


Work Schedules, Attendance and Punctuality

	Louisiana Department of Health (LDH)	
	Policy Number	125.1
	Content	Rules governing work schedules, attendance and punctuality for LDH classified employees, supervisors and managers
	Effective Date	March 21, 2019
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If there is a discrepancy between an LDH Policy and a Program Office or facility policy, the LDH policy shall govern/override/supersede the conflicting section within the Program Office or facility policy.

I. POLICY STATEMENT

Timely and regular attendance is an expectation of performance for all LDH employees. To ensure adequate staffing, positive employee morale, and to meet expected work standards throughout LDH, employees are held accountable for adhering to their workplace schedules.

Each employee shall have a regular work schedule assigned by the employee’s appointing authority or designee. Employees may request work schedule changes to be considered by the appointing authority who must take into account staffing needs, supervision, workload, work flow, work quality and accomplishment of the agency’s mission when considering such requests. The appointing authority or designee may rescind work schedule changes at any time.

Work schedule changes are NOT rights to which employees are entitled, but privileges which may be granted to employees at the discretion of the appointing authority or designee.

In reporting and certifying accurate attendance records, LDH will comply with Civil Service Rule 15.2 (Certification of Payroll and Attendance) and all other regulations regarding time and attendance. Civil Service Rule 15.2 states the following: “The appointing authority or his agent designated for this purpose shall certify on each payroll or subsidiary documents the fact of the actual rendering of service in the position, the actual number of hours of attendance on duty, and the number of hours of absence from duty. Each employee shall certify also the fact of the actual rendering of service, the number of hours of attendance on duty and the number of hours of absence from duty.” The procedures for certifying attendance are contained in LDH Policy #77 – Time Administration and Time Entry.

“Appointing Authority” means an officer or employee authorized by statute or by lawfully delegated authority to make appointments to positions in the State Service.

II. APPLICABILITY

This policy applies to all appointing authorities (both statutory and delegated) and to all classified employees, supervisors and managers of LDH.

LDH 24-hour facilities shall promulgate procedures that apply to their classified employees.

The Governor customarily issues an Executive Order to provide leave policies that are applicable to unclassified employees and appointees.

III. RESPONSIBILITIES

A. Employees

Employees are responsible for adhering to their assigned work schedules and complying with the attendance rules outlined in this policy.

B. Supervisors

Supervisors are held strictly accountable for implementing a productive work schedule for each employee they supervise and monitoring all aspects of their employees’ attendance and punctuality. They must ensure that each employee under their supervision is made aware of the attendance procedures and the consequences of non-compliance. Supervisors are required to address attendance problems promptly and effectively and should obtain assistance from the Human Resources office and Bureau of Legal Services when addressing attendance problems. Supervisors are also accountable for ensuring that time and attendance is recorded accurately in LaGov

HCM (computer-based integrated Human Resources/Payroll system). Any supervisor who fails to adequately monitor his/her employees' attendance shall be subject to disciplinary action up to and including dismissal from employment.

C. Appointing Authorities

Appointing authorities are responsible for ensuring that each employee under his/her jurisdiction has an assigned work schedule that is well documented. Appointing authorities shall ensure that instances of non-compliance with this policy are reported to the Human Resources office and the Bureau of Legal Services. Appointing authorities are also responsible for fulfilling the supervisory responsibilities contained in Section III. B of this policy for employees who report directly to them.

IV. WORK SCHEDULES

A. Assigned work schedules - Each full-time and part-time employee in leave-earning status shall be assigned a regular work schedule (specific days and hours to be worked) by his/her appointing authority or designee. Employees may request a change in their work schedules, the approval of which is entirely at the discretion of the appointing authority or designee.

B. Work Schedule Form (HR-13)

The appointing authority or his/her designee shall ensure that a Work Schedule Form (HR-13) is completed for and/or by each employee who is assigned a regular work schedule. An employee who is requesting a change in his/her work schedule shall use the Work Schedule Form (HR-13) to request such a change and the appointing authority or designee shall record his/her approval or disapproval on the form. Each employee shall be given a copy of his/her current Work Schedule Form (HR-13) and a copy of each employee's current HR-13 shall be kept on file by the unit's Time Administrator for audit purposes. A copy of the HR-13 shall also be submitted to Human Resources for entry into LaGov HCM (computer-based integrated Human Resources/Payroll system).

Note: The HR-13 may also be used to record the usual work schedules of employees in non-leave-earning status.

