



STATECIVILSERVICE

**JOB AIDS AND RESOURCES**  
Template – Notice that Attendance  
Requires Improvement  
*(assumes hand delivery)*

March 28, 2013

Memo

To: Employee  
From: Person Authorized by Agency  
Re: Attendance

Your attendance requires improvement. During the past two weeks, you were one hour late for work on March 14, 2013, two hours late for work on March 19, 2013, and you did not report for work on March 22, 2013, claiming you had car trouble. You did not obtain approved leave before any of these absences. Therefore, these absences are unscheduled.

Civil Service Rule 12.6(a)2 allows the non-disciplinary removal of an employee who accumulates seven or more unscheduled absences during a twenty-six week period. This rule reads as follows:

12.6 Non-disciplinary Removals.

(a) An employee may be non-disciplinarily removed under the following circumstances:

1. When, on the date the notice required by Rule 12.7 is mailed, hand delivered, or orally given, the employee is unable to perform the essential functions of his job due to illness or medical disability and has fewer than eight hours of sick leave. An employee removed under this provision shall be paid for all remaining sick leave.
2. When, after the employee has been given written notice that his attendance requires improvement and a copy of this rule, an employee has seven or more unscheduled absences during any consecutive twenty-six week period. The employee shall also be given written notice each time he incurs a sixth unscheduled absence during a consecutive twenty-six week period. An unscheduled absence occurs when an employee is absent from work without having obtained approved leave prior to the absence. Approval of leave, after the fact, to cover an unscheduled absence shall not prevent the absence from being considered unscheduled. A continuous absence for the same reason is one unscheduled absence, regardless of its duration.
3. When, as a result of conduct that was not work related, the employee fails to obtain or loses a license, commission, certificate or other accreditation that is legally required for the job.

4. When the employee holds more than one position in the state service and the multiple employment causes an employing agency to be liable for overtime payments under the Fair Labor Standards Act and, after having been provided an opportunity to do so, the employee has refused to resign from one of the positions.

5. When there is cause for dismissal, but the cause is not the employee's fault.

(b) When an employee is removed under this Rule, the adverse consequences of Rules 6.5(c); 22.4(d); 23.16(a)4; 23.13(b); 11.18(b) and 17.23(e)4 shall not apply.

I am formally notifying you that any future unscheduled absences will be counted for purposes of this rule. Under this agency's attendance policy, to avoid an absence from being unscheduled, you must obtain approved leave by (*insert agency requirements*).



Hand delivered to employee on \_\_\_\_\_, 20\_\_\_\_, at \_\_\_\_\_ .m.

\_\_\_\_\_  
Deliverer's signature

\_\_\_\_\_  
Employee's signature

**NOTE:** If Employee will not sign for the letter, Deliverer should so state.