



ADMINISTRATIVE PROCEDURE	
<i>Approval Date</i> April 2011	<i>Replacing</i> All previous procedures
<i>Review Date</i> 2016	<i>Page</i> 1 of 13
<i>Contact Person/Department</i> Human Resources Administrator	<i>Identification</i> HR-4051

ATTENDANCE SUPPORT

1.0 PURPOSE

It is the policy of Trillium Lakelands District School Board that regular and consistent attendance by all employees is essential for the provision of high quality educational services for our students and is essential for the provision of a safe and healthy workplace.

Trillium Lakelands District School Board supports the health and well being of all its employees by creating a positive, supportive environment whereby employees are offered assistance on an individual basis to support their regular attendance.

Attendance Support will focus on innocent absenteeism – non-culpable absences that occur when an employee, through no fault of his or her own, is absent from the workplace because of injury or illness.

2.0 REFERENCES/RELATED DOCUMENTS

2.1 RELATED LEGISLATION INCLUDES:

- a) Education Act and Regulations
- b) Employment Insurance Act
- c) Employment Standards Act
- d) Municipal Freedom of Information and Protection of Privacy Act
- e) Ontario Human Rights Code
- f) Workers Safety and Insurance Act

2.2 OTHER RELATED DOCUMENTS (AS AMENDED AND REVISED FROM TIME TO TIME)

- a) Collective Agreements and Terms of Employment
- b) Disability Management Policy HR - 4045
- c) Disability Management Procedure HR - 4046
- d) Inclement Weather Procedure HR - 4036

3.0 TERMS AND DEFINITIONS

3.1 **Innocent Absenteeism** refers to non-culpable absences that occur when an employee, through no fault of his or her own, is absent from the workplace because of injury or illness.

3.1.1 Innocent Absenteeism does not include:

- Approved vacation leave;
- All types of approved leaves of absence as outlined in respective collective agreements (with or without pay) (e.g. Self-funded leave, bereavement leave, personal/compassionate leave, etc.);
- Pregnancy/parental leave or any other leave under the Employment Standards Act (e.g. emergency leave, family medical leave);
- Union/Federation leave or release;
- Quarantine;
- Observance of recognized religious holy days;
- Witness or jury duty;
- Compensating time or overtime;
- Suspension;
- Culpable absences;
- Inclement weather days (when the Board closes schools);
- Absences due to work-related injuries or illness approved by the WSIB.

3.2 **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 the Attendance Support Procedure may identify such absences, the Attendance Support Policy and Procedure does not deal with culpable absenteeism. Lateness or leaving early may be included as part of culpable absenteeism. Culpable absenteeism will be dealt with through the disciplinary process.

3.3 **Attendance Reporting**

On a board-wide basis, the number of occurrences will be a factor considered in determining whether the number of days absent warrants participation in the attendance support program. Timing will also be another factor influencing the employee's participation in the attendance support process.

3.4 **Absence Threshold**

Absence Threshold – is the established number of days absent to trigger possible entry into the Attendance Support Program. When an employee's absences have exceeded the threshold, the Attendance Support process will be initiated. The Absence Threshold will be set at 10 days for all staff.

The Absence Threshold should be reviewed every two years by the Board. Employees will be notified of any threshold changes. The threshold is used as a mechanism to trigger non-disciplinary and supportive intervention.

4.0 PROCEDURE

4.1 GUIDING PRINCIPLES

There are a number of guiding principles underlying the procedure, which may include:

- Employee absences due to injury or illness are a legitimate use of sick leave;
- This procedure will endeavour to provide a supportive procedure to assist the employee in improving his/her own health;
- Employees play an active role in managing their own attendance;
- The employer will endeavour to play an active role in supporting employee health;
- The Employer, employee and employee union/association will endeavour to work together in assessing, planning and identifying the support(s) needed and goals to work towards regarding attendance and health, based on the employee's individual circumstances;
- Cooperation between supervisors and employees will endeavour to promote reduced absenteeism and improved health;
- The procedure provides for increased intervention as an employee moves through the process.

