

**GENERAL ORDER**SERIES
1202NUMBER
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SUBJECT

Procedures for Handling
Instances of TardinessDISTRIBUTION
AORIGINATING UNIT
PDD

The purpose of this order is to establish the policy and procedures for handling instances of tardiness. This order consists of the following parts:

PART I Responsibilities and Procedures for
Members of the Department

PART II Responsibilities and Procedures for
Supervisory and Command Personnel

PART I

A. General.

1. Members of the force shall be punctual in reporting for all duty assignments. Examples of duty assignments include but are not limited to roll call, courts and hearings, the Police and Fire Clinic and any details.

2. For purposes of this order "no shows" shall be considered to be tardiness.

B. Tardiness.

1. Any member of the force who reports late for any duty assignment shall be required by his immediate supervisor to explain the tardiness in writing.

2. Any member of the force who is tardy for any duty assignment may be disciplined according to part II, paragraph 51c of this order, providing his commanding officer after carefully considering the facts of the case, has determined the tardiness to be inexcusable.

3. Instances of tardiness by probationary officers shall be handled under the provisions of this order with the following exceptions:

- a. Probationers shall not be entitled to the appeal rights outlined in part II, paragraph 51d.

- b. Probationers are excluded from trial board or Departmental Disciplinary Review Officer action.
- c. Probationers, in addition to being disciplined according to the guidelines in part II, paragraph B1c, shall also be cautioned that repeated instances of tardiness may result in termination.
- d. Any case in which a probationer is late in excess of four times within a 12-month period shall not be handled by the commanding officer. In these instances the commanding officer shall submit a full report to the Chief of Police.

4. A report of each instance of tardiness shall be filed in the accused member's element personnel folder for future reference, whether he is negligent or not: However, in those instances where a member's explanation is accented by a commanding officer, the report shall contain a statement that it is an excused tardiness being filed without prejudice.

5. In each instance of placing a written report in a member's personnel folder for reasons of tardiness, excused or otherwise, such member shall be required to acknowledge this commanding officer's action by placing his signature and the date of notification on the report.

D. Requesting Time Off Prior to Duty:

1. Any member of the force requesting leave (e.g., annual, sick, or compensatory) prior to reporting for duty due to an emergency shall be given favorable consideration when such request is made at least 1 hour prior to the time he is scheduled to report for duty.

2. Members requesting leave with less than one hour notice may still be given favorable consideration; however, the official receiving the request shall make an immediate inquiry into the facts to determine whether the

delay in notification was justified.

D. Procedures for Handling Instances of Expected Tardiness.

1. Rules Governing Use of the Expected-Tardiness Provision.

The expected-tardiness provision is a means whereby members may call their officials up to five (5) minutes prior to their scheduled reporting time to request compensatory time or annual leave only in the amount necessary to preclude their being late.

- a. This provision applies only to instances of reporting late for scheduled tours of duty, and only when, as a result of unexpected circumstances, i.e., oversleeping or automobile trouble, etc., a member realizes or expects he is going to be late in reporting for work. It is not the intention of the provision, for example, that members may call in and request several hours time off for the purpose of getting extra sleep or bringing automobiles to a repair shop for non-emergency servicing.
- b. When a member, who has occasion to use the expected-tardiness provision, is scheduled for a court appearance which requires his presence before he could report to his duty station, he shall:
 - (1) Request compensatory time or annual leave and permission to report directly to court instead of work.
 - (2) Be responsible for reporting to court at the time required.
 - (3) Notify his duty station P.S.S. officer of the time he has been clocked into court by the attending court liaison member immediately after being checked in. The P.S.S. officer shall note the reported time in the P.S.S. book, and such time shall serve as the time the member officially reported for duty.

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(4) Upon returning to his duty station from court, present himself to the official who granted him leave. After reviewing the PD Form 140 and verifying the time clocked in with that shown on the P.S.S. book, the official shall place his initials adjacent to the member's time-in on the P.S.S. book, and fill out and approve the member's SF Form 71 accordingly.

c. Despite a member's lack of compensatory time or annual leave, he shall not be excluded from participation in the expected-tardiness provision, unless he abuses same to cause revocation. Supervisors may grant a member leave without pay in the amount necessary to preclude his being late.

2. Revocation From and Restoration to Participation in the Expected-Tardiness Provision.

a. The privilege to participate in the provision for expected-tardiness shall be revoked when a member uses it three times within a 12-month period. Thereafter, all other provisions of this order shall apply to the revoked member, and lateness shall be handled accordingly.

b. Members shall be notified in writing by their commanding officers when their use of the call-in privilege has been revoked.

c. Members shall be restored to participation in the expected-tardiness provision 12 months either after having been revoked or after their last inexcusable lateness, whichever is applicable.

3. Verbal Reports.

Verbal explanations of reasons for expected tardiness shall be sufficient.

4. Maintenance of a Log to Monitor Use of the Expected-Tardiness Provision.

Organizational elements shall maintain a log for requests for annual leave or compensatory time made under the expected-tardiness provision. Log Book entries shall list the following information:

- a. Name of member
- b. Section (if appropriate)
- c. Tour of duty
- d. Date and time called in
- e. Reason(s) for expected-tardiness
- f. Name of official receiving call or making entry.
- g. Amount of leave granted.

