

## EMPLOYEE SUPPORT AND ATTENDANCE MANAGEMENT

### RATIONALE:

Hamilton-Wentworth District School Board (HWDSB) is committed to fostering a healthy workplace.

Every employee contributes to the success of the organization; as well as student learning and achievement, through regular attendance at work. The primary focus of the Employee Support and Attendance Management Procedure is to provide supportive assistance for all employees while addressing barriers preventing employees from attending work regularly.

### TERMINOLOGY:

*Individual Accommodation Plan (IAP):* a documented individual accommodation plan for employees with disabilities.

*Program:* the Employee Support and Attendance Management Procedure criteria

*Monitoring Period:* the period of time in which an employee's attendance is under review

*Non-culpable absenteeism (innocent):* occurs when an employee, through no fault of their own, is absent from the workplace for example, when required to attend medical appointments or personal illness

*Culpable absenteeism (blameworthy):* occurs when an employee cannot provide an explanation that is reasonable or acceptable to HWDSB in the circumstances, the absence from work for reasons that are within the control of the employee and are not approved absences. This includes, but is not limited to, lateness or leaving work early, being absent without leave, abuse of a leave, inappropriate use of leave and/or a failure to notify the Board of an absence.

*Employee:* any person in receipt of salary with the Board.

### PROCEDURES:

The responsibility for, and commitment to the HWDSB's Employee Support and Attendance Management Procedure, exists at all levels of the organization. All stakeholders within HWDSB contribute to the success of the Procedure. This Procedure is applicable to all full-time, part-time, temporary, casual employees of the HWDSB.

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### 1.0 Responsibility:

#### 1.1 Human Resources Division is responsible for:

- Creating and updating tools and training necessary for Procedure delivery;
- Labour relations support;
- Providing support and assistance to supervisors and managers;
- Providing support and guidance related to staffing process,
- Providing support to all employees in terms of leave provisions;

#### 1.2 Employee Support and Wellness Department is responsible for:

- Managing the Employee Support and Attendance Management Program by:
  - Identifying employees for the Employee Support and Attendance Management Program;
  - Facilitating and coordinating meetings, where required;
  - Advising employees of resources and supports available to them;
  - Facilitating communication as required with employees and stakeholders;
  - Providing training or information regarding the Employee Support and Attendance Management Procedure.
- Supporting employees with accommodation and return to work planning

#### 1.3 Employees are responsible for:

- Attending work regularly and on time;
- Attending personal appointments outside of regular working hours, where possible;
- Ensuring all absences are reported and recorded in the reporting software as required as per the relevant Collective Agreement or employment contract;
- Reporting of work-related injuries and illness;
- Providing medical information and seeking appropriate medical care, as required;
- Maintaining regular contact with the supervisor and manager, as appropriate;
- Maintaining regular contact with Employee Support and Wellness Specialist as appropriate, during a medical absence;
- Engaging union support and assistance, where necessary
- Participating actively in all levels of the Employee Support and Attendance Management Program, including setting personal attendance goals.

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### 1.4 Supervisors and Managers are responsible for:

- Attending training related to the Employee Support and Attendance Management Procedure;
- Supporting employees by fostering a healthy and positive work environment;
- Raising awareness about the importance of regular attendance;
- Understanding the requirements for reporting and managing work-related and non-work related illness and injury situations – in consultation with the Employee Support and Wellness department;
- Participate in the Employee Support and Attendance Management Program;

### **2.0 Key Elements of the Employee Support and Attendance Management Program**

2.1 Attendance management is a phased approach to support employees to attend work regularly. The program consists of four phases

2.2 The attendance statistics of all employees will be monitored and reviewed on a monthly basis. Each phase of the Program has a goal and threshold for progression to the next phase, as outlined below

2.3 All employees are supported and individual circumstances are reviewed on a case-by-case basis

2.4 The Program is based on a twelve month rolling calendar, for clarity employees will have absences carried from the prior school year;

2.5 Attendance management will focus on absences related to non-culpable absences;

2.6 The Program will allow sufficient time for the employee to access supports and where reasonably possible, improve their attendance;

2.7 If at any time throughout an employee's involvement in the Program relevant medical information or a medically supported disability occurs, a referral will be made to the appropriate Employee Support & Wellness designate for support as per the accommodation procedure;

2.8 The Employee Support & Wellness Specialist will refer the employee back to the Program when and/or if appropriate;

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2.9 If at any time throughout an employee's involvement in the Program information is provided that may impact on attendance at work appropriate referrals will be made as per other legislated or HWDSB procedures.

2.10 Individual circumstance will be considered to allow the Program to be flexible and not rigid in the application.

### **3.0 Program Details – Entering the Support & Attendance Management Program**

3.1 Employees will enter the Program in the following circumstances:

- Absent for a combination of 9 consecutive or non-consecutive full days related to personal illness based on full-time equivalency (FTE);
- Patterns of absence due to personal illness use;
- Identified concern relating to attendance by the supervisor or human resources;

3.2 Phase 1 – Concern and Support

The employee will receive a Phase 1 letter issued by the Officer, Employee Support and Wellness to the employee, which will include the following:

- Provide information about the Procedure
- Information highlighting the Employee Assistance Program (EAP)
- The employee's absences history
- Concern about their absence
- Assistance and supports available to the employee if not noted in a or b above
- Expectations focusing on the importance of being at work
- The employee's attendance will be reviewed over the next monitoring period

The Supervisor will be copied on the letter. The employee's attendance will be monitored for three calendar months. If absences continue the employee will enter Phase 2.

