



Northlands College Policy Attendance Management

INTRODUCTION

Northlands College (the “**College**”) is committed to providing a program to support both management and employees in their efforts to enhance regular attendance at work.

POLICY

The College strives to promote a healthy and safe working environment. Employee attendance is a necessary component in the effective and efficient delivery of services. Employees have a responsibility to maintain their own health and well-being and to ensure their regular attendance at work.

The College will provide reasonable assistance to support employees in fulfilling their responsibility to attend work regularly. An employee’s entitlement to legitimate sick leave benefits (if applicable) will not be limited by the application of this policy.

The privacy of employees will be respected. Any personal information obtained while managing and supporting attendance will be kept strictly confidential.

This policy addresses excessive and non-culpable absenteeism (innocent absenteeism). Culpable conduct (e.g. sick leave abuse) is not addressed in this policy.

Should there be any conflict between this policy and the collective bargaining agreement, the collective bargaining agreement shall govern where applicable.

DEFINITIONS

“**Non-culpable (innocent) absenteeism**” refers to an employee’s inability to attend work on a regular basis due to circumstances beyond their control, such as illness, disability, or injury. Non-culpable absenteeism is not a disciplinary matter; however, this policy may result in termination of employment when an employee’s excessive absences have continued over a period of time and the College reasonably believes attendance will not improve in the future.

“**Culpable (blameworthy) absenteeism**” refers to behaviour the employee is able to control, such as tardiness, unauthorized absences, or calling in sick to have extra days off. This type of absenteeism is considered avoidable and is subject to discipline. This type of behavior is handled through the disciplinary process and does not form part of this policy.

PROCEDURE FOR MANAGING NON-CULPABLE ABSENTEEISM

Innocent absenteeism, no matter how excessive, is not a disciplinary matter. The College will assist the employee in identifying the reasons for the excessive absenteeism and explore with the employee steps which might be taken to address the concerns. Such absences are not dealt with



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through discipline; however, it is possible that non-disciplinary termination may be the final result.

Key types of innocent absenteeism include:

- Illness – Short duration; may or may not require medical intervention; results in return to full job ability; usually less than eight weeks duration.
- Disability – Chronic condition; results in long, consecutive days off or short periods of absence for the same reason (ongoing; severity may reduce with job accommodation).
- Injury – Results from accidents or on or off-the-job injury.

All absences will be treated as non-culpable unless there is clear evidence to the contrary.

When an employee has a level of non-culpable absenteeism that is excessