

<b>Procedure Title</b>	<b>Attendance Support Program</b>		
<b>Date of Issue</b>	October 1, 2012	<b>Related Policy</b>	BP 7210-D
<b>Revision Dates</b>	May 25, 2016	<b>Related Forms</b>	AF 7230
<b>Review Date</b>		<b>Originator</b>	Administrative Council
<b>References</b>			
Workplace Safety and Insurance Act; Employment Standards Act; Ontario Human Rights Code; BP/AP 7530-D "Progressive Discipline – Employees"; AP 7220-D "Disability Support – Early Intervention, Accommodation and Return to Work"; AP 7225-D "Absence Reporting for Personal Illness or Injury".			

## PROCEDURE

The intent of the Attendance Support Program procedure is to provide non-disciplinary and supportive assistance to board employees, and to encourage regular, punctual attendance at work through the proactive use of proactive attendance support measures.

When an employee's absences exceed the established absence threshold(s) the procedure set out below shall apply.

Under this procedure, employee absences will be treated with consistency and equitably across the board. Each employee's entrance into and progress through the Attendance Support Program shall be addressed on a case-by-case basis.

The board will fulfill its obligations under the applicable collective agreement and/or policies and procedures, the Workplace Safety and Insurance Act, Employment Standards Act, Ontario Human Rights Code, the Municipal Freedom of Information and Protection of Privacy Act and any other applicable legislation.

Should a disability be identified that requires support or accommodation at any time during the application of this procedure, the school board may support the employee's transition into the Disability Support Program (AP 7220-D).

### 1.0 DEFINITIONS

**1.1 Innocent (Non-Culpable) Absenteeism:** relates to absences which occur 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.

**1.1.1** While not culpable conduct, the board reserves the right to consider the non-disciplinary termination of an employee for non-culpable absenteeism where the circumstances dictate that it is appropriate. Prior to terminating an employee for non-culpable absenteeism, the board will fulfil its obligations under the applicable collective agreement and/or policies and procedures.

1.2 **Culpable Absenteeism:** relates to lateness or absences for which employees can be held accountable. Failure to attend work without notifying the board, 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 BP/AP 7530-D “Progressive Discipline – Employees”. These absences are not dealt with through the Attendance Support Program.

1.3 **Absences that the Attendance Support Program may include:**

1.3.1.1 Personal illness/injury unrelated to work (paid and unpaid) if the absences are <6 consecutive days and the employee is not involved in the board’s Disability Support procedure (AP 7220-D “Disability Support – Early Intervention, Accommodation & Return to Work”).

1.3.1.2 Personal Medical/Dental Appointments

1.4 **Absences that are not included in the Attendance Support Program:**

1.4.1.1 Approved vacation

1.4.1.2 All types of approved leaves of absences, with or without pay, as outlined in applicable collective agreement and/or policies and procedures (e.g., Self-Funded leave, bereavement leave, personal or compassionate leave, etc.)

1.4.1.3 Pregnancy / Parental Leave or any other leave under the *Employment Standards Act* (e.g., Emergency Leave, Family Medical Leave)

1.4.1.4 Union / Federation Leave of Release

1.4.1.5 Quarantine<sup>1</sup>

1.4.1.6 Observance of recognized religious holy days

1.4.1.7 Jury or Subpoena Leave

1.4.1.8 Compensating Time or Overtime

1.4.1.9 Suspensions

1.4.1.10 Culpable Absences

1.4.1.11 Approved Inclement Weather Day

1.4.1.12 Approved Long Term Disability

1.4.1.13 Absences due to work-related injuries or illness approved by the Workplace Safety and Insurance board (WSIB)

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<sup>1</sup> May be included depending on the severity and length of medical condition causing quarantine.

