

THE ISSUE: ABSENT WITHOUT APPROVED LEAVE (AWOL)

THE DEFINITION

Absent without approved leave (AWOL) is a non-pay status resulting from a management determination that no kind of leave (paid or unpaid) can be granted, either because (1) the employee did not obtain advance authorization or (2) the employee's request for leave was denied.

THE ARGUMENT

The Postal Service's leave policy still must be administered on an equitable basis, considering both the needs of the Employer and the welfare of the individual employee. The supervisor may not arbitrarily, capriciously, or discriminatorily disapprove leave, thus placing the employee in an AWOL status. Nor may every disapproved request for annual leave or sick leave automatically be charged as AWOL. If the supervisor, for instance, is satisfied that a request for annual leave is legitimate, annual leave, the request should be approved but recorded as LWOP. Or, if a request for sick leave is warranted but not compensable under the sick leave provisions, the employee should be given the option to convert the request to annual leave or LWOP, instead of automatically being charged AWOL. Similarly, not every leave request for which advance authorization was not obtained may be charged as AWOL. The leave provisions anticipate that occasional requests for unanticipated annual leave or sick leave will occur. Even a blanket policy that all no-calls or late calls are to be charged AWOL would be inappropriate. Undoubtedly, many no-calls will turn out to warrant an AWOL determination. However, each case must be examined on its own merits. For example, where an employee was incapacitated and notified the employer as soon as she was able to do so, sick leave would be appropriate rather than AWOL.

AWOL

THE INTERVIEW

- Why was the grievant determined to be AWOL?
- Who made the decision?
- Is everyone who calls in late automatically AWOL?
- Is this policy that everyone who fails to call in before their scheduled start time is

automatically AWOL in writing somewhere?

- You did understand, didn't you, that grievant was in the hospital this morning and didn't have access to a phone until two (2) hours after her tour began?
- Would it have made any difference if you would have known this?
- Is there anything grievant could have done or submitted to get you to change your mind and approve sick leave for the two (2) hours before she called in?

THE DOCUMENTATION

- 3971 (leave slip)
- Medical/emergency evidence
- Grievant's statement or interview
- Witness statements or interviews
- Supervisor interviews or statements
- Call-in records

THE AGREEMENT

- National Agreement, Article 10
- National Agreement, Article 19
 - LMOU
- Employee & Labor Relations Manual, Part 510