

Absence Without Leave (AWoL) Policy (Example)

Please note: this policy will generally be part of an overall policy on employee absence.

1. The company may need to contact employees for urgent work-related reasons or contact their next of kin – or others - in the case of a medical emergency or an unaccounted-for work absence. The company therefore requires that appropriate contact details are provided to them.

2. Employees must ensure that the company has up-to-date details of their home address, landline (if they have one), mobile number, personal email address and next of kin's mobile or landline number. If they have a solicitor or doctor then their details should also be provided, if possible – but only with permission of the professionals concerned.

3. Where, for any legitimate reason, an employee is unable to attend work or undertake work duties on any day that they are scheduled to do so and unable to contact their line manager or HR department by [xx.xx] on the same day, they must nevertheless endeavor to do so at the earliest opportunity.

4. A legitimate reason may include a medical condition or accident that leaves them incapacitated. Further reasons may be being the victim of a violent crime, entrapment or arrest by the police - plus a range of other circumstances - that could later be substantiated - that prevent them from contacting the company.

5. If the company has been unable to contact the employee by telephone (after at least three attempts) or received any call or message from the employee for a whole day and they fail to appear within two hours of their due start time on their next working day then the HR department shall take over the investigation and a further call will be made to their mobile (and landline – if they have one).

6. Should contact still not be made, the employee's next of kin shall be contacted by telephone and, if no knowledge of the reasons for absence are known, then the next of kin shall be encouraged to visit the employee. If they indicate their unwillingness to do so, the HR department shall inform the local police and request that they investigate and get back to the HR Department on a mobile number given to them.

7. If by the third day after work attendance was due the employee does not attend work then, and if no action has been apparently taken by the police or report received, the company shall organize for a staff member to visit their home address and, if no answer is gained to enquire amongst neighbours if the employee has been seen. If no contact has been made with the employee then the police should be again informed.

8. If no contact has been established by the fifth working day after work attendance was due a registered/couriered letter will be sent to the employee. An attempt shall also be made to contact the individual's solicitor and/or doctor (if they have provided such details) and/or other means used to contact them - such as texting, email or via social media.

9. Failing all attempts to make contact by the eighth working day a further letter shall be sent by registered post or courier setting out the circumstances and detailing the attempts to

make contact with them. In this communication the employee shall be given seven days notice of a disciplinary hearing – giving time, date and location and asking them to confirm receipt of the notice and attendance.

10. If the employee fails to make contact at this stage or to attend the disciplinary hearing then steps may commence to terminate the employee's contract.

11. A termination letter, giving details of the reasons for dismissal and due notice, shall be sent by registered post or courier to the employee's registered home address stating that if the employee has not contacted the company within five working days from receipt of the letter then the company would consider their employment contract to have ceased. It should also state that all pay and emoluments due will be deposited in their bank account by a set date (usually the end of the month in which the notice period ends).

12. If, by the due date for termination, no contact has still been made then the employee shall be informed of their dismissal by registered (or couriered) letter. They should also be sent their final pay slip, social security contributions statement and other termination documents.

13. The receipt of any contact from the employee prior to any disciplinary action being taken or notice being completed shall suspend the termination until the circumstances of the absence without leave can be fully investigated.

14. If there is not reasonable cause for the employee's unauthorized absence, then the employee shall still be subject to procedures under the company's disciplinary policy, possibly leading to termination for gross misconduct.

15. If, at any time, an accident or critical illness or other serious incident is discovered to have taken place then the company shall make sure that the employee's next of kin has been notified.

16. If, after the employee has been dismissed and within a period of up to three subsequent months, it should be discovered that the employee had - for credible and readily evidenced reasons - been incapacitated then a meeting shall take place between their line manager and HR to determine if reinstatement should be considered. If it is agreed to do so then the individual employee shall be paid a sum in lieu of the period since dismissal.

17. All telephone calls and other forms of communication or attempted communication by company personnel shall be dated and timed. If contact is made a note should be made of any conversations.

18. This policy may be modified by the company at any time in the light of evolving circumstances and relevant case law.