## **2.0 ABSENCE THRESHOLD**

- 2.1 Absence Threshold – is the established number of absences to trigger possible entry into the Attendance Support Program. The threshold is used as a mechanism to trigger non-disciplinary and support intervention. It also provides a baseline against which individual improvement can be measured.
- 2.2 Absence measures will be applied board-wide to ten (10) and twelve (12) month employees. Absence is based on a school calendar year (September – August) to enter the Attendance Support Program, and once in the program, absences are based on a rolling twelve (12) month calendar.
- 2.3 The Absence Threshold is not to be treated as a model for employee attendance. It is a threshold number which, if exceeded, may result in entry into or progression within the Attendance Support Program.
- 2.4 The threshold should be reviewed every two (2) years by the board. Employees should be notified of threshold changes. Any changes to the threshold number shall be communicated to employees and to employee groups/unions, as well as to principals/supervisors and all other relevant board officials and representatives, in advance of such changes.
- 2.5 When an employee's absences have exceeded the threshold, the attendance support process will be initiated to determine whether Coaching Level 1 will take place, as provided for below.

## **3.0 ROLES AND RESPONSIBILITIES**

### 3.1 Employee Responsibilities:

- 3.1.1 Attend work as scheduled and maintain regular attendance.
- 3.1.2 Report absences in the form and timeframe expected.
- 3.1.3 Maintain regular contact with their principal/supervisor.
- 3.1.4 Maintain their health and follow any treatment plan as recommended by their healthcare provider(s).
- 3.1.5 Participate actively in all levels of the attendance support process.
- 3.1.6 Cooperate in setting personal attendance goals.
- 3.1.7 Provide appropriate medical documentation, as outlined in sections 1.0 and 2.0 of AP 7225-D "Absence Reporting for Personal Illness or Injury".

### 3.2 Principal/Supervisor responsibilities:

- 3.2.1 Communicate attendance expectations to all employees through an annual review of the Attendance Support Program.
- 3.2.2 Monitor staff attendance on a regular basis, and identify concerns related to attendance.
- 3.2.3 Treat employees fairly and equitably in monitoring their attendance, and ensure consistent and timely application of the Attendance Support Program.
- 3.2.4 Maintain regular contact with absent employees.
- 3.2.5 Demonstrate support for the intent of the Attendance Support Program to all staff.

3.2.6 Support and assist the Executive Officer Human Resources Services, or designate, at any level in the Attendance Support Program.

3.2.7 Provide positive reinforcement to employees who reach their attendance goals

3.3 Executive Officer Human Resources Services (or designate) Responsibilities:

3.3.1 Train principals/supervisors and orient employees on the Attendance Support Program and its procedure.

3.3.2 Monitor employee absence records and notify the principal/supervisors when an employee has reached the attendance threshold set by this procedure.

3.3.3 Be fair, consistent and equitable in the application of the Attendance Support Program.

3.3.4 Advise employees of resources available to them.

3.3.5 Provide assistance on the development of individualized goals at the conclusion of each meeting, taking into account all circumstances identified during each meeting.

3.3.6 Provide a written outcome of each coaching level meeting with copies to the employee, principal/supervisor and union representative, if applicable.

3.4 Bargaining Agents Responsibilities:

3.4.1 Provide ongoing support and assistance to their members and the board.

3.4.2 Assist employees involved in the Attendance Support Program, as necessary.

3.4.3 Participate in and cooperate with the attendance support process, and encourage employees to cooperate with the board in ensuring a timely and successful return to work.

3.4.4 Should a member decline representation a waiver will be signed (see Administrative Form AF 7230 "Waiver of Union Representation").

#### 4.0 THE ATTENDANCE SUPPORT PROGRAM

The Attendance Support Program (Program) is intended to address non-culpable absenteeism in a supportive and non-disciplinary manner. This Program is intended to allow the board to understand the reasons behind employee absences and to allow for the discussion of the impact that those absences may have on a particular school, department, or location. Further, this Program is intended to provide support and indicate support services available to employees and to allow sufficient time for the employee to access support and, where reasonable possible, to improve their attendance.

The Attendance Support Program includes five (5) distinct components: Notification Email, Courtesy Email, Coaching Level 1, Coaching Level 2, and Coaching Level 3.

For all employees, Human Resources Services will generate a report, using sick leave absences only (personal illness and personal medical appointments) at the beginning of each month.

