

## **ATTENDANCE SUPPORT PROGRAM (ASP)**

**Effective Date: May 5, 2014**

**Reviewed and Revised: February 1, 2017**

**REFERENCES: Employment Standards Act, 2000, Municipal Freedom of Information and Protection of Privacy Act, Ontario Human Rights Code, Workplace Safety and Insurance Act, 1997, Short Term Sick Leave And Disability Plan, Collective Agreements, Board Policies and Procedures**

### **PURPOSE**

All employees contribute to the Board's mission and their attendance is integral to maintaining quality of services, consistency of support to students, staff and the community. Regular attendance is an expectation of employment and an essential duty of every employee.

The Attendance Support Program forms an essential part of the Board's overall Health and Wellness/Employee Support Programs. With a foundation of Health and Safety in the work place, the Attendance Support Program is integrated with Wellness and Disability Management, in order to achieve the goals of personal and workplace wellness.

### **OBJECTIVES**

The intent of the Attendance Support Program is to provide non-disciplinary and supportive assistance to employees who exceed the school board's established absence threshold.

When an employee's absences exceed the established absence threshold(s) the following procedures apply in accordance with the Attendance Support Program. The Attendance Support Program will be supported by a Disability Management Program.

Should a disability be identified that requires support or accommodation at any time during the process, the Board will support the employee's transition into the Disability Management Program. The Board will fulfill its obligations under the applicable collective agreements and/or policies and procedures, the Workplace Safety and Insurance Act, 1997, Ontario Human Rights Code and any other applicable legislation.

The Board ASP will focus on the following strongly integrated and interactive elements:

- Healthy workplace and healthy employees
- Disability Management
- Attendance Support
- Confidentiality of Medical Records
- Absence Reporting

## DEFINITIONS:

### Absenteeism:

**Non-Culpable** (Innocent) Absenteeism - relates to absences as a result of illness or injury that arise due to circumstances beyond the employee's control. These absences are not dealt with through a progressive discipline model; instead the employee is supported through the Attendance Support Program. The Attendance Support Program recognizes that employees with non-culpable absenteeism may require assistance to attend work regularly and meet attendance expectations.

**Culpable Absenteeism** - relates to those absences for which employees can be held accountable. Failure to attend work without notifying the employer, lateness for work or leaving early and abuse of leave are examples of culpable absences. Employees with culpable absences are subject to progressive discipline, in accordance with the associated policy and procedures. These absences are **not** dealt with through the Attendance Support Program.

## ABSENCE REPORTING

Employees are required to attend work as scheduled, with the understanding that there will be times when employees are unable to attend work due to a legitimate personal illness, disease or injury.

In order to ensure a consistent and equitable approach throughout the Board, it is imperative that all employees are required to report his/her own absences through the normal reporting procedures within the required timeframe.

## ABSENCE THRESHOLD

Absence Threshold is the established number of absences to trigger possible entry into the Attendance Support Program. When an employee's absences exceed the threshold, within a rolling twelve (12) working month period, the attendance support process will be initiated.

The threshold should be reviewed every two years by the Board. Employees will be notified of threshold changes. The threshold is used as a mechanism to trigger non-disciplinary and supportive intervention. The WECDSB's specific threshold will be determined using actual WECDSB absence data. **Based on the most recent data, the threshold shall be set at nine (9) absences. The "prorated threshold" as referenced within the Program is set at 2.25 absences.**

When an employee's absences have exceeded the threshold, the attendance support process will be initiated through written notification to the employee.

Entry into any level of the multi-level process is applied consistently to all employees using discretion. The goals that are set within any level are specific and unique to each employee's circumstances. The Board may exercise discretion and exempt absences for a serious illness/injury that involves surgery, hospitalization or requirement for continuous medical treatment from consideration within the program. Where these absences are excluded, and the threshold is therefore not exceeded, the employee may be exempt from the program.

The employee may include his/her union representative in the attendance support process. At the request of the employee, the representative may attend any meetings that occur to discuss or review the employee's attendance and continue to offer support throughout the process.

The attendance support process includes 5 distinct components: Initial Notification; Level 1; Level 2; Level 3; and a Level 4 Meeting.

