

AVON MAITLAND DISTRICT SCHOOL BOARD

ADMINISTRATIVE PROCEDURE

NO. 430

SUBJECT: EMPLOYEE ATTENDANCE SUPPORT PROGRAM

Legal References: *Education Act: Section 283 Chief Executive Officer: Maintain an Effective Organization; Ontario Occupational Health and Safety Act, Workplace Safety and Insurance Act, Ontario Human Rights Code.*

Related References: *Administrative Procedure 402 Attendance Reporting: Staff; AP 403 Confidentiality of Medical Records; AP 416 Early and Safe Return to Work*

The intent of the Attendance Support Procedure 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, the following procedures will apply in accordance with the Attendance Support Program Guide.

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. Absences arising from a disability that requires ongoing accommodation will be managed in accordance with AP 416 Early and Safe Return to Work.

The Attendance Support Program is consistent with the Ontario Human Rights Code, the Workplace Safety and Insurance Act, Employment Standards Act, and the Municipal Freedom of Information and Protection of Privacy Act.

1. Definitions:

1.1. Absenteeism

- 1.1.1. Innocent (Non-Culpable) Absenteeism relates to absences as a result of illness or injury that arise due to circumstances beyond the employee's control. These absences are supported through the Attendance Support Program.
- 1.1.2. The Board reserves the right to consider the termination of an employee for innocent/non-culpable absenteeism.
- 1.1.3. Culpable Absenteeism relates to those absences for which employees can be held accountable. Failure to attend work without notifying the employer, lateness for work, 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 Management Program.

DEFINITIONS	MAY INCLUDE
Absences	<ul style="list-style-type: none"> • Personal illness/injury unrelated to work (paid and unpaid) • Medical and dental appointments
Days missed- not considered absences under the definition of this Procedure	<p data-bbox="691 268 1354 304">MAY NOT INCLUDE</p> <ul style="list-style-type: none"> • Vacation • Culpable absences • Family medical leaves as defined by the Employment Standards Act • Personal emergency leave as defined by the Employment Standards Act • Bereavement leave • Jury or subpoena leave • Pregnancy/parental leave • Union business leave • Examinations and convocations • Quarantine • Observance of recognized religious holy days • Inclement weather days • Suspensions • Approved Long Term Disability claims • WSIB absences • Paid or unpaid personal leaves such as special leave and compassionate leave • Work-related absences

2. Absence Threshold

- 2.1. "Absence Threshold" is the established number of days absent to trigger possible entry into the Attendance Support Program.
- 2.2. The absence threshold may 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.
- 2.3. When an employee's absences that are included under the Attendance Support Procedure have exceeded the threshold, the attendance management process will be initiated provided that the case has not been identified as Disability Management.

3. The Attendance Support Process

- 3.1 The Health and Wellness Officers, using discretion, shall ensure that entry into any level of the multi-level Attendance Support process is applied consistently to all employees.
- 3.2 Coaching level 1, 2 and 3 meetings will occur during regular working hours at the employee's worksite where ever possible but may occur at the Education Center in Seaforth. Level 4 meetings will occur at the Education Centre in Seaforth.
- 3.3 The attendance support process includes five distinct components: Preliminary Letter and Report; Coaching Level Meeting 1; Coaching Level Meeting 2; Coaching Level Meeting 3 and a Level 4 meeting.

- 3.4 When an employee's absences exceed the threshold, the employee will receive a letter from Human Resources Services advising that he/she has entered the Attendance Support Program. A report identifying the absences that have caused the employee to trigger possible entry into the Attendance Support Program will be included with the letter. The employee's supervisor and union representative (if applicable), will be copied on the letter and the report. If there is an error noted on the report the employee shall discuss the error with his/her supervisor and the supervisor shall contact Human Resources Services, if corrections are deemed to be necessary.
- 3.5 The preliminary letter will also advise the employee of the opportunity to contact the Superintendent of Human Resources Services, or designate if his/her absences are as a result of a diagnosable medical condition. Medical documentation will be required from the employee's health care provider(s) in the form of the Avon Maitland District School Board's Medical Certificate.
- 3.6 When the medical documentation has been received and reviewed by the Superintendent of Human Resources Services, or designate, the employee may be supported through the Disability Management Program, if deemed appropriate.
- 3.7 A letter will be sent from Human Resources Services advising the employee of his/her responsibilities, with regard to absences related to the diagnosable condition(s) identified in the medical documentation.
- 3.8 The preliminary letter will also advise the employee of an attendance goal of no more than 3 absences due to personal illness, injury and/or medical/dental appointments in the 90 working days following the date of the report.
- 3.9 If the employee is unable to meet this goal and if there has been no medical documentation provided that would move the employee to the Disability Management Program, the employee may be invited to a Coaching Level 1 meeting.
- 3.10 **Coaching Level 1** consists of a meeting that includes the employee, Principal/Supervisor and/or Superintendent of Human Resources Services, or designate and union/association representative (if applicable), to continue to offer support, to advise the employee that he/she will be entered into the Coaching Level process at Level 1 and to set attendance goals with the employee that will apply for the next 90 working days.
- 3.11 **Coaching Level 2** consists of a meeting that includes the employee, Principal/Supervisor and/or Superintendent of Human Resources Services, or designate and union/association representative (if applicable). The employee may enter into Level 2 when he/she has been unable to meet the attendance goals established in Level 1 OR when the threshold is exceeded during the 12 month review period. Attendance goals, set with the employee, will apply for the next 90 working days.
- 3.12 **Coaching Level 3** consists of a meeting that includes the employee, Principal/Supervisor, and/or Superintendent of Human Resources Services, or designate and union/association representative (if applicable). The employee may enter into Level 3, when he/she has been unable to meet the attendance goals established in Level 2 OR when the threshold is exceeded during the 12 month review period. Attendance goals, set with the employee, will apply for the next 90

working days. The employee will be advised that failure to meet the attendance goals set in Coaching Level 3 may result in termination of employment.

3.13 **Level 4 Meeting** includes the employee, Principal/Supervisor and or Superintendent of Human Resources Services or designate, union/association representative (if applicable), and Regional School Superintendent if available. The employee may enter into Level 4, if he/she has been unable to meet the attendance goals established in Level 3, OR when the threshold is exceeded during the 12 month review period. Where the employee progresses to Process Review 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; then, the employee may be advised that his/her employment is being terminated on a non-disciplinary basis or, that the situation is being assessed to determine if any conditions exist which would suggest reconsidering termination.

3.14 **Review Period:** When attendance goals have been met within a coaching level, the employee enters into a review period of up to 12 months where his/her absences are monitored by the Superintendent of Human Resources Services, or designate. Employees who do not exceed the threshold in the review period will exit from the Attendance Support Program.

4. **Employee Responsibilities**

4.1 Maintain regular attendance,

4.2 Participate actively in all levels of the attendance support process,

4.3 Advise the superintendent of human resource services, or designate, if she/she does not want union representation;

4.4 Provide any appropriate documentation, during any level of the process in accordance with 3.2, 4.4, and 5.6 of the AP 402 re Attendance Reporting Staff, when requested.

5. **Principal/Supervisor Responsibilities**

5.1 Communication of attendance expectations to all employees through an annual review of the Attendance Support Program.

5.2 Review of absence reports for employees when received from Human Resources Services;

5.3 Identify absenteeism trends or patterns, such as the following:

5.3.1 Frequent absences of short duration,

5.3.2 Absences of more than five days – Absences of five days in duration may require Disability Management services,

5.3.3 Absences due to doctor appointments or scheduled treatment,

5.3.4 Absences due to workplace injury and/or illness,

5.3.5 Unauthorized absences,

5.3.6 Patterns of repeated days of absence taken in proximity to weekends, and

5.3.7 Absenteeism in excess of the threshold.

- 5.4 Address all absenteeism issues and seeking support from Human Resources Services.
- 5.6 Support employees and act as a resource.
- 5.7 Advise employees of available resources (i.e. EAP).
- 5.8 Participate in all meetings as outlined in the Attendance Support Guide and provide input into the development of individualized attendance goals for each employee involved in the process.
- 5.9 Support and assist the superintendent of human resource services, or designate at any level in the attendance support process; and or
- 5.10 Provide positive reinforcement to employees who reach their attendance goals.

6. Superintendent of Human Resource Services, or Designate, Responsibilities may include:

- 6.1. Support Principals/Supervisors in addressing absenteeism issues;
- 6.2. Serve as a resource to employees and Principals/Supervisors;
- 6.3. Advise employees of available resources;
- 6.4. Provide assistance on the development of individualized goals at the conclusion of each meeting, while taking into account all circumstances identified; and/or
- 6.5. Provide a written outcome of each coaching level meeting with copies to the employee, Principal/Supervisor and employee representative, if applicable.

7. Regional Superintendent(s) Responsibilities may include:

- 7.1. Provide support and acting as a resource for all aspects of the attendance support process, and/or,
- 7.2. In conjunction with Human Resources Services, Principals and Supervisors, review the cases of employees who have not met attendance goals following the completion of all four coaching levels to determine ongoing employability.