In light of the Program's goals of providing attendance support to employees and improving attendance where possible, the board reserves the discretion to exclude absences from an employee's record where it deems appropriate. If an employee's absences are acknowledged through the AP 7220-D "Disability Support – Early Intervention, Accommodation & Return to Work", or the employee has provided adequate medical evidence

justifying the absences as ones which, in the board's view, ought to be excluded from the Program, the absences may be excluded and will not be used for the purposes of entering the employee into the Program.

If, after exiting from the Attendance Support Program, the employee is required to re-enter the Program, he/she may enter again at Coaching Level 1, depending on the employee's individual circumstances.

It is the role of the employee's principal/supervisor to work with the employee on concerns related to attendance, with the support of Human Resources Services and other resources within the board. The following sets out the process that the board will follow in order to address concerns relating to innocent absenteeism:

#### 4.1 Notification Email

- 4.1.1 The Executive Officer Human Resources Services, or designate, sends an email to the employee and the principal/supervisor communicating to the employee they have accrued five (5) absences during the calendar year.
- 4.1.2 This communication shall act as an update to the employee on their current attendance record and provides an opportunity for the employee to be aware of their absences, ensure corrections are made as necessary and access early intervention support as needed before entering the Program.

#### 4.2 Courtesy Email

- 4.2.1 The Executive Officer Human Resources Services, or designate, sends an email to the employee, the Principal/Supervisor and the applicable union president informing the employee they are nearing the threshold.
- 4.2.2 This communication provides an opportunity for the employee to be aware of their absences, ensure corrections are made as necessary and access early intervention support as needed before entering the Program. It will also provide the employee with an opportunity to provide the board with information supporting the assertion that their absenteeism is related to a medical condition which would fall under the board's Disability Support procedure (AP 7220-D "Disability Support – Early Intervention, Accommodation & Return to Work").

#### 4.3 Coaching Level 1 (Appendix A)

- 4.3.1 The Executive Officer Human Resources Services, or designate, notifies the employee and their Principal/Supervisor that the employee has reached and/or exceeded the threshold. This letter will set a date for a meeting, and will notify them that a Union Representative will be present.
- 4.3.2 A Coaching Meeting will be held, with the Executive Officer Human Resources Services, or designate, Employee and Union Representative. Discussions will focus on the employee's absence record, any patterning of absences and reasons for the absences, as well as any assistance, supports and/or accommodation that the board may be able to provide to the employee. The employee is expected to cooperate in identifying the general nature or underlying reasons for the absences and in developing strategies to improve attendance.
- 4.3.3 The employee will receive a follow-up letter from the Executive Officer Human Resources Services, or designate, which will summarize the goals and expectations discussed during the coaching meeting. A date will be set for a follow-up review in three (3) months. A meeting during the three (3) months may take place in order to review attendance and goals.

**4.4 Coaching Level 1 Review (After three (3) working months)**

4.4.1 The Executive Officer Human Resources Services, or designate, will review the employee's attendance record:

- 4.4.1.1 If the attendance meets the established goals, the employee's success will be acknowledged in writing and the employee will exit the program. No meeting will be necessary.
- 4.4.1.2 If attendance does not meet the goals established, but there has been a measurable improvement in attendance, the employee may remain at Coaching Level 1 for a further three (3) working months. Such decisions shall be made at the discretion of the board, taking into account the particular circumstances of the employee and their absenteeism record. Where the decision is made to maintain the employee at Coaching Level 1, they will be notified in writing of this decision. No meeting will be required, but the employee will be advised that they and/or their Union Representative may request that a meeting be held.
- 4.4.1.3 If the employee's attendance does not meet the established goals and there has been no improvement, or if the absence rate has increased, the process will progress to Coaching Level 2 and the employee be notified in writing. A Coaching Level 2 meeting date will be set.
- 4.4.1.4 If the employee has been given an additional three (3) working months at Coaching Level 1, and at the second Coaching Level 1 review their attendance does not meet the established goals and there has been no improvement, or if the absence rates has increased, the process will progress to Coaching Level 2 and the employee will be notified in writing.

