

San Francisco District Manager



August 20, 2007

*8/21/07 HOT for Directs
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8/21/07 KR

**POSTMASTERS, MANAGERS, and SUPERVISORS
SAN FRANCISCO PERFORMANCE CLUSTER**

SUBJECT: AWOL/Unauthorized Extended Absences

It has been noted that a process to address employees who fail to meet notification or documentation requirements while on unauthorized extended absences is needed. The lack of a consistent policy causes operational disruption and uncertainty regarding the employee's intent to return to duty. Supervisors have taken differing approaches towards addressing this issue which has caused inconsistent results. This policy will appropriately address employees on LWOP in excess of 365 days.

In order to provide a more systematic and consistent process in addressing employees who fail to meet notification or documentation requirements while on unauthorized extended absences, a standardized approach to this issue has been developed.

Attached is a standardized process for dealing with an unauthorized extended absence, including sample return to duty instructional letters. Utilization of the actions described in these attachments should result in a consistent and effective method of addressing these types of absences.

If you have any questions about these issues, please contact Manager of Labor Relations at 550-5510.

Winifred G. Groux
Winifred G. Groux

cc: District Manager, HR
District Manager, LR

Attachments: Flow Chart, Sample Letters 1 & 2

U.S. POSTAL SERVICE
SAN FRANCISCO, CA 94148-5000
Phone: (415) 550-1601
Fax: (415) 550-5327

EMPLOYEE ABSENCE FLOW CHART NO CALL/NO SHOW

Day 1... Employee does not report for duty and does not call:

- Check vacation board & leave slips... on scheduled leave?
- Check with other supervisors... knows where the employee might be?
- Call employee at home 60 minutes after reporting time... where are you?
- Leave message... call supervisor ASAP! (document the instruction).
- Ask co-workers, emergency contact, or unions... know where employee is?
- Repeat call before end of tour if no message was left previously (no answering machine or voice mail).

Day 2... Still no call/no show:

- Call employee again.
- Leave message... call supervisor ASAP! (document instruction).

No show/no call continues after day 2:

- Contact Labor Relations
- Wait 5 calendar days... If employee still has not called or returned to duty, send letter (Sample Letter #1) by Certified and Delivery Confirmation... "Report to work or call supervisor immediately and/or provide acceptable reason (documented) to substantiate absence (within 3 days of receipt of letter) or action may be taken to remove you from the Postal Service."

Still no call/no show after 3 days of receipt of first letter:

- Send second letter (Sample Letter #2) by Certified and Delivery Confirmation scheduling an investigative interview within 3 days of receipt of first letter... explain reasons for investigative interview (AWOL status)... also provide final warning to employee... If you don't report to work immediately, or if you don't report for the investigative interview, action may be taken to remove you from the Postal Service."

Still no call/no show and no response to correspondence (3 days after receipt of second letter):

- Request removal

Note: Use same basic procedures if the employee has a continuing absence but calls in regularly. Instruct the employee to report for duty immediately or provide acceptable medical documentation (if illness or injury is reason for absence) to substantiate absence. Use same basic timelines for receipt of documentation (allow additional "reasonable" amount of time if employee has difficulty getting a medical appointment)...if documentation is not received in a timely manner, send the same type of notification letters, informing employee they are in an AWOL status and warning them they may be removed for AWOL (due to failure to provide documentation... ELM 513.365). Call Labor Relations for assistance.



Sample Letter #1

(Insert Today's Date)

(Insert Employee's Name)
(Insert Employee's Address)
(Insert Employee's City, State, and Zip Code)

Certified #: Delivery Confirmation #:
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SUBJECT: Absence Without Leave

A review of Postal Service records indicates you have been absent from your official duties since (Insert Date). To date, you have failed to provide acceptable documentation to justify your continued absence. You have also failed to follow leave requesting procedures by not calling in to notify your supervisor you would be unable to report for duty.

In light of the foregoing, you have been considered Absent Without Leave (AWOL) since (Insert Date). AWOL is always considered a serious offense that cannot and will not be tolerated.

Immediately upon receipt of this letter you are directed to contact me at (Insert Number) to discuss your duty status. Additionally, within three (3) days of your receipt of this letter, you are directed to provide me with acceptable evidence of your inability to report for duty as scheduled and the anticipated duration of your absence from duty.

If your absence is related to illness or injury, you are directed within three (3) days of your receipt of this letter to provide me with acceptable medical documentation of your incapacity for duty in accordance with Section 513.36 of the Employee and Labor Relations Manual (ELM). That section of the ELM requires that for absences in excess of 3 days, employees are required to submit documentation or other acceptable evidence of incapacity for work. Such documentation should be furnished by the employee's attending physician or other attending practitioner. The documentation should provide an explanation of the nature of the employee's illness or injury sufficient to indicate to management that the employee was (or will be) unable to perform his or her normal duties for the period of absence. Normally, medical statements such as "under my care" or "received treatment" are not acceptable evidence of incapacitation to perform duties.

Your failure to follow each of the directives set forth in this letter may result in your removal from the Postal Service.

If you intend to claim your absence from duty has been due to illness, injury, or is protected under the Family Medical Leave Act, and/or you will be returning to duty at some future date, the following information is applicable to you:

Enclosed you will find a Publication 71 and a Form WH-380. The WH-380 should be completed by your health care provider and returned to the Postal Service if you believe you were unable to report for duty for reasons covered under the Family Medical Leave Act (FMLA).

Section 865.1 of the Employee and Labor Relations Manual states that a return-to-work clearance "may be required for absences due to an illness, injury, outpatient medical procedure (surgical), or hospitalization when management has a reasonable belief, based upon reliable and objective information, that:

- a. The employee may not be able to perform the essential functions of his/her position, or
- b. The employee may pose a direct threat to the health or safety of him/herself or others due to that medical condition."

And...

Section 865.4 states that, "All medical certifications must be detailed medical documentation and not simply a statement that an employee may return to work. There must be sufficient information to make a determination that the employee can perform the essential functions of his/her job, and do so without posing a hazard to self or others. In addition, the documentation must note whether there are any medical restrictions or limitations on the employee's ability to perform his/her job, and any symptoms that could create a job hazard for the employee or other employees. The occupational health nurse administrator, occupational health nurse, or the Postal Service's physician evaluates the medical report and, when required, assists placing employees in jobs where they can perform effectively and safely."

Your failure to provide the medical report prior to your scheduled return to duty may result in your return being delayed because the report must be reviewed by a medical officer or contract physician prior to your actual return to duty.

If you have any questions or need additional information, please contact me at (Insert Phone Number).

(Insert Supervisors Name)

Attachments (Pub 71, Form WH-380)

cc: Postmaster (insert Office)
MLR/LRS
Medical Unit
File



Sample Letter #2

(Insert Today's Date)

(Insert Employee's Name)
(Insert Employee's Address)
(Insert Employees City, State, and Zip Code)

Certified #: Delivery Confirmation #:
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SUBJECT: Absence Without Leave / Investigative Interview

A review of Postal Service records indicates you have been absent from your official duties since (Insert Date). To date, you have failed to provide acceptable documentation to justify your continued absence. You have also failed to follow leave requesting procedures by not calling in to notify your supervisor you would be unable to report for duty.

In light of the foregoing, you have been considered Absent Without Leave (AWOL) since (Insert Date). AWOL is always considered a serious offense that cannot and will not be tolerated.

In addition, you were notified in a letter dated (insert date) that you must immediately contact me to inform me of your duty status. You were also directed to provide me within three (3) days of your receipt of that letter, acceptable documentation to substantiate your absence. As of this date, you have not responded to this letter and have remained in an AWOL status.

You are hereby directed to report for an investigative interview to discuss your AWOL status on (insert date and time) at (insert address). If you desire Union representation, please contact your Union steward. A failure to attend this investigative interview and/or a failure to immediately return to duty may result in your removal from the Postal Service.

If you have any questions or need additional information, please contact me at (Insert Phone Number).

(Insert Supervisors Name)

cc: Postmaster (Insert Office)
LRS
File