**Initial Notification** – When an employee's absences have exceeded the threshold, the attendance support process will be initiated through notification to the employee which shall include the following:

- The Board's concern for the employee's absence level;
- The Board's expectation for improvement in attendance, where at a minimum the employee's absences remain below the prorated threshold over a 60 working day review period, commencing on the date of the notification.
- Information with respect to the Board's Employee Assistance Program;
- An invitation to the employee to request a meeting with their principal/supervisor, should they wish to do so, to discuss any issue (s) that may be preventing their regular attendance, and/or should they require further support and guidance;
- An invitation to the employee to contact the Board's Human Resources Representative assigned to the Attendance Support Program, should they feel they should be exempt from the Attendance Support Program.

**Level 1** – consists of a meeting that includes the employee, Principal/Supervisor and/or Human Resources Representative. The employee may enter into Level 1 where the prorated threshold is exceeded during the review period following the initial notification. Attendance goals will be set with the employee that will apply for the next **60** working days, with the understanding that if the level of absences exceed the prorated threshold for the next **60** working days, the employee may proceed into Level 2 of the Program.

**Level 2** – consists of a meeting that includes the employee, Principal/Supervisor and/or Human Resources Representative. The employee may enter into Level 2 where the prorated threshold is exceeded during the Level 1 review period. Attendance goals will again be set with the employee that will apply for the next **60** working days, with the understanding that if the level of absences exceed the prorated threshold for the next **60** working days, the employee may proceed into Level 3 of the Program.

**Level 3** – consists of a meeting that includes the employee, Principal/Supervisor and/or Human Resources Representative. The employee may enter into Level 3, where the prorated threshold is exceeded during the Level 2 review period. Attendance goals will again be set with the employee that will apply for the next **60** working days, with the understanding that if the level of absences exceed the prorated threshold for the next **60** working days, the employee may proceed into Level 4 of the Program. The employee will be advised that failure to meet the attendance goals set in Level 3 may result in termination of employment.

**Level 4** - consists of a meeting that includes the employee, Principal/Supervisor, Human Resources Representative and/or Superintendent of HR. The employee may enter into Level 4, where the threshold is exceeded during the Level 3 review period. Where the employee progresses to Level 4 and the board determines that:

- (a) It has fulfilled its obligations under the applicable collective agreement and/or policies and procedures, the Workplace Safety and Insurance Act, Ontario Human Rights Code and any other applicable legislation; and,
- (b) The employee's absenteeism is excessive and there is no reasonable likelihood that the employee will be able to attend work regularly in the foreseeable future;

The employee may be advised that his/her employment is being terminated on a non-disciplinary basis.

When attendance goals have been met within a level, the employee enters into a monitoring period of 12 working months, where their absences occurring within the 12 working months are monitored by the Human Resources Representative.

Employees who do not exceed the threshold in the monitoring period will exit from the Attendance Support Program. Should an employee's absences exceed the threshold at any point in the monitoring period the employee may be referred back into the program at the next level from which they had last exited.

#### **Employee Responsibilities:**

1. Maintain regular attendance.
2. Participate actively in all levels of the attendance support process.
3. Cooperate in setting personal attendance goals.
4. Contact their union representative if the employee wishes them to be involved.
5. Provide any appropriate documentation, during any level of the process in accordance with the Absence Reporting Procedure.

#### **Principal/Supervisor Responsibilities:**

1. Communicate attendance expectations to all employees through an annual review of the Attendance Support Program.
2. Review absence reports for individual staff.
3. Identify absenteeism trends or patterns, such as the following:
  - frequent absences of short duration;
  - absences due to doctor appointments or scheduled treatment;

- absences due to workplace injury and/or illness;
  - unauthorized absences;
  - a pattern of repeated days of absence taken in proximity to weekends,
  - absenteeism in excess of the threshold;
  - absences in excess of standard recovery times, in accordance with accepted ability management guidelines, for an employee's illness or injury as identified by the Human Resources Representative.
4. Address all absenteeism issues using discretion and seek support from Human Resources.
  5. Maintain regular contact with absent employees.
  6. Conduct meetings with all employees whose absences exceed the threshold, as required.
  7. Support employees and act as a resource.
  8. Advise employees of available resources (i.e. EAP).
  9. Participate in all meetings as outlined in the Attendance Support Program and provide input into the development of individualized attendance goals for each employee involved in the process.
  10. Provide a written outcome of meetings employees, as required.
  11. Support and assist the Human Resources Representative at any level in the attendance management process.
  12. Provide positive reinforcement to employees who reach their attendance goals.