4.2 OBJECTIVES OF THE ATTENDANCE SUPPORT PROCEDURE MAY INCLUDE:

- Supporting employees to maintain or improve his/her optimal health;
- Educating employees as to group benefits and the support services offered by the employer;
- Offering assistance and support to employees who have self identified as needing support, or whose absences have reached the established procedure threshold;
- Supporting employees through "stay at work" accommodations;
- Treating all employees in a fair, equitable, consistent and respectful manner;
- Providing a framework to work within and establishing an individualized support structure and goals for employees to work toward;

- Educating and increasing awareness of employees as to the importance of regular attendance and the effect that irregular attendance has on his/her work, his/her co-workers and the students;
- Promoting optimal employee health and regular attendance at work;
- 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.

4.3 ROLES AND RESPONSIBILITIES

4.3.1 EMPLOYEES

Employees are required to be at work whenever possible. The Board recognizes that occasionally circumstances will occur that result in an employee being absent from work. It is the employee's responsibility to:

- Understand and be aware of his or her collective agreement's provisions for sick leave and all other leaves of absence;
- Understand that accrued sick leave is not an entitlement but an insurance policy in case of an illness or injury;
- Become aware of, or ask about, all of the support services offered by the employer when needed;
- Actively participating and cooperating in the Attendance Support Procedure;
- Advise his or her supervisor if he/she is going to be absent from work for any reason by:
 - a) Advising his or her supervisor directly as soon as possible before the first day of absence or, if that is not possible, in case of an emergency, as soon as possible after the commencement of the absence;
 - b) Notifying his or her supervisor as early as possible of the expected return to work date;
 - c) In the case of longer absences, maintaining regular contact with his or her supervisor to advise of progress and expected return to work date;
 - d) Providing the proper medical documentation to his or her supervisor when requested; and
 - e) Actively participating and cooperating in the Disability Management procedure.

4.3.2 SUPERVISORS/PRINCIPALS

It is the Supervisor's/Principal's responsibility to endeavour to:

- Promote a positive and supportive work environment;
- Be aware of the support services offered by the employer;
- Communicate the Attendance Support Policy and Procedure to their employees;
- Offer assistance to employees where needed (e.g. EAP program, etc);
- Implement the employee's support structure, individual goals and work expectations, in consultation with the Attendance and Disability Management Officer;
- Work with the Human Resources Department through the Attendance and Disability Management Officer to:
 - a) Monitor and evaluate employee absences;
 - b) Manage the Attendance Support Policy and Procedure;
 - c) Maintain regular weekly communication with absent employees;
 - d) Assist Human Resources to develop an effective support plan.

4.3.3 HUMAN RESOURCES DEPARTMENT

The Human Resources Department, through the Attendance and Disability Management Officer will endeavour to:

- Promote and support a work environment that protects the overall health, safety and wellness of all employees;
- Interpret sick leave provisions in relevant collective agreements;
- Interpret relevant collective agreements;
- Orient and train supervisors and Principals on the attendance support procedure;
- Develop the employee's support structure, individual goals and work expectations;
- Provide supervisors and Principals with assistance and guidance at the various levels of the Attendance Support procedure;
- Be consistent, fair and equitable in the application of the Attendance Support procedure;

- Obtain proper medical documentation from the employee, as necessary;
- Maintain medical documentation in a secure and confidential location;
- Develop a support plan, as necessary.

4.3.4 BARGAINING AGENTS

It is the responsibilities of bargaining agents to:

- Provide advice to their members;
- Assist employees involved in the Attendance Support process, when requested;
- Participate in and cooperate with the attendance support process; and
- Work with all parties to resolve situations wherein obligations under the Ontario Human Rights Code conflict with Collective Agreement provisions.

4.4 ATTENDANCE SUPPORT PLAN

The Plan helps the employer record and tracks the employee's goals and expectations, the resources or assistance provided and the date of the next follow-up meeting.

4.5 IDENTIFYING THE NEED FOR POSSIBLE INTERVENTION

There may be two ways of identifying the need for intervention. The first occurs when the employee self identifies the need to meet and discuss possible supports needed during his/her illness or injury.

The second occurs when an employee's absenteeism record exceeds the threshold rate. This may signal that the employee may require additional support from his/her employer.

4.6 ATTENDANCE SUPPORT PROCEDURE

The procedure may consist of a number of support meetings between the supervisor or Principal, Attendance and Disability Management Officer and employee that focus on creating a supportive plan, that sets out clear work goals and expectations, as well as available resources and/or assistance that might be required to achieve the goals.

