



**THE CITY OF NEW YORK  
DEPARTMENT OF SANITATION  
GENERAL ORDER 2012-17**



**EFFECTIVE DATE:** May 7, 2012

**SUBJECT:** Absent Without Leave (AWOL), Late & Late/Absent Policy for Uniformed Members of the Department

**AFFECTED DIRECTIVES:** Rescinds General Order 2009-14

**REFERENCE:** General Order 2010-11 (Report of Arrest & Disposition of Any Criminal Charge Relating to Any Department Employee), General Order 2010-06 (Code of Conduct - 1.1, 1.4 & 1.5), General Order 2009-21 (Granting & Approving Emergency Leave for Uniformed & Civilian Employees) & Operations Order 2012-04 (Request for Change in Chart Day) & Operations Order 2012-22 (Probationary Criteria for All Sub-Managerial Uniformed Employees)

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**GENERAL**

The Department operates facilities, provides sanitation services and must be ready to meet demands twenty-four hours a day, seven days a week, including holidays, when assigned. To fulfill this obligation, the Department requires every uniformed employee to be present at their scheduled work location on time and fit for duty. Employees, who will not be present as scheduled, are obligated to contact their respective work location prior to the beginning of the scheduled work shift.

When uniformed employees fail to report for duty as scheduled, or report late, such conduct disrupts the operational planning and work flow. This hinders the ability of the Department to timely furnish essential services to the citizens of the City of New York.

Procedural guidelines set forth here for instances of AWOL, Late and Late/Absent will be enforced uniformly to ensure consistency and equal treatment among all uniformed employees. "Employees" as used herein will mean "Uniformed Employees." "Respective work location" or "work location" as used herein will mean the scheduled work location for that day. "Work shift" as used herein will mean the scheduled shift for that day.

**ABSENT WITHOUT OFFICIAL LEAVE (AWOL)**

Employees are considered AWOL if, on the day the employee is scheduled to work, they are not present for roll call and have not contacted their respective work location prior to the start of their work shift.

The employee will be charged in CityTime as "Leave Without Pay – Unscheduled LWOP" for this date with a miscellaneous comment noting that they were AWOL and identifying the shift from which they were absent.

An employee who calls the work location **after** the start of the work shift will **not** be allowed to work and will be charged in CityTime as “Leave Without Pay – Unscheduled LWOP” for this date with a miscellaneous comment noting that they were AWOL, the time they contacted the work location and identifying the shift from which they were absent.

An employee absent and unaccounted for **at any time during** and/or at the **conclusion of an assigned work shift** will be marked AWOL for the time for which the employee was unaccounted.

**NOTE:** Any employee who is placed under arrest or incarcerated for any reason (Refer to General Order 2010-11) and is unable to report to work must be recorded as AWOL, regardless if they have contacted their respective work location.

**ANYTIME** an employee is AWOL, a **disciplinary complaint** (DS 249) will be issued. In all cases, this is in addition to the employee’s pay being deducted for the full duration of the AWOL. **For probationary employees, refer to Operations Order 2012-22.**

#### **LATENESS IN REPORTING (LATE)**

- 1) Employees will be considered late if, no later than thirty (30) minutes **prior to the start of the work shift they contacted their respective work location**, and arrive at the work location after the beginning of their scheduled work shift. An employee arriving at the work location up to **one-half hour (30 minutes)** after the beginning of their scheduled work shift may be allowed to work at the discretion of the Borough Chief/Unit Head, or their designee, if this is the first or second lateness in the preceding twelve month period. If the employee is allowed to work, an entry will be made into CityTime indicating the amount of time to be charged to “Lateness – Unexcused Charged to LWOP” through the “Leave” option.
- 2) An employee with **two or less** incidents of lateness in the preceding twelve month period, who is en route to work but, due to an emergency, **does not** contact the work location prior to the start of the work shift and arrives at the work location within **fifteen (15) minutes** after the start of the work shift, may be allowed to work at the discretion of the Borough Chief/Unit Head. If the employee is allowed to work, they will be considered Late. The timekeeper will make an entry into CityTime indicating the amount of time to be charged to “Lateness – Unexcused Charged to LWOP” through the “Leave” option.