**Human Resources Representatives Responsibilities:**

1. Provide advice to Principals/Managers/Supervisors on such topics as: modified work, workplace accommodation, absenteeism, and other resources.
2. To promote employee wellness.
3. Assist to identify employees who exceed the threshold level of absences.
4. Advise employees of resources available to them, including employee wellness and Employee Assistance Program.
5. Facilitate meetings.
6. Provide assistance on the development of individualized goals at the conclusion of each meeting, taking into account all circumstances identified during each meeting.

7. Provide a written outcome of each level meeting with copies to the employee, Principal/Supervisor and employee representative, if applicable.

**Superintendent(s) Responsibilities:**

1. Provide support and act as a resource to all aspects of the attendance support process.
2. In conjunction with Human Resources, Principals and Supervisors, review the cases of employees who have not met attendance goals following the completion of all three coaching levels to determine ongoing employability.

**Union Representative(s) Responsibilities:**

1. Provide ongoing support and assistance to the employee.
2. Encourage the employee to co-operate with the employer in ensuring timely and successful return to work.
3. Communicate expectations for attendance at work.
4. To ensure professional confidentiality of employee information.

## **SUMMARY**

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. This process will allow sufficient time for the employee to address issues so he/she will attend work regularly in the future. The purpose of all meetings scheduled in the process is to support and are non-disciplinary.

<b><u>Attendance Support Process</u></b>	<b><u>Outcome</u></b>
Initial Notification <i>Human Resources Rep. Employee, Principal/Supervisor</i>	<ul style="list-style-type: none"> <li>• Increased awareness of absenteeism</li> <li>• Offer of support</li> <li>• Set attendance expectations for next 60 days</li> </ul>
<b><u>Level 1</u></b>  <i>Employee, Principal/Supervisor, Human Resources Rep., Union Rep if requested</i>	<ul style="list-style-type: none"> <li>• Unable to meet expectations set out in Initial Notification</li> <li>• Establish attendance goals for next 60 days</li> <li>• Offer support (i.e. EAP)</li> <li>• Removal, extension or progression</li> </ul>
<b><u>Level 2</u></b>  <i>Employee, Principal/Supervisor, Human Resources Rep, Union Rep</i>	<ul style="list-style-type: none"> <li>• Unable to remain below prorated threshold</li> <li>• Review of participation in ASP</li> <li>• Establish attendance goals for next 60 days</li> <li>• Offer support (EAP, accommodations)</li> <li>• Request for medical or other supporting documentation</li> <li>• Accommodate as required</li> <li>• Removal, extension or progression</li> </ul>
<b><u>Level 3</u></b>  <i>Employee, Principal/Supervisor, Human Resources Rep., Union Rep</i>	<ul style="list-style-type: none"> <li>• Unable to remain below prorated threshold</li> <li>• Review of participation in ASP</li> <li>• Establish attendance goals for next 60 days</li> <li>• Respond to medical documentation or other supporting documentation if submitted</li> <li>• Accommodate as required</li> <li>• Offer additional supports (EAP, accommodations, transition to Disability Management Program if applicable)</li> <li>• Notice situation is serious and that excessive absenteeism may lead to termination for non-culpable (innocent) absenteeism</li> </ul>
<b><u>Level 4</u></b>  <i>Employee, Principal/Supervisor, Human Resources Rep.</i>	<ul style="list-style-type: none"> <li>• Unable to remain below prorated threshold</li> <li>• Review of participation in ASP</li> <li>• Careful review of employee file and employment history</li> </ul>

*Superintendent of Human Resources, Union Rep*

- Possible termination for non-culpable (innocent) absenteeism