

Attendance Support Program



Limestone District School Board

1.0 INTRODUCTION

- 1.1 The Limestone District School Board prides itself on the quality educational services we provide to our students. The Board is dependent on the contribution and commitment of all its employees to achieve this goal. Regular, consistent attendance is therefore essential.
- 1.2 The Attendance Support Program (the Program) has been introduced in an effort to address attendance issues through positive intervention whereby employees are offered assistance and support on an individual basis. Implementation of the Program will be subject to and consistent with respective Collective Agreement provisions and will respect applicable statutes.

2.0 GOALS & OBJECTIVES

- 2.1 The Attendance Support Program is a non-disciplinary process. The goal of the Program is to assist employees to remain at work and where injury, illness, disability or other cause prevents an employee from working, ensure that the necessary supports are in place to promote the early and safe return to work. The intent is to resolve health concerns through positive intervention, including offering assistance such as accommodation, EAP services, or providing other referrals as appropriate.
- 2.2 Objectives of the Attendance Support Program include:
- Supporting employees in maintaining optimal health;
 - Promoting optimal and regular attendance at work;
 - Offering assistance and support to employees whose absenteeism has escalated;
 - Treating all employees in *a consistent* and respectful manner;
 - Providing a framework to work within and establishing individualized goals for employees to work toward; and,
 - Reducing the financial and human impacts associated with sick leave, such as interruption to student learning, loss of productivity, overtime, replacement staff and staff morale.

3.0 GUIDING PRINCIPLES

- 3.1 There are a number of guiding principles underlying the program, which include:
- Employee absenteeism due to injury or illness are a legitimate use of sick leave unless determined otherwise;
 - Employees play an active role in managing their own attendance;
 - Supervisors will promote an open and cooperative injury/illness support process wherein both parties actively work together in assessing, planning and identifying targets for improvement, based on individual circumstances;

- Cooperation between supervisors and employees will promote reduced absenteeism and improved accommodation of employee needs;
- The program provides for increased intervention as an employee moves through the Program;
- No person shall be denied participation in job competitions, transfers or developmental opportunities as a result of their inclusion in the Program; and,
- The timelines established are guidelines only and may be repeated, extended or shortened.

4.0 ROLES AND RESPONSIBILITIES

4.1 Employees

4.1.1 As the Board's greatest asset, employees are required to be at work, wherever possible. However, occasionally circumstances will occur that result in an employee being absent from work. It is the employee's responsibility to advise their supervisor if they are going to be absent for any reason, including the following:

- Providing notification as soon as possible before the first day of absence or, if that is not possible, as soon as possible after the commencement of the absence;
- The employee should provide notification of their absence directly - it should not be another individual communicating on behalf of the employee;
- Notifying their supervisor as early as possible of the expected date of return;
- In the case of longer absences, maintaining regular contact with their supervisor to advise of progress and expected date of return;
- Providing requested medical documentation in a timely fashion;
- Notifying their supervisor or Human Resources as early as possible if the employee's inability to attend work is the result of a disability in order that possible accommodations can be explored;
- Actively participating in the return to work / accommodation process; and
- Actively participating in the Attendance Support Program when they enter a given level.

4.2 Supervisors

4.2.1 The supervisor plays a critical role with respect to attendance. Responsibilities include:

- Promoting a positive work environment;
- Communicating the Attendance Support Program to employees;
- Assessing absenteeism;
- Actively managing the Attendance Support Program;
- Maintaining communication with absent employees;
- Demonstrating concern for employee well-being;

- Offering assistance to employees, including available resources to assist them in their work and/or personal lives;
- Establishing goals and expectations with employees;
- Working with the employee in consultation with Human Resources to develop effective return to work strategies / accommodations; and,
- Recognizing employees for good or improved attendance.

4.3 Human Resources

4.3.1 Human resources and those individuals dedicated to return to work play a significant role. Responsibilities include:

- Interpreting sick leave provisions;
- Providing supervisors with support and guidance in the various stages of the Attendance Support Program, including helping supervisors to establish personalized absenteeism thresholds for staff and determining whether an employee should be granted an extension in a given level;
- Assisting supervisors to gather proper medical documentation, as necessary;
- Maintaining medical documentation in a secure, confidential location;
- Consulting with respective bargaining agents, as requested and/or required;
- Assisting in developing return to work plans and/or accommodation plans, including updating plans on a regular basis.