E. Optional Sick Leave Program.

1. A member, whose right to use the 3-day sick leave option has been revoked in writing, who fails to report to the clinic as required and to make satisfactory alternative arrangements shall be charged AWOL for the entire absence from duty.

2. A member who uses the 3-day sick leave option and fails either to report to the clinic by the fourth day or make satisfactory alternative arrangements shall be charged AWOL for the duty time lost beyond the first 3 days.

PART II

A. Supervisory Officials.

1. Requests submitted for leave with less than 1 hour notice shall qualify for direct inquiry into the facts by an immediate supervisor. Only in extraordinary circumstances shall requests made within 1 hour prior to the scheduled reporting time be granted.

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2. Officials directing a member to write a report explaining tardiness shall institute an immediate investigation of the facts with a view of making an evaluation of the offending member's explanation. Such evaluation shall form the basis for a recommendation to be considered by commanding officers and shall be made a part of the investigating official's report. All such reports shall follow the chain of command within the organizational element.

3. When a member is tardy for an outside detail, the official in charge of the detail shall notify an official of the member's organizational element and submit a brief report to the member's commanding officer. This report shall contain the teletype number, if any, that ordered the detail, the required reporting time, the member's arrival time, and the name of the element official notified of the tardiness.

B. Commanding Officers.

1. Commanding officers are delegated full authority within the limits of this general order to administer discipline for instances of tardiness. They shall be responsible for:

- a. Evaluating the offending member's explanation of tardiness, his personnel record, and the findings and recommendation of the immediate supervisor in determining whether or not the tardiness was excusable. Explanations by offending personnel should be carefully weighed so as to keep to a minimum the type of explanation that would qualify as excusable. For example, in commuting to work members are expected to leave early enough to allow for such routine delays as normally inclement weather and heavy traffic. Extraordinary conditions which cause delays will be evaluated on an individual basis.
- b. Considering the severity and possible consequences of the charge of tardiness and evaluating each case on its individual merits. Common sense and sound judgement must be exercised.

c. Advising each member of their organizational elements concerning the importance of being punctual and, to the extent practicable, adhering to the following guidelines when disciplining those who are tardy without an excusable reason.

(1) When a member is inexcusably late on the first occasion within a 12-month period, he shall be counseled, warned, and a PD Form 750 filed in his personnel folder. The member shall be charged AWOL in increments of one hour equal to the time late. Information normally presented at roll call shall be obtained by the officer after he is placed in a duty status.

(2) When a member is inexcusably late a second or subsequent time within a 12-month period, he shall be fined \$35.00 for each separate offense and charged AWOL in increments of one hour equal to the time late.

(NOTE: Except in cases of "no show," e.g., a member is late for court or a hearing, the member shall be placed in an AWOL status at the time he is late. In the event the member's commanding officer (or the Chief of Police on an appeal) determines the tardiness to be excusable, the time and attendance clerk shall be notified to make the appropriate adjustment. In cases of "no shows," the member shall not be charged AWOL; however, all other forms of disciplinary action are applicable.)

d. Advising the member of his right to appeal any fine imposed, in writing, to the Chief of Police within 5 days of receipt of the finding in the case. The decision of the Chief of Police on such requests shall be final and shall not be subject to further administrative review.

e. Forwarding reports of their findings, including required PD Forms, in cases of unexcused tardiness, to the Employee Relations Branch, Personnel Division.

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2. All fines administered in accordance with this order shall be deducted in lump sums through payroll deduction. A member may request, by checking the appropriate box on PD Form 90, to substitute 8 continuous hours of extra duty, normally performed on street patrol on his day off, in lieu of each \$35.00 fine imposed for tardiness. Such fines shall be administered and reported by using PD Form 90 (Notification of Inexcusable Tardiness) and PD Form 90A (Extra Duty Certification) in accordance with the below listed procedures:

- a. PD Form 90 shall be completed in an original and 2 copies and, unless a member indicates an intent to appeal, the original shall be immediately forwarded to the Employee Relations Branch, the first copy shall be given to the offending member, and the remaining copy shall be retained in the member's element personnel file.
- b. When a member indicates an intent to appeal, the commanding officer will hold the reports and the PD Form 90 until he has received the member's appeal. When the appeal is received, the commanding officer shall forward all reports and the PD Form 90 to the Employee Relations Branch.
- c. When a member has worked on a day off in lieu of a fine, PD Form 90A shall be completed immediately and distributed as required on the form.

3. The minimum charge with respect to AWOL is 1 hour, and a member may not be required to work during any time he is carried in an AWOL status. For example, if an officer, due to report for roll call at 0730 hours, is 10 minutes late without a justifiable reason, he is to be charged 1 hour AWOL for the period between 0730 and 0830 hours and cannot be required to perform any duties during that time.

4. Whenever a member is AWOL for more than 1 day, he shall be carried in an AWOL status, and the commanding officer shall recommend that the member be cited before a police trial board.

5. Nothing in this order shall preclude a commanding officer from recommending disciplinary action by the Chief of Police following any single instance of tardiness should the facts justify such action.

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C. Personnel Division.

Upon receipt of reports and PD forms relating to incidents of unexcused tardiness, the Employee Relations Branch shall be responsible for the following:

1. All administrative notifications (e.g., Payroll Unit, Office of Finance and Management).
2. Preparation for review by the Chief of Police of all appeals and subsequent notifications once a decision is rendered by the Chief of Police.


Burtell M. Jefferson
Chief of Police

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