The procedure is structured to cover a minimum period of twelve continuous months wherein participation in the procedure extends from one year to the next and does not automatically cease at the end of the school year.

There are four levels in the Attendance Support procedure, one informal and three formal levels. Each level will endeavour to provide the support needed to assist the employee in improving his/her attendance.

4.6.1 There are a number of features common to each level in the procedure:

- All employees have the right to bring representation with them to each meeting;
- Any level may be extended, repeated or suspended based on the employee's individual circumstances;
- If attendance goals are not maintained, then the employee may repeat the last level attained or progress to the next level;
- If attendance goals are achieved, the employee may be removed from the process;
- Attendance goals may be modified, added or deleted, based on new medical information received, or through discussions between the supervisor, Principal, Attendance and Disability Management Officer and employee;
- If after having been removed from the procedure, the employee is required to re-enter the procedure, he/she may enter at the preliminary meeting, depending on the employee's individual circumstances.

4.7 PRELIMINARY MEETING

There are two ways to commence the Preliminary meeting:

- a) The employee requests assistance from his or her supervisor or Principal. The employee may request the initial meeting at any point during his or her illness or injury. If an employee requests assistance from his or her supervisor or Principal, it may not automatically mean that he or she will be placed in the Attendance Support process;
- b) The Supervisor/Principal initiates the meeting, once he or she has been notified by the Attendance and Disability Management Officer that an employee has reached the absence threshold as set by this procedure.
 - At the Preliminary meeting the Supervisor/Principal and employee will discuss the employee's attendance record and discuss whether there are any supports or assistance that could be put in place to assist the employee.

4.7.1 Follow Up

The employee's attendance is monitored by the Attendance and Disability Management Officer over the next 90 working days. If the employee's attendance improves, the employee is to be commended. When attendance goals have been met, the employee enters into a review period of up to 12 months where their absences are monitored by the Attendance and Disability Management Officer. Employees who do not exceed the threshold in the review period will exit from the Attendance Support Program.

If the employee's attendance does not improve, the employee will proceed to Coaching Level 1 of the program.

4.8 COACHING LEVEL 1

The intent of Coaching Level 1 is to further explore the employee's attendance records, contributing factors and possible solutions. The employee will be notified of his/her right to representation. The Supervisor/Principal and Attendance and Disability Management Officer may among other things:

- Review the employee's sick leave record relative to the Preliminary meeting discussion;
- Suggest other available resources to assist the employee, such as the EAP program, possible workplace accommodation, or other sources of support;
- Explore the possible need to request medical documentation;
- Develop an Attendance Support Plan which:
 - a) Outlines the employee's attendance record to date
 - b) Identifies the contributing factors;
 - c) Explores possible solutions and available supports;
 - d) Sets clear, well defined goals and expectations regarding attendance, including additional supports, as necessary; and,
 - e) Includes a four working month review meeting;
- Confirm the above in writing to the employee with a copy to the employee's personnel file. Medical information related to the absences and Attendance Support Plan will be kept in the employee's confidential medical file;
- Explain that he/she will remain in regular contact with the employee during the 90 working days review period and may provide further assistance or support, as necessary;
- Monitor the employee's attendance over the next 90 working days.

4.8.1 Follow Up

The employee's absenteeism will be monitored by the Attendance and Disability Management Officer over the next 90 working days following the Coaching Level 1 meeting. If the goals and expectations regarding attendance as set out in the Attendance Support Plan, during the Coaching Level 1 meeting are met, the employee is to be commended. When attendance goals have been met, the employee enters into a review period of up to 12 months where their absences are monitored by the Attendance and Disability Management Officer. Employees who do not exceed the threshold in the review period will exit from the Attendance Support Program.

If, however, the employee is unable to meet the established goals and expectations, the supervisor, in consultation with Human Resources, may have the employee repeat Level 1 or proceed to Coaching Level 2, depending upon the employee's individual circumstances.