4.4 Bargaining Agents

4.4.1 If the employee chooses to involve a bargaining unit representative, the representative should be involved in the process as early as possible. Responsibilities of bargaining agents include:

- Providing sound, practical advice to their members;
- Ensuring Collective Agreement provisions are understood and followed; and
- Assisting the supervisor/Board to resolve situations wherein obligations under the Ontario Human Rights Code conflict with Collective Agreement provisions.

5.0 TYPES OF ABSENTEEISM

5.1 **Innocent Absenteeism** refers to absences that are beyond the control of the employee, such as illness, injury or disability. These absences are not dealt with through progressive discipline; but rather employees are supported through the Attendance Support Program. Lateness or leaving early may be included as part of innocent absenteeism.

5.2 **Culpable Absenteeism** refers to absences that are within the control of the employee and may involve deliberate misrepresentation or misuse of a leave thereby requiring disciplinary action. Although it may identify such patterns, the Attendance Support

Program does not deal with culpable absenteeism. Lateness or leaving early may be included as part of culpable absenteeism.

- 5.3 Where culpable absenteeism is identified a separate and distinct disciplinary process will ensue in accordance with Board procedures and the respective collective agreement.

6.0 ATTENDANCE THRESHOLD

- 6.1 Two attendance thresholds have been established for purposes of identifying employees who may require additional support with respect to maintaining regular attendance at work. The first reflects total days of absenteeism; the second reflects the number of instances of absence. For ten month employees, the threshold for days of absenteeism has been set at 10 while the number of instances of absence threshold has been set at 5. For twelve month employees, the threshold for days of absenteeism has been set at 12 while the number of instances of absence threshold has been set at 6.
- 6.2 The Board reserves the right to review and evaluate the program on a regular basis and amend the above-noted thresholds as necessary.
- 6.3 The following chart illustrates what absences are included and what absences are not included as provided for in the respective collective agreement, for purposes of entry into the Program:

Absences Included	Absences Not Included
<ul style="list-style-type: none"> • Illness • Injury unrelated to work 	<ul style="list-style-type: none"> • Vacation • Pregnancy / Parental Leave • Pre-approved Personal Leave • Workplace Illness/Injury (WSIB) • Bereavement Leave • Pallbearer Leave • Graduation Day • Union Leave • Quarantine • Compassionate Leave • Inclement Weather • Jury Duty • Family Leave • Family Medical Leave (ESA) • Parenting/Paternity Leave • Approved Long Term Disability • Observance of recognized religious holy days

7.0 RECORDING ABSENCES

7.1 In order to proactively identify and respond to potential attendance issues, it is important that accurate, up-to-date attendance records are maintained.

8.0 IDENTIFYING THE NEED FOR POSSIBLE INTERVENTION

8.1 When an employee's absenteeism record approaches the established threshold (number of days and/or number of instances), this signals that the employee may require additional support.

8.2 It is important to recognize that each employee and their situation is unique and therefore each case must be considered independently with some consideration and flexibility given to the individual circumstance. Once a potential issue has been identified, it is important to look at the number of absences as well as the length of each absence.

8.3 For example, one occurrence of twenty days absence due to surgery is handled differently than twenty separate instances of one day each. The former is an isolated incident, which may require a graduated return to work plan and corresponding accommodation. The latter will require further exploration as to what may be causing the employee to miss work and what supports the employer can provide to assist the employee.

9.0 ATTENDANCE SUPPORT PROCESS

9.1 The process consists of a number of support meetings that focus on proactive intervention and employment accommodation, as appropriate. The entire process is structured to cover a minimum period of sixteen continuous months wherein participation in the program extends from one year to the next and does not cease at the end of a school year.

9.2 There are *five* steps in the process, one informal and four formal. Each level is intended to raise awareness of absenteeism rates and to provide support and/or referrals to available resources in order to assist employees.

9.3 There are a number of features common to each level in the process:

- All unionized employees have the right to bring union representation with them to each meeting;
- Any level can be extended, repeated or suspended based on individual circumstances and the Employee's absenteeism;
- If attendance goals are not maintained for a period of 12 (10) months, then the employee will repeat the last level attained or progress to the next level;
- If attendance goals are achieved for a period of 12 (10) months, the employee is commended and removed from the program;
- Attendance goals can be modified, based on new medical information or other supporting information;

- If after having been removed from the program, the employee is required to re-enter the program, he/she will generally enter at level 1, unless he/she is reentering the program within a ten/twelve month timeframe.
- If the employee indicates, at any point in the process, that a medical condition or disability contributes to their attendance, the supervisor should discuss the situation with Human Resources so that appropriate strategies can be put in place, including removing the employee from the Attendance Support Program into a separate and distinct Disability Management Program.

