

## MEMORANDUM OF UNDERSTANDING

### ATTENDANCE PROGRAM

Regular and punctual attendance are essential to successful business operations and employees are expected to fulfill their obligation of being on time and present for work. Therefore, to the fullest extent possible, unpaid, unexcused full or partial-day absences should be avoided and such absences should not be viewed as an entitlement or employee award. The following shall apply:

1. To the extent possible, the Company and the Union aspire to the consistent application of this attendance control program, treating similar situations within a department in the same manner.
2. Employees are expected to maintain satisfactory attendance. Employee's attendance will be routinely monitored, and appropriate action will be administered to those who exceed the program guidelines.
3. "Proper Notice" in reporting an absence shall mean a phone call to HR Voice (1-866-371-1323) at least ~~four (4)~~ ~~two (2)~~ one (1) hours prior to the beginning of the employee's scheduled start time. The time and date of a recorded phone call shall be used to determine time limits. An employee shall access HR Voice with their LM People number. The Company will notify the Union if an alternative means of notification is implemented. Failure of an employee providing Proper Notice for any absence shall constitute a failure to follow procedure and subject to discipline separate from this program.
4. An infraction is any full or part day unpaid, unexcused full or partial-day absence. The following absences are excused and will not be counted as an infraction: paid vacation, paid personal business, an approved medical leave of absence, an approved family medical leave of absence, an approved leave of absence, voting leave, school activities leave, crime victim leave, domestic violence and sexual assault victim leave, bereavement leave, jury duty, military leave, Company-initiated unpaid leave, and unpaid authorized Union business.
5. Upon evidence of unsatisfactory attendance, progressive discipline is triggered when an employee reaches the following:
  - a. Two (2) infractions within ~~one hundred and twenty (120) days~~ one hundred (100) ninety (90) days
  - b. Three (3) infractions within ~~two hundred and ten (210) days~~ one hundred ninety (190) one hundred eighty (180) days
  - c. Four (4) infractions within ~~three hundred (300) days~~ two hundred eighty (280) two hundred seventy (270) days

In those cases where an employee trips an attendance threshold and subsequently incurs any unpaid unexcused absence within the same calendar month, the employee will automatically trigger the next level attendance threshold.

**6. An unauthorized absence of three (3) or more consecutive calendar working days is grounds for immediate dismissal.**

**7. ~~Three (3)~~ Five (5) consecutive calendar working days of unreported absence is grounds for termination as a Voluntary Termination.**

6. 8. Progressive discipline for violations of paragraph 5 of this Program shall be:
- a. Verbal Warning
  - b. Written Warning
  - c. **Final Written Warning**
  - d. Termination
- 7.9. Progressive discipline should be issued when an employee accumulates infractions as described in this Program within a ~~thirty six (36)~~ **twenty-four (24)** ~~twelve (12)~~ service-month period.
- 8-10. Holidays when scheduled, and accepted or scheduled overtime when not worked will be treated like any other day in the application of this program.
- 9 11. Employees **who have received Attendance discipline in relation to this program** must utilize available paid personal business in one-hour increments prior to incurring any unpaid unexcused time during an employee's scheduled shift, resulting in an employee's personal business balance being applied until exhausted. Employees may not use vacation or combine vacation with personal business to circumvent the application of this provision.
- 12. On a one-time basis, effective March 5, 2018, all attendance discipline records currently on file with the Company will be removed.**
- 13. When an Inclement Weather/Road Closure memorandum is issued by the Company, employees delayed for work will not receive an infraction.**