4.9 COACHING LEVEL 2

In some cases, some employee absenteeism rates may not improve after at least two attempts at intervention. The employee will be notified of his/her right to representation. In this case, the Supervisor/Principal and Attendance and Disability Management Officer may among other things:

- Meet with the employee to review his/her attendance records, re-emphasize attendance goals and expectations, including previous attendance goals and determine why past attendance goals have not been met;
- Explore other possible assistance that can be put into place to support the employee in getting better and returning to work on a regular basis;
- Suggest the employee seek medical advice and discuss other options that might support the employee in reducing attendance rates, such as the EAP program;
- Advise the employee that there is a continuing concern with respect to his/her attendance, emphasizing that improvement is required over the next 90 working days;
- Consider whether medical documentation will be required;
- Review and modify past goals and expectations regarding attendance taking into account the contributing factors and why the previous attendance goals have not been met;

- Confirm the above in writing to the employee with a copy to the employee's personnel file. Medical information related to the absences and Attendance Support Plan will be kept in the employee's confidential medical file;
- Explain that he/she will remain in regular contact with the employee during the 90 working days review period and will provide any further assistance or support, as necessary;
- Monitor the employee's attendance over the next 90 working days

4.9.1 Follow Up

The employee's absenteeism will be monitored over the 90 working day period following the Coaching Level 2 meeting. If the goals and expectations regarding attendance, as set in the Attendance Support Plan during the Coaching Level 2 meeting are met, the employee is to be commended. When attendance goals have been met, the employee enters into a review period of up to 12 months where their absences are monitored by the Attendance and Disability Management Officer. Employees who do not exceed the threshold in the review period will exit from the Attendance Support Program.

If, however, the employee is unable to meet the established goals and expectations regarding attendance, the Supervisor/Principal, in consultation with Human Resources, may have the employee repeat Level 2 or proceed to Coaching Level 3, depending upon the employee's individual circumstances.

4.10 COACHING LEVEL 3

If there is no improvement in the employee's attendance record in the 90 working days following the Level 2 meeting, a two step procedure begins involving the Supervisor/Principal and Human Resources Personnel. The employee will be notified of his/her right to representation.

4.10.1 Step One – Coaching Level 3

A meeting is scheduled in order to further investigate the employee's absenteeism rates, contributing factors and possible solutions, while raising the employee's awareness that continued excessive absenteeism may lead to termination. The Supervisor/Principal and Human Resources may among other things:

- Review the employee's past attendance record and the reason why the employee has been placed in Level 3 of the Procedure;
- Encourage the employee to seek additional resources to assist him/her such as EAP or other outside sources of support;

- Explore all other possible supports or assistance that can be put into place to support the employee in getting better and returning to work on a regular basis;
- Determine if employee needs to provide further medical documentation that clearly outlines his/her ability, or inability, to regularly attend work;
- Provide the required forms for the employee to take to their doctor 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 medical assessment;
- Confirm attendance goals/expectations or establish new goals for this review period, especially if new information is presented;
- Advise the employee that continued absenteeism, albeit innocent, will result in termination from employment;
- Confirm the above in writing to the employee with a copy to the employee's personnel file. Medical information related to the absences and Attendance Support Plan will be kept in the employee's confidential medical file;
- Monitor the employee's attendance over the next 90 working days.

4.10.2 Step Two – Coaching Level 3

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 closely monitored over the next 90 working days. The employee will be advised that he/she has reached the final level of the procedure and that if attendance goals and expectations are not achieved, termination will be considered.

4.10.3 Follow Up

The employee's absences will be monitored over 90 working days following the Coaching Level 3 meeting, by the Attendance and Disability Management Officer. If the attendance goals and expectations as set out in the Attendance Support Plan, during the Coaching Level 3 meeting are met, the employee is to be commended. When attendance goals have been met, the employee enters into a review period of up to 12 months where their absences are monitored by the Attendance and Disability Management Officer. Employees who do not exceed the threshold in the review period will exit from the Attendance Support Program.

If however, the employee is unable to meet the established attendance goals and expectations, the Supervisor/Principal, in consultation with Human Resources, may have the employee repeat Level 3 or proceed to termination depending upon the employee's individual circumstances.

If after progressing through the Attendance Support Procedure, the employee does not exhibit any improvement in his/her absence rate, the Supervisor/Principal shall meet with Human Resources to discuss whether termination should be considered.

5.0 APPENDICES

5.1 Appendix A – Attendance Support Plan template

ATTENDANCE SUPPORT PLAN
LEVEL: _____

Employee Name:		School/Department:			
Supervisor/Principal Name:		School Year:			
Date of Meeting	Attendance Goals & Expectations	Resources & Assistance recommended or suggested	90 Working Day Follow Up Meeting Date	Supervisor/Principal & Employee Initials	