**4.5 Coaching Level 2 (Appendix B)**

- 4.5.1 A Coaching Meeting will be held, with the Executive Officer Human Resources Services, or designate, employee and the union representative. The principal/supervisor may be involved if necessary or as required. As Coaching Meetings are not intended to be disciplinary, and rather are an opportunity to increase communication between the employee and the board, discussions will focus on the employee's ongoing absences and reason for the absences/why goals were not met, as well as any actions that the employee has been taking to improve their attendance and how those actions may be enhanced. The board, employee, and union representative (where applicable) will also discuss assistance, support and/or accommodation that the board may be able to provide to the employee through various avenues such as the employee assistance program.
- 4.5.2 The employee is expected to cooperate by explaining the general nature of the continuing absences and assist in developing strategies to improve attendance, but will not be asked to disclose any confidential medical information at this meeting. Such information may be provided to the board through the Disability Support Program where warranted.
- 4.5.3 Human Resources Services will impress upon the employee the seriousness of the board's concerns regarding their attendance and will advise the employee of the importance of regular attendance at work. The board will advise the employee that a continuation of excessive absenteeism could result in the non-disciplinary termination of their employment for frustration of the employment contract. Where the continuing absence has an ongoing effect on the effective operation of a department or school, the employee is expected to participate in strategies that have been developed to mitigate the impact of any absence.

- 4.5.4 The employee will receive a follow-up letter from the Executive Officer Human Resources Services, or designate, which will summarize the goals and expectations discussed during the coaching meeting. A date will be set for a follow-up review in three (3) months. A meeting during three (3) working months may take place in order to review attendance and goals.

#### 4.6 Coaching Level 2 Review

- 4.6.1 Executive Officer Human Resources Services, or designate, will review the employee's attendance record:
- 4.6.1.1 If the attendance meets the established goals, the employee's success will be acknowledged in writing and the employee will exit the program. No meeting necessary.
- 4.6.1.2 If the attendance does not meet the goals established, but there has been a measurable improvement in attendance, the employee may remain at Coaching Level 2 for a further three (3) working months. Such decisions shall be made at the discretion of the board, taking into account the particular circumstances of the employee and their absenteeism record. Where the decision is made to maintain the employee at Coaching Level 2, they will be notified in writing of this decision. No meeting will be required, but the employee will be advised that they and/or their union representative may request that a meeting be held.
- 4.6.1.3 If the employee's attendance does not meet the established goals and there has been no improvement, or if the absence rate has increased, the process will progress to Coaching Level 3 and the employee will be notified in writing. A Coaching Level 3 meeting date will be set.
- 4.6.1.4 If the employee has been given an additional three (3) working months at Coaching Level 2, and at the second Coaching Level 2 review their attendance does not meet the established goals and there has been no improvement, or if the absence rate has increased, the process will progress to Coaching Level 3 and the employee will be notified in writing.

