



Dealing with a PTO Spender (Abuser)

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QUESTION: I have a long-time staff member who is really good at her job...when she's here. It doesn't matter how much paid time off (PTO) she's granted each year; she burns through it by the 3rd quarter of the year and then has no cushion left for unplanned absences (which she ends up taking without pay). We've had several talks with her over the years, but her behavior doesn't seem to change. It would be one thing if she was using the time for planned vacations, because we could deny those requests if she was running short on time. Instead, her life seems to consist of one emergency after another and very few of her absences are ever planned. We don't want to lose her as a full-time employee, but want to send a message that this can't continue. One idea we had was to reduce her pay by \$0.50/hour for every day she ran over her PTO allotment. Is this legal? Are there other ways we could address this?

ANSWER: There are three kinds of employees when it comes to use of PTO, spenders, savers, and the rest of us. Based on your question, PTO spenders are the issue here. Let's discuss a few different ways to handle this employee. You could look at your policy and write it in a manner that requires advance notice to use PTO or the time will not be paid. Unfortunately, it is doubtful that this will change her behavior and it will likely anger the rest of your staff. After all, PTO is designed to allow for flexibility.

You could stop allowing her to take time off without pay. While this sounds good, it's not practical, since most of the time is unplanned and I'm sure, for quite dramatic reasons. When she calls in, you will have no way of forcing her to come in to work. You could reduce her pay by \$.50 an hour, as you suggest. This is okay as long as it does not drop her below minimum wage. I'm not crazy about the idea though as it could easily have unintended consequences, as well as become an administrative burden. I also wonder if a drop in pay would have the impact you are hoping for. She is already losing pay by taking additional days off with no PTO to cover them and yet she does it anyway.

It might be more beneficial to calculate how many hours she actually worked in the last 12 months to see if she still meets your definition of 'full-time'. If all of this extra time off equates to less than a full-time workload then she may no longer qualify for several of the benefits your company offers to full-time employees, i.e., paid holidays, paid time off, health insurance, dental benefits, etc. Loss of full-time status may be a bigger consequence for her and one that won't negatively affect the rest of your staff.

Regardless of the ramifications you choose to impose, I think it will be difficult to near impossible to change her behavior. This is who she is and it's been her pattern for a long time now. Ultimately, you will be faced with two options, (1) keep her and learn to live with it or (2) terminate her employment. I know this sounds harsh and that you aren't going to be excited about either option, but this is often the reality.

Ask yourself:

- Why do you want to keep her?
- What does the company gain from retaining her?
- What does the company lose?
- What impact does her behavior have on other staff members?
- How difficult will it be to replace her?

If you decide that you want to keep her on, be prepared to:

- Listen to coworkers' complaints about her,
- Deal with the increased resentment from coworkers who have to cover for her,
- See an increase in other staff members calling in without notice and other violations of your policies, and
- See an increase in the offending employee's "spending" behavior.

Situations like this make it difficult to be the leader. Ultimately, you are responsible for the best interests of your company as a whole. Keep that in mind as you weigh the pros and cons of various consequences, and ultimately, the pros and cons of keeping this employee on staff.