Performance Management Unit AWOL Resource Guide

The Government Code Section 19996.2 provides that absence without leave, whether voluntary or involuntary, for five (5) consecutive working days is an automatic resignation from state service, as of the last date on which the employee worked. In the event an employee fails to report to duty at their regularly scheduled start time and has failed to follow the program call in procedure this will begin the AWOL process and may result in a this will begin the AWOL process and may result in a Notice of Automatic Resignation by Absence Without Leave (AWOL) being served to the employee.

The following is to be completed if you should have an employee fail to report to duty as scheduled, prior to contacting your assigned Employee Relations Officer (ERO) in the Performance Management Unit (PMU). Review the employee's MOU regarding requesting medical notes prior to requesting medical substantiation for absences and/or consult with the Office of Labor Relations.

Date Task Completed	Supervisor Checklist	Sample email/voicemail verbiage
	If the employee fails to call in: Call/text ¹ the employee on their personal phone number. Send the employee an email, to their work and personal email. If you are unable to contact the employee: Contact the employee's emergency contact and advise them, that the employee is to contact you. If more than two (2) hours has passed and the employee has not contacted, you; contact CHP to conduct a Welfare check. If the employee was contacted: Inform the employee that they are AWOL and that their timesheet will be marked unapproved dock from the start of their scheduled shift until they report for duty. If the employee fails to report to duty for two (2) consecutive days, contact your ERO for guidance immediately.	 Hello [Employee Name], This is your supervisor. It is [insert time of day]. You were scheduled to start duty at [insert time]. You failed to [select one -arrive/check-in]. You also failed to call in per the [insert program name]'s call in procedure. I have been trying to reach you since [insert time]. I have not been able to reach you at [insert phone number]. This [select one - email/voicemail] is to notify you that you are Absent Without Leave (AWOL) as of the start of your shift at [insert time]. Please note failure to report to duty for five (5) consecutive working days is an automatic resignation from state service. The use of leave balances is disapproved for the time that you are AWOL. Your timesheet will be marked unapproved dock unless subsequent approval specific to future absence(s) is obtained. Please contact me immediately at [insert phone number].

¹ Work email and work number alone is **not** sufficient. If the employee is AWOL, they are unlikely to receive it.

Absent Without Leave (AWOL) Log

Complete the information fields in the Employee Information section. Document all referrals to and interactions with the Office of Employee Wellness (EWS) or Equal Employment Opportunity (EEO) Office. Document the date, the communication type (verbal or email), all instruction(s) and deadlines provided to the employee and responses provided by the employee in the Date and Instruction Provided to Employee columns. Include what day of AWOL (1-5) it is for the employee. Document any additional information relative to the AWOL in the Comments column.

Employee Information

Employee Name:	Classification:	Bargaining Unit:
Phone Number:	Personal Email Address:	
Supervisor Name:	Supervisor Phone Number:	

Were Family Medical Leave (FMLA), California Family Rights Act (CFRA), Reasonable Accommodation, or EEO referrals requested or provided to the employee? ______ If so, when? ______

Date	Instruction Provided to Employee	Comments
01/03/23	Employee did not come in for scheduled shift today. Called and left a message on personal phone, left a text a few minutes later. Sent an email to employee's personal email.	The employee just returned from medical leave; this was supposed to be their first day back. 1 st day of AWOL
01/04/23	Contacted employee again via personal phone and email to inform them that they are considered AWOL as of today.	2 nd day of AWOL
01/05/23	Still no contact from employee, contacted emergency contact who did not provide additional information.	3 rd day of AWOL -Spoke to ERO for next steps.
01/06/23	No contact	4 th day of AWOL, ERO has informed me that they are drafting the AWOL notice.
01/09/23	No contact	5 th day of AWOL – Requested deactivation of employee accounts. Completed Exit Clearance and EE final timesheet.

AWOL FREQUENTLY ASKED QUESTIONS

Q. How often do I need to call the employee and direct them to report to work:

You are not required to continue to contact the employee after your first notice and/or wellness check to advise the employee s/he is AWOL, but it is at your discretion. In any case continue to document all interaction or absence of interaction on the AWOL Log.

Q. What happens after the employee fails to report to duty or provide substantiation as instructed?

- 1. Continue to document all interactions or the absence of interaction with the employee on the AWOL Log.
- 2. Advise the employee if you are accepting or rejecting the provided substantiation.
- 3. Contact your assigned ERO no later than the third day of the employee's AWOL.
- 4. On day four (4) of the employee's AWOL the assigned ERO will draft the employee's AWOL Separation Notice.
- 5. At 5:00 p.m. on the fifth day of the employee's AWOL, the assigned ERO will request deactivation of the employee's badge and IT access.
- 6. The ERO will mail the AWOL Separation Notice to the employee's address of record.
- 7. The employee has five (5) days to contact the ERO to request and conduct a Coleman Hearing.
- If the employee has CDFW equipment (keys, laptops, monitors, field equipment and keycard), the supervisor should complete the Return Equipment Notice and send it to the employee. A copy of this letter may accompany the AWOL Separation Notice. Please note, this instruction is included in the AWOL Separation Notice and the Administrative Time Off (ATO) letter if applicable.
- 9. The supervisor should inventory the personal items and store them in a box. This box may be mailed or picked up by the employee at the supervisor's discretion with the inventory list.
- 10. The supervisor is to complete the Exit Clearance in HRMS for employee.
- 11. The supervisor is to complete the employee's final timesheet in Tempo.
- 12. Your ERO will notify the Hiring Authority (Branch Chief or Regional Manager) of any AWOL Separation appeals filed, Coleman Hearings scheduled and other pertinent case updates.
- 13. You may be contacted about your availability as a potential witness for CalHR Hearings regarding the appealed AWOL Separation.