HC25)
- Termination of Employment (HC17)
- Drug and Alcohol Free Workplace (SAF1)
- Employee Assistance Program (HC24)
- Reasonable Accommodation (HC25)
- Paid Time Off (HC20)



6.0 ATTACHMENTS

N/A

7.0 PROCEDURE HISTORY

12/15/2020 Interim Board approval granted

12/11/2020 Interim Executive Committee approval granted

2/4/2021 Final Executive Committee approval granted

2/23/2021 Final Board approval granted

8.0 SPONSOR DEPARTMENT

Human Capital