10.0 THE INITIAL MEETING

- 10.1 Once it has been identified that an employee is approaching ten/twelve days of absence and/or five/six instances of absence, the supervisor will be expected to schedule a meeting in order to discuss the employee's attendance and to discuss whether there are any supports that could be put in place to assist the employee. This meeting is informal and is an opportunity to engage the employee in the process, establishing a framework for both the employee and the supervisor to work together toward a positive solution.
- 10.2 It is important that the Attendance Support Program is reviewed with the employee at this meeting.

11.0 LEVEL ONE

- 11.1 If the employee's absenteeism continues to increase reaching and/or bypassing the established threshold, the employee will be placed into Level One of the Program. A meeting will be scheduled to review ongoing attendance issues. The intent of this meeting is to further explore absenteeism, contributing factors and possible solutions. Therefore, the supervisor should:
- Ensure the employee is aware of their right to union representation;
 - Review the employee's absenteeism;
 - Suggest available resources to assist the employee such as EAP or other sources of support;
 - In consultation with Human Resources, explore the possible need to request medical *or other supporting* documentation;
 - Establish with the employee new goals for the review period;
 - Advise employee that continued absenteeism, albeit innocent, may result in termination from employment;
 - Confirm the above in writing to the employee with a copy to the employee's attendance file;
 - Monitor the employee's attendance over the next four months.

11.2 Follow Up

- 11.2.1 The employee's absenteeism will be monitored over the four-month period following the Level One meeting. If the goals as set during the Level One meeting are met, the employee is to be commended in writing. Attendance records will continue to be monitored every four months; if after one year, no further attendance issues are identified, the employee is removed from the program and annual monitoring resumes.
- 11.2.2 If however, the employee is unable to meet the established goals, the supervisor may repeat Level One or proceed to Level Two, depending upon the individual circumstances.

12.0 LEVEL TWO

- 12.1 In some cases, some employee absenteeism rates may not improve after at least two attempts at intervention. In this case, the supervisor will:
- Meet with the employee to review attendance records, re-emphasize attendance expectations, including previous goals;
 - Suggest the employee seek a medical assessment and discuss other options that might support the employee in reducing absenteeism, such as EAP;
 - Advise the employee that there is a continuing concern with respect to his/her attendance, emphasizing that improvement is required over the next four months;
 - Confirm attendance goals and expectations in writing;
 - Advise employee that continued absenteeism, albeit innocent, may result in termination from employment;
 - Monitor over the next four months.

12.2 Follow Up

- 12.2.1 The employee's absenteeism will be monitored over the next four-month period following the Level Two meeting. If the goals as set during the Level Two meeting are met, the employee is to be congratulated in writing. Attendance records will continue to be monitored every four months; if after one year, no further attendance issues are identified, the employee is removed from the program and annual monitoring resumes.
- 12.2.2 If however, the employee is unable to meet the established goals, the supervisor may repeat Level Two or proceed to Level Three, depending upon the circumstances.

13.0 LEVEL THREE

- 13.1 If there is no improvement in the four months following the Level Two meeting, a two- step process begins, involving the appropriate Supervisory Officer and Human Resources.

13.2 Step One

13.2.1 A meeting is scheduled in order to further investigate absenteeism rates, contributing factors and possible solutions, while raising the employee's awareness that continued excessive absenteeism may lead to termination. Therefore, the supervisor should:

- Review the employee's past attendance record and the reason why the employee has been placed in Level Three of the Program;
- Encourage the employee to seek additional resources to assist him/her such as EAP or other sources of support;
- In consultation with Human Resources, ask the employee to provide medical or other supporting documentation that clearly outlines their ability to regularly attend work;
- Provide the required forms for employees to take to their doctor or other treating professional with instruction to submit the forms to Human Resources upon completion;
- Advise that a follow up meeting will be scheduled to discuss the results of the requested assessment;
- Implement any required accommodations;
- Confirm attendance goals / expectations or establish new goals for this review period, if new information is presented;
- Advise employee that continued absenteeism, albeit innocent, may result in termination from employment;
- Confirm the above in writing; and,
- Monitor the employee's attendance over the next four months.