C. Available work schedules:

1. Five 8-Hour Days M-F Schedule: Employees work 5 eight-hour workdays Monday through Friday for a total of forty hours per week.
 2. 4-10 Schedule: Employees work four 10-hour days for a total of forty hours per week. The day off must be the same day each week.
 3. 9-4 Schedule: Employees work four 9-hour days, plus one 4-hour day for a total of forty hours per week. The 4-hour day must be the same day each week.
 4. Other work schedules may be considered in order to best meet the needs of LDH, provided that the work schedules comply with the Fair Labor Standards Act (FLSA). The FLSA requires that non-exempt employees have a work schedule of forty hours in a seven-day work week (Monday through Sunday).
- D. Office hours – At a minimum, all offices shall be open and adequately staffed between 8:00am and 4:30pm Monday through Friday.
- E. Leave - Leave will be handled in the following manner: If an employee takes off a day on which he/she is scheduled to work four (4) hours, eight (8) hours, nine (9) hours, or ten (10) hours, he/she will take four (4), eight (8), nine (9), or ten (10) hours of leave, respectively.
- F. Holidays
1. Designated holiday - Per La. R.S. 1:55 B. (4), if one or more holidays fall on a full-time employee's regular day off, his or her holiday shall be the closest regularly scheduled workday preceding or following the legal holiday, as designated by the head of the agency.
 2. Holiday compensation - Holidays will be handled in the following manner: If a holiday falls on a day regularly scheduled to be an eight (8), nine (9), or ten (10) hour workday, the employee has an (8), nine (9) or ten (10) hour paid holiday, respectively. If a holiday falls on a day regularly scheduled to be a four (4) hour workday, the employee has a four (4) hour paid holiday. Part-time employees having a regular work schedule shall receive holiday pay for the number of hours they are regularly scheduled to work on the day of the week on which the holiday falls.
- G. Travel – Employees should be aware that there will be occasions when two employees who work the same hours while traveling together may be compensated differently based on different work schedules.

- H. Emergency/disaster operations – During emergency/disaster operations employees assigned to emergency /disaster duty may be required to work up to and including 12-hour shifts during the emergency/disaster. Leave and overtime hours shall be based upon the employee’s regularly assigned work schedule. Employees should be aware that employees working the same shift during an emergency/disaster may be compensated differently based on different regular work schedules.

V. ATTENDANCE AND PUNCTUALITY

A. ID Badges

1. State Buildings - Employees who are issued ID badges for identification shall wear their ID badges in plain sight while in the state building. Employees who are issued ID badges for identification **and** building access shall wear their badges in plain sight while in the state building and shall scan their badges in when entering the state building. They shall scan their badges out when leaving the state building if directed to do so by the appointing authority or designee for attendance verification purposes. Employees who forget their ID badges must sign in at the Security Desk and will be issued a temporary badge for that day.
2. State Parking Facilities - Employees who are assigned to park in a state parking garage or state parking lot should park in the assigned state parking facility. If the state parking facility has ID badge access employees shall scan their badges in when entering the state parking facility and out when leaving the state parking facility.

B. Rest Periods

1. Lunch – Any lunch period that is allowed and taken is not counted toward working time.
2. Breaks – Employees who are scheduled to work at least 8 hours in a day may be allowed one 15-minute morning break and one 15-minute afternoon break away from their workstations. In a 4-hour work day one 15-minute break may be allowed. Such breaks are allowed entirely at the discretion of the appointing authority or designee based on workplace demands. If allowed, breaks are counted as working time.

C. Reporting Absences (Calling in)

1. Procedures - Each appointing authority or designee shall inform employees under his/her supervision **in writing** of the procedures to be followed when an employee cannot report to work by his/her assigned arrival time or must leave work before his/her assigned departure time. Such procedures must include the following items:
 - a. Who specifically the employee must contact to report the absence and the allowable methods of contact (phone call, text, e-mail, etc.).
 - b. A requirement that the employee must give an indication of the expected duration of his/her absence and the type of leave he/she is requesting (annual, sick, FMLA, etc.).
 - c. The time frame in which the employee must report the absence.

Note: The call-in procedure has no bearing on whether the absence is considered to be unscheduled in accordance with Civil Service Rule 12.6 (a) 2. For information regarding unscheduled absences please refer to LDH Policy #28 – Leave Policy for Classified LDH Employees.