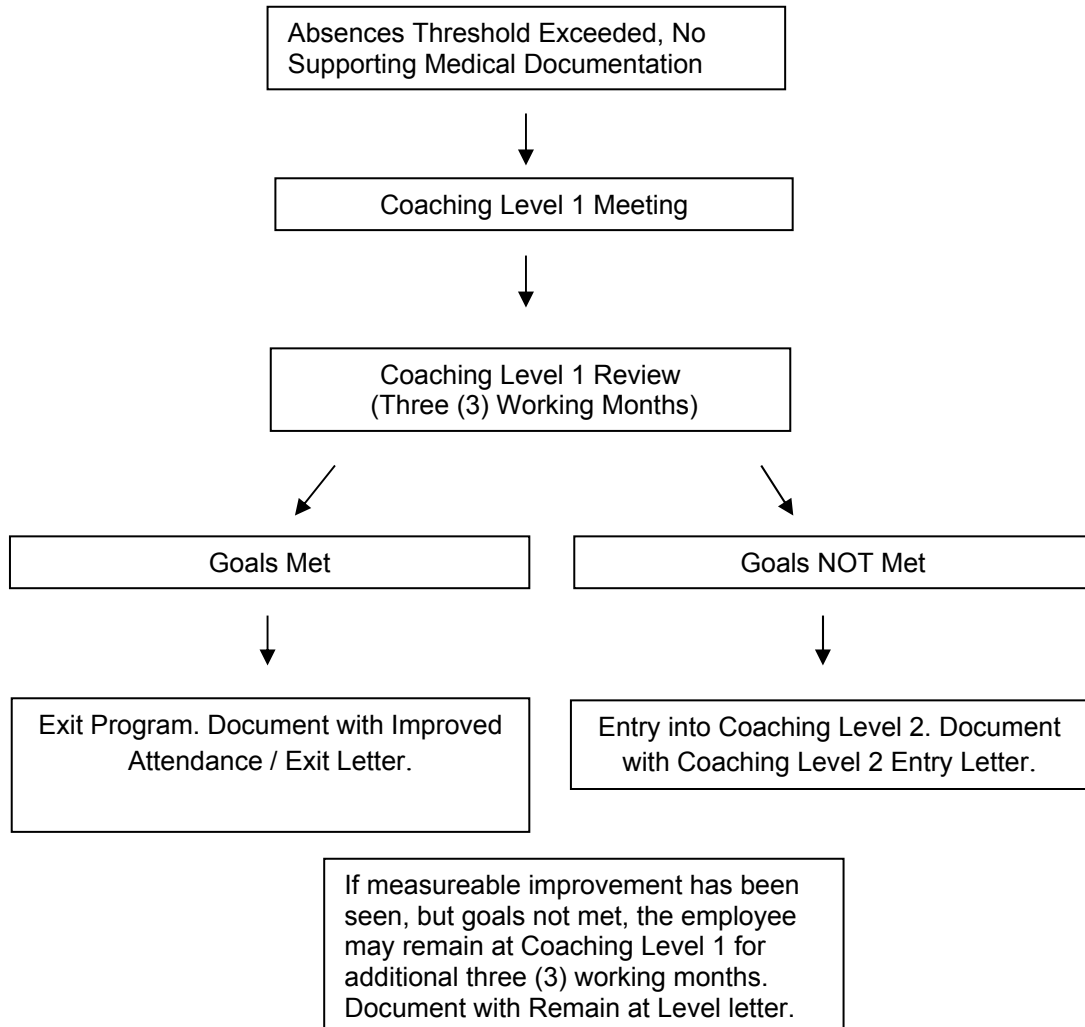
#### 4.7 Coaching Level 3 (Appendix C)

- 4.7.1 In some cases, some employee absenteeism records may not improve after two (2) attempts at intervention. In this case, the process progresses to Coaching Level 3, and involvement of the Executive Officer of Human Resources Services, or designate, is mandatory.
- 4.7.2 The principal/supervisor and Executive Officer of Human Resources Services, or designate, will review the employee's employment history, attendance record, previous attempts to improve attendance, and will determine an appropriate course of action. Decisions under this provision shall be made in a manner which attempts to ensure consistency while recognizing the unique aspects of each employee's attendance record and progress through the Program. Possible courses of action may include:
- Repetition of Coaching Level 2 process as outlined under section 4.5 above  
Last Chance Agreement  
Other resolution, up to and including termination
- 4.7.3 Bluewater District School Board will ensure 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, as well as any applicable obligations under any other relevant board policy or collective agreement.

- 4.7.4 A meeting will be held, with the principal/supervisor, Executive Officer of Human Resources Services, or designate, and union representative. The determined course of action will be presented and discussed. An appropriate timeframe for improvement must be established. Where the employee is required to repeat any steps of the Attendance Support Program, the relevant procedures set out above shall be followed.



