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Don Shandor  
Plant Manager  
Orlando P&DC

Re: Issuance of Discipline

Don:

A couple of weeks ago I brought it to your attention that Tour 1 and Tour 3 have seen a drastic increase in Letters of Warnings given without prior discussions on the issue. This practice is unreasonable and punitive versus corrective in nature. There is a progression when discipline comes into play and simply jumping straight to discipline is not the answer. I am aware that there is a print-out that is disseminated to front line supervisors when employees use three or more days of absences within a 90-day period. It would be the position of the APWU that a discussion may be warranted in this instance where the supervisor could speak with the employee to ascertain whether he/she could do something to assist the employee. Possibly during this discussion there may be facts that arise where the need for FMLA is offered or there may be things that the supervisor is unaware of and that he/she could provide assistance to the employee. During such discussion, the supervisor would be able to go over the responsibilities and expectations of the employee.

If, after discussion with an employee, there are still problems with an employee's sick leave usage, there is a system in place called Restricted Sick Leave. This portion of the Employee Labor Relation Manual (ELM) has some triggers to assist both the employee and management. According the Employee Labor Relations Manual under Section 513.391 (Restricted Sick Leave) it states:

**513.391 Reasons for Restriction**

*Supervisors or installation heads who have evidence indicating that an employee is abusing sick leave privileges may place the employee on the restricted sick leave list. In addition, employees may be placed on the restricted sick leave list after their sick leave use has been reviewed on an individual basis and the following actions have been taken:*

- a. Establishment of an absence file.*
- b. Review of the absence file by the immediate supervisor and higher levels of management.*
- c. **Review of the absences during the past quarter of LWOP and sick leave used by employees. (No minimum sick leave balance is established below which the employee's sick leave record is automatically considered unsatisfactory.)***
- d. Supervisor's discussion of absence record with the employee.*
- e. Review of the subsequent quarterly absences. If the absence logs indicate no improvement, the supervisor is to discuss the matter with the employee to include advice*

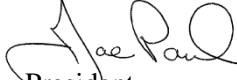


that if there is no improvement during the next quarter, the employee will be placed on restricted sick leave.

We have seen approximately seven such issuances of Letters of Warnings and 7 and 14 Day Suspensions that have been issued to employees without discussions and without looking into the Restricted Sick Leave procedures. As you can see from Chapter 5 of the ELM above, discussions with employees, and reviews of their sick leave usage, are part of this process. We hope that you will look carefully at your staff, and what they are doing to your employees and our members.

Please contact me at your earliest convenience to discuss several of the current cases on Tours 1 and 3, in an effort to rectify these issues at the lowest step possible.

Sincerely,

  
President

Cc: APWU Bulletin Boards