2. Employees who request leave on-line through LEO should input the leave request in advance of the leave date if leave is foreseen. If leave is not foreseeable, the employee shall input the leave request no longer than 24 hours after the date the employee returns to work. The on-line leave request is not a substitute for calling in the absence as required by the appointing authorities/designee's written call-in procedures.
 3. Non-compliance – Paid leave shall not be approved for any employee failing to comply with the appointing authority or designee's written absence reporting (call in) procedures. In such cases the employee shall be placed on leave without pay (LWOP) for the time he/she is out of compliance. If the appointing authority or designee determines that the employee failed to comply through no fault of his/her own, paid leave may be approved at the discretion of the appointing authority or designee.
- D. Tardiness of less than six minutes – All leave is charged in 6-minute increments in LDH. Events of tardiness of less than six minutes' duration may be recorded manually by the appointing authority or designee by date and time and may be held until such time as 6 minutes of tardiness have been accumulated and entered into LaGov HCM (computer-

based integrated Human Resources/Payroll system). Documentation of the tardiness must be maintained by the unit's Time Administrator for audit purposes.

- E. Working at home – Occasionally it may be in the best interest of LDH for a supervisor to allow an employee to work at home rather than take leave. If working at home is allowed by the supervisor, the employee shall itemize in writing the tasks he/she performed while working at home and the number of hours and minutes devoted to each task. The employee shall then submit this written documentation to his/her supervisor no later than the last day of the applicable pay period. The supervisor shall have the final say as to whether the employee will be credited with the time that he/she worked at home, ensuring that the period of time spent working at home fits the time necessary to complete the reported tasks and shall not exceed the period of actual need. Documentation of tasks performed and hours worked at home shall be kept on file by the unit's Time Administrator for audit purposes.

This provision does not apply to employees who have a teleworking agreement in accordance with LDH Policy #82, Teleworking.

VI. PUBLIC PAYROLL FRAUD

- A. According to Louisiana Revised Statutes 14:138, the crime of public payroll fraud occurs when:

“1) Any person shall knowingly receive any payment or compensation, or knowingly permit his name to be carried on any employment list or payroll for any payment or compensation from the state, for services not actually rendered by himself, or for services grossly inadequate for the payment or compensation received or to be received according to such employment list or payroll; or

(2) Any public officer or public employee shall carry, cause to be carried, or permit to be carried, directly or indirectly, upon the employment list or payroll of his office, the name of any person as employee, or shall pay any employee, with knowledge that such employee is receiving payment or compensation for services not actually rendered by said employee or for services grossly inadequate for such payment or compensation.”

- B. Reporting suspected payroll fraud

1. Appointing authorities, managers and supervisors who are aware of possible payroll fraud are required to immediately report the situation to the Human Resources office and the Bureau of Legal Services.
 2. Non-supervisory employees who are aware of possible payroll fraud are strongly encouraged to report the situation to the Human Resources office and the Bureau of Legal Services.
- C. LDH shall investigate appropriately any cases of suspected public payroll fraud (including those reported anonymously) to determine corrective action to be taken internally by LDH such as disciplinary action up to and including dismissal from employment. To the extent allowed by law, investigations will be conducted in a confidential manner.
- D. In accordance with Louisiana Revised Statutes 24:523, LDH shall refer any instances of suspected public payroll fraud to the appropriate law enforcement agency and audit agency for investigation and possible prosecution.
- E. Retaliation strictly prohibited – LDH maintains an affirmative duty to protect its employees from harassment, reprisal or retaliation. This protection extends to any employee making a report of possible payroll fraud, as well as those employees participating in related investigations. In instances where harassment, retaliation or reprisal has been substantiated disciplinary action may be imposed on the offender, up to and including dismissal from employment.

VII. EXCEPTIONS

Any exceptions to this policy require the express, written approval of the Deputy Secretary, Undersecretary or Assistant Secretary based upon the office's chain of command.

VIII. DISCIPLINARY ACTIONS

Any employee or supervisor who violates this policy may be subject to disciplinary action up to and including dismissal from employment.

IX. REFERENCES

LDH Policy #28, Leave Policy for Classified LDH Employees

Louisiana Revised Statutes 14:138 – Public payroll fraud

Louisiana Revised Statutes 24:523 – Notification of the legislative auditor and district attorney

Civil Service Rule 12.6

Civil Service Rule 15.2

Work Schedule Form (HR-13)

State Department of Civil Service, Civil Service Rules, Chapter 11.1, Full Time Employees

State Department of Civil Service, Civil Service Rules, Chapter 21.9, Compensation Rate-Exempt Employees

LDH Time Administration and Time Entry, Policy #77

LDH Overtime Policy, Policy #45

PTMW Create a Substitution for Holiday Week

LDH Emergency Preparedness (All Hazards Response), Policy #65

X. REVISION HISTORY

Date	Revision
March 21, 2019	Policy created
April 9, 2019	Housekeeping change – Section I, page 1
April 16, 2019	Housekeeping change – Section II, page 2
June 14, 2021	Housekeeping change – Section IX, page 9