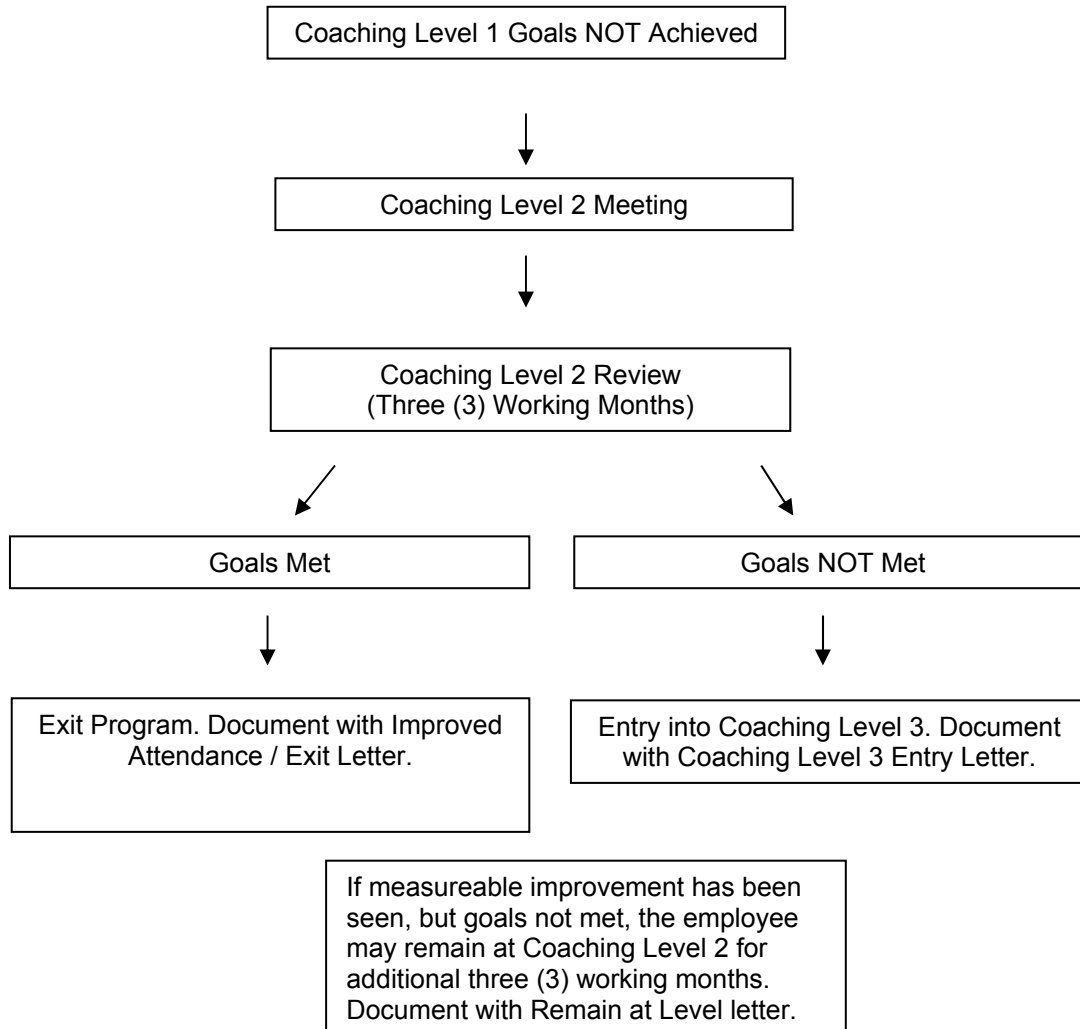
**Appendix A: Attendance Support Program – Coaching Level 1**



**Coaching Level 1 Meeting**

- Offer Assistance
- Arrange for Representation
- Discuss attendance and ask for reasons why the employee is absent so often
- Discuss impact of excessive absenteeism on organization
- Reinforce attendance expectations, attempt to identify issues that might prevent regular attendance
- Set attendance goals and objectives (co-operatively)
- Set review date in three (3) working months
- Document meeting using Coaching Level 1 Follow-Up Letter

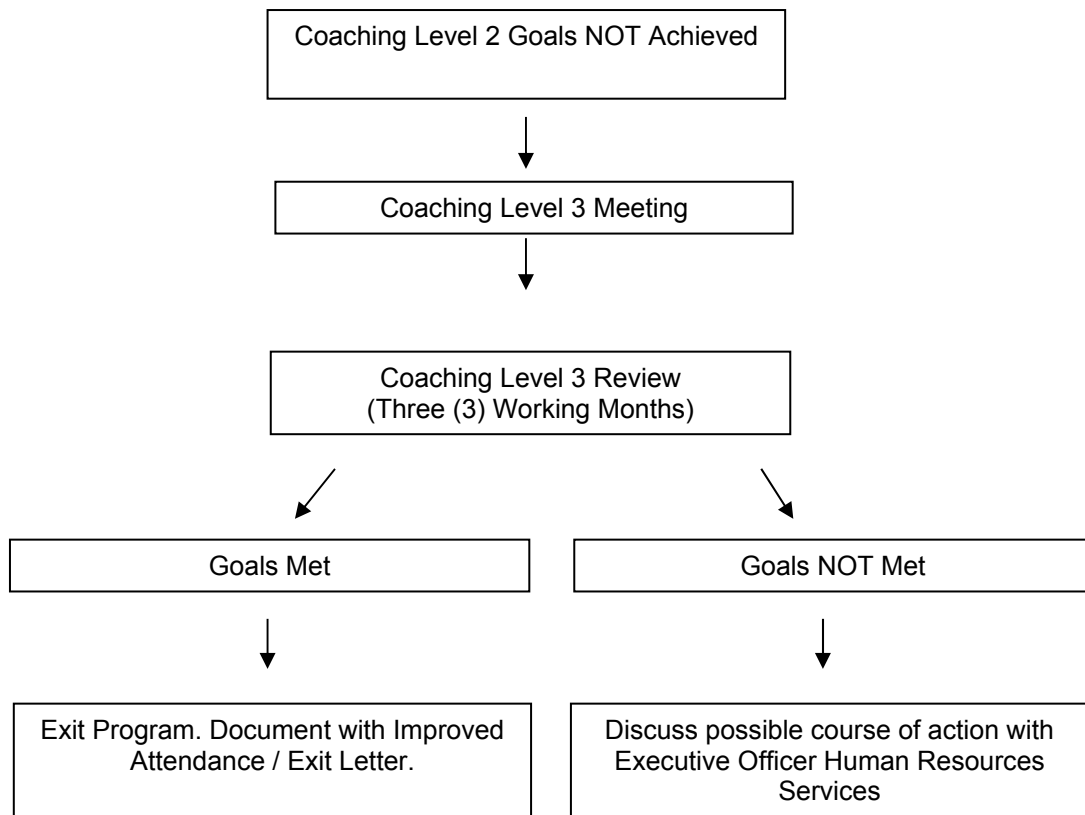
**Appendix B: Attendance Support Program – Coaching Level 2**



**Coaching Level 2 Meeting**

- Same as Coaching Level 1, Plus:
- Discuss reasons why goals were not met in Coaching Level 1
- Review and revise attendance goals and objectives
- The employee is made aware that a continuation of excessive absenteeism could result in the frustration of his/her ability to conduct the essential duties of the job and could result in termination of employment
- Where the continuing absence has an ongoing impact on the effective operation of the department or school, the employee is expected to participate in strategies that have been developed to mitigate the impact of that absence, if application
- Set review date in three (3) working months
- Discuss with the employee and document meeting using Coaching Level 2 Follow-Up Letter

**Appendix C: Attendance Support Program – Coaching Level 3**



**Coaching Level 3 Meeting**

- Same as Coaching Level 1 and 2, Plus:
- Executive Officer Human Resources Services, or designate, and Principal/Supervisor review employment history – determine course of action
- Possible courses of action may include:
  - Repetition of Coaching Level 2 process
  - Last chance agreement
  - Other resolution, up to and including termination
- Timeframe for improvement must be established
- Document meeting using Coaching Level 3 Follow-Up Letter