13.2.2 If the medical documentation is not submitted or the doctor indicates that regular and consistent attendance cannot be expected, consultation with Human Resources is required in order to determine the appropriate course of action. The employee will be invited to a meeting, which shall be followed up in writing, to discuss the course of action to be followed, which may include further accommodation.

13.3 Step Two

13.3.1 If the employee provides medical information indicating that no medical condition exists that would prevent the employee from regularly attending work, the employee's absenteeism will be monitored over the next four months. The employee should be advised that he/she has reached the final level of the program and that if attendance expectations are not met and achieved for a twelve month period, termination may be considered.

13.3.2 The employee's attendance will be monitored over the next *four* months following the Step One meeting. The employee's attendance will determine the outcome as follows:

1. If the employee's attendance improves, the employee is to be commended in writing. Attendance records will continue to be monitored every four months; if

after one year, no further attendance issues are identified, the employee is removed from the program and annual monitoring resumes.

2. If however, the employee is unable to meet the established goals, the supervisor will meet with Human Resources to determine whether to repeat Level Three or proceed to termination.

14.0 TERMINATION FOR INNOCENT ABSENTEEISM

- 14.1 If after progressing through the Program, the employee does not exhibit any improvement in his/her absenteeism rate, the supervisor shall meet with Human Resources to discuss whether termination should be considered.
- 14.2 Termination should only be considered after all the steps in the process have been exhausted. In determining whether termination is the appropriate course of action, the following factors should be carefully considered:
 - Has the employee done everything reasonable to improve their attendance?
 - Has the Board attempted to assist the employee in a reasonable way, such as counseling, support, time-off, accommodation, etc.?
 - Has the Board given the employee proper notice that their absenteeism may result in termination?
 - Has the Board determined whether a disability exists that may require accommodation?
 - Has enough time been provided to allow the employee to address their attendance issues?
 - Does the available evidence indicate that there is no reasonable likelihood that the employee's attendance will improve in the foreseeable future?

15.0 SUMMARY

- 15.1 The Attendance Support Program is designed to support employees. Employees actively participate in the process, including establishing personalized goals. Each level builds on the one before, with increasing intervention at each level. Goal setting is individualized and recognizes the employee's needs. At any time, goals may be modified based on new information.
- 15.2 Goals may be quantitative or qualitative in nature as well as temporary or permanent, depending on the situation. Examples may include:
 - Personal absenteeism thresholds;
 - Reduced hours;
 - Modified work;
 - Relocation;

- Time off (paid or unpaid, depending on the circumstances).
- 15.3 Most absenteeism issues will be resolved at Level One or Level Two.
- 15.4 Supervisors can support their employees through the implementation of positive strategies such as EAP referrals, counseling, time off, accommodations, etc. and by maintaining regular contact with them, particularly when an employee is off work for an extended period of time. The goal is to promote optimal attendance with a focus on early and safe return to work strategies.
- 15.5 At any point in the process, an employee may apply for and be approved for Long Term Disability benefits or WSIB benefits. Employees in receipt of LTD or WSIB are no longer actively participating in the Attendance Support Program. At such time as they receive medical clearance to return to work, a return to work and, where necessary, accommodation plan will be developed. Further absences unrelated to WSIB or LTD may result in the employee entering the Attendance Support Program.

PROCESS SUMMARY

ATTENDANCE SUPPORT PROCESS	OUTCOME
Informal Meeting	<ul style="list-style-type: none"> • Increased awareness of absenteeism • Offer of support
Level One (Four – Eight Months)	<ul style="list-style-type: none"> • Establishing attendance goals • Offer support • Four month review period • Removal, extension or progression • Notice that excessive absenteeism may lead to termination
Level Two (Four – Eight Months)	<ul style="list-style-type: none"> • Establishing attendance goals • Offer support • Accommodate as required • Four month review period • Removal, extension or progression • Notice that excessive absenteeism may lead to termination
Level Three – Step 1 (Four to Eight Months)	<ul style="list-style-type: none"> • Establish goals • Request for medical or other supporting documentation • Accommodate as required • Offer additional supports • Four month review period • Notice situation is serious and that excessive absenteeism may lead to termination
Level Three – Step 2 (Four to Eight Months)	<ul style="list-style-type: none"> • Review of participation in ASP • Establish goals • Respond to medical documentation or other supporting documentation if submitted • Accommodate as required • Offer additional supports • Four month review period • Notice that situation is serious and that failure to improve may lead to termination.
Level Three – Step Two No Improvement	<ul style="list-style-type: none"> • Careful review of employee file and employment history • Possible termination for innocent absenteeism