**NOTE: See the Late/Absent section of this Order for procedures concerning incidents of lateness in which the employee is not allowed to work.**

In the first instance of lateness, an Official Letter of Warning (**DS 997**) will be issued indicating that any future lateness will lead to disciplinary action. In the second and subsequent instances of lateness in the succeeding twelve month period, a disciplinary complaint (**DS 249**) will be issued. The employee will remain in a penalty (complaint) status for twelve (12) consecutive months following the last reported lateness. **For probationary employees, refer to Operations Order 2012-22.**

**NOTE:** In all instances, employees will be docked pay for each incident of lateness on a minute for minute basis. Timekeepers will effect these deductions by selecting “Lateness – Unexcused Charged to LWOP” through the “Leave” option in CityTime.

**LATE AND NOT ALLOWED TO WORK (LATE/ABSENT)**

- 1) If an employee contacts the respective work location no less than thirty (30) minutes prior to the start of the work shift arrives **more than** thirty (30 minutes) after the beginning of the scheduled work shift, the employee **will not** be permitted to work. The employee will be considered Late/Absent and charged in CityTime as “Leave Without Pay – Unscheduled LWOP” for this date with a miscellaneous comment noting the time they arrived at the work location, that they were not allowed to work and are being marked Late/Absent.
- 2) An employee with **two or less** incidents of lateness in the preceding twelve month period, who is en route to work but, due to extenuating circumstances (e.g. – no cell phone reception in subway station, etc...) contacts the work location **less than** thirty (30) minutes prior to the start of the work shift and is told not to report to work as it is deemed that they will arrive at the work location more than thirty (30) minutes after the scheduled work shift, or that the lateness will cause undue disruption, will be considered Late/Absent. The employee will be charged in CityTime as “Leave Without Pay – Unscheduled LWOP” for this date with a miscellaneous comment noting the time they contacted the work location, that they were not allowed to work, and that they are being marked Late/Absent for this date.
- 3) An employee with **two or less** incidents of lateness in the preceding twelve month period, who is en route to work but, due to an emergency, **does not** call prior to the start of the work shift and arrives at the work location after the start of the work shift and is not allowed to work, will be considered Late/Absent. The employee will be charged in CityTime as “Leave Without Pay – Unscheduled LWOP” for this date with a miscellaneous comment noting the fact that they did not contact the work location, the time they arrived at the work location, that they were not allowed to work, and that they are being marked Late/Absent for this date.
- 4) For the **third** and **all** subsequent incidents of lateness within the preceding twelve month period, an employee **will not** be permitted to work. The employee will be considered Late/Absent and charged in CityTime as “Leave Without Pay – Unscheduled LWOP” for this date with a miscellaneous comment noting the time they arrived at the work location, the lateness incident number (i.e. – 2<sup>nd</sup>, 3<sup>rd</sup>, etc..), that they were not allowed to work and that they are being marked Late/Absent for this date.

**ANYTIME** an employee is Late/Absent, a **disciplinary complaint** (DS 249) will be issued. In all cases, this is in addition to the employee’s pay being deducted for the Late/Absent period. **For probationary employees, refer to Operations Order 2012-22.**

**ADMINISTRATIVE MONITORING PROCEDURES**

- A. All uniformed employees are directed to call their respective work locations no later than thirty (30) minutes **prior to the start of the work shift** if they are going to be late. The details, including the time and reason for the lateness, must be entered in the Telephone Order Book.
- B. All actions on AWOL Late, and Late/Absent contained in this directive must be logged in the Absence and Lateness Report Log Book and the Performance Evaluation Report in addition to the appropriate charges and comments being entered into CityTime.
- C. The Officer-in-Charge of the Department location will be charged with maintaining accurate records concerning the absence and lateness of each and every employee under their supervision. These records will be maintained on a daily basis and will be kept current at all times according to the following guidelines:
  - 1) A separate, bound Absence and Lateness Report Log (DS 1426) will be kept for instances of AWOL, Lateness and Late/Absent for each calendar year. Once a new DS1426 is initiated, the Log Book for the previous year will be kept on file for three years.
  - 2) AWOL, Late and Late/Absent records for probationary employees are tallied on a **probationary year basis (18-months)**. At the completion of probation, the AWOL, Late and Late/Absent record will be tallied in the same manner as permanent employees. **If at anytime during the probationary period an employee has Time and Leave violations, this information should immediately be referred through channels to the Personnel Management Division for review.**
  - 3) Officers will ensure that any AWOL, Late and Late/Absent information is carried over onto all employees' Performance Evaluations. The Officer-in-Charge and/or the Evaluation Reviewing Officer will monitor this task.
  - 4) A separate page of the DS 1426 (Rev. 6-09) Log Book will be devoted to each uniformed employee (Sanitation Workers and Officers) either payroll assigned or attached to the location longer than three (3) months. The employees are to be listed alphabetically. Incoming personnel during the course of a calendar year are to be listed in the back of the Log as they occur.
  - 5) As a recap, the structure of the Absence and Lateness Report Log Book (DS 1426, Rev. 6-09) is as follows:
    - a) First page Officer-in-Charge check list.
    - b) Second and succeeding pages- all uniformed employees payroll assigned and those attached over three (3) months. All names will be listed in alphabetical order. Incoming personnel during the calendar year are to be listed in the back pages of the Log as they occur.

- c) For any assigned probationary employees, the words “On Probation” and the actual probationary period shall be shown next to the individual’s name. (e.g. - Name — SW John Doe, probation July 1, 2011 to December 31, 2012)
- 6) Information concerning DS 997 - Official Letter of Warning and/or DS 249 - Disciplinary complaints issued for AWOL, Late or Late/Absent will be entered on an employee’s page in the remarks column along with the index #, as a **cross reference**.
- 7) Whenever an incident of Lateness, Late/Absent or AWOL occurs, all columns of the DS 1426 **must** be filled out.
- D. If a uniformed employee transfers, or is detached for longer than three (3) months, the employee’s information will be forwarded by the Officer-in-Charge of the prior work location to the new work location. The Officer-in-Charge at the new payroll location will ensure that the new employee’s information is recorded in the DS 1426 Log Book for the previous twelve month period.
- E. On the reverse side of each DS 1426A (the individual pages within the DS 1426 Log) will be the caption “Chart Change Report.” All chart changes (Operations Order 2012-04) shall be entered by the Borough Chief, his designee, or the Officer-in-charge at the location.

**ATTACHED AND DETACHED PERSONNEL**

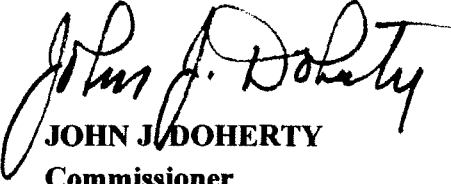
- 1) When attached personnel (S.W.’s and Officers working “out-of- town”) are late or absent, the Officer-in-Charge of the work location will contact the Officer-in-Charge of the employees’ payroll assigned location to determine if there are previous instances of Lateness, Late/Absent or AWOL, prior to giving the employee their work assignment.
- 2) The Officer-in-Charge of the attached location shall access the employee’s payroll assigned location in CityTime and follow the same procedures set forth above for payroll assigned employees concerning incidents of Lateness, Late/Absent and AWOL (include in the miscellaneous comment the work location to which they were scheduled to report on that date).
- 3) The Officer-in-Charge of the employee’s payroll assigned location will be responsible for the preparation of the DS 997 (Official Letter of Warning) or the DS 249 (Disciplinary Complaint) resulting from incidents of Late, Late/Absent or AWOL infractions.

The provisions of this order pertain to AWOL, Late and Late/Absent Policy for Uniformed employees and in no way changes the established procedures for granting emergency leave as outlined in General Order 2009-21, dated November 24, 2009.

Borough Chiefs/Division or Unit Heads or their designees will monitor all Absence and Lateness Control Log Books (DS 1426) in their command for completeness and accuracy.

**CANCELLATION:** This order shall remain in effect until rescinded.

**ISSUING AUTHORITY:**

  
**JOHN J. DOHERTY**  
**Commissioner**

**DISTRIBUTION:** All Management Personnel, Borough Chiefs/Division Unit Heads, District Superintendents and Supervisors.

**To be posted at all Department Locations.**