If an employee has improved attendance, they will exit the Program and will receive a letter confirming improved attendance. If the employee is unable to sustain improved attendance following two monitoring periods (6 consecutive/working months based on 12 month rolling calendar), the employee would be referred back to the procedure and placed in the phase they were in prior to their removal.

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### 3.3 Phase 2 — Further Concern:

A meeting is scheduled with the employee due to continued absence concerns. The Employee Support and Wellness Officer will schedule a meeting with the employee to review and discuss the absences, offer support and attendance goal setting. The meeting will focus on the following areas:

- Review of the employee's absence history
- Concern about their absence level
- Listening and discussing with the employee and review options to support
- Options for assistance available to the employee
- Expectations and focusing on the importance of being at work
- Concerns about ongoing absences from work
- Setting goals for improvement
- Notifying of the next steps in the Program

The meeting may include the employee's supervisor and union representative. Written documentation will then be provided to the employee outlining absences and agreed upon goals discussed at the meeting.

The monitoring period for Phase 2 will be three consecutive/working calendar months based on 12 month rolling calendar. If the employee does not meet attendance goals or demonstrates a continuation of absenteeism, they will transition into Phase 3.

If an employee has improved attendance, they will exit the Program and will receive a letter confirming improved attendance. If the employee is unable to sustain improved attendance following two monitoring periods, the employee would be referred back to the Program and placed in the phase they were in prior to their removal.

### 3.4 Phase 3 —Concern-Non-disciplinary:

If the employee continues to have ongoing absences during the Phase 2 monitoring period, and received a Phase 2 letter, a meeting will be scheduled with the employee. The employee will be asked for an explanation regarding the absences and the actions the employee is taking to improve their attendance.

The meeting may include the employee's supervisor and union representative and will include the Manager, Employee Support and Wellness and the Officer, Employee Support and Wellness. The meeting will address attendance concerns and adjust and set goals. A letter will then be provided to the employee outlining absences and agreed upon goals discussed at the meeting. The meeting will focus on:

- Review of the employee's absence history

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- Concern about their absence level
- Listening and discussing with the employee how to best support
- Options for assistance available to the employee:
  - (a) Expectations and focusing on the importance of being at work
  - (b) Concerns about ongoing absences from work
- Setting goals for improvement
- Notifying of the next steps in the Program

The monitoring period for Phase 3 will be three consecutive calendar months based on a 12 month rolling calendar. If the employee does not meet attendance goals or demonstrates a continuation of absenteeism, they will transition into Phase 4.

If an employee has improved attendance, they will exit the Program and will receive a letter confirming improved attendance. If the employee is unable to sustain improved attendance following two monitoring periods, the employee would be referred back to the Program and placed in the phase they were in prior to their removal.

### 3.5 Phase 4 – Attendance Review:

If the employee continues to have ongoing absences and goals have not been achieved as outlined in Phase 3 at the meeting, a meeting will be scheduled to discuss next steps that may be required. The Phase 4 meeting includes the employee, union representative and appropriate stakeholders which may include; Superintendent Human Resources, Manager, Employee Support and Wellness; Employee Support and Wellness Officer and Supervisor.

The Phase 4 meeting will include a comprehensive review of the employee's attendance records and the information from each Phase of the Program.

A comprehensive review may include but is not limited to the following:

- Has the employee done everything possible to improve attendance?
- Has HWDSB provided reasonable assistance (e.g. counselling, support, time off)?
- If appropriate, is there clear and objective medical information to support or not support absences?
- Has HWDSB determined if a disability requiring accommodation exists, and provided reasonable accommodations?
- Has HWDSB provided appropriate referrals to other procedures or Human Resource Departments?

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- Has HWDSB given the employee sufficient notice that their absenteeism is jeopardizing their employment?
- Has enough time elapsed to allow every possible chance of recovery?
- Has HWDSB treated the employee in a fair and equitable manner?
- Has the HWDSB determined that the employee cannot obtain the expected level of attendance, even with accommodation now and in the foreseeable future?

The meeting may result in further coaching and/or a repeat of the prior phase or may result in a recommendation to end the employment relationship.

The employee will receive a formal letter outlining the meeting and recommendations.

#### **4.0 EXITING THE EMPLOYEE SUPPORT & ATTENDANCE MANAGEMENT PROGRAM**

If an employee exits the Program as a result of improved attendance, but the employee is unable to sustain it the following two monitoring periods (6 consecutive months in a rolling calendar), the employee would be referred back to the Program and placed in the phase they were in prior to their removal.

Documentation related to this Program will be kept separate from the personnel file.

#### **5.0 OTHER**

The Board recognizes its obligations under the *Ontario Human Rights Code*, the *Employment Standards Act* and other applicable legislation as well as its collective agreements where applicable. The Board will apply this Employee Support and Attendance Management Procedure in a manner that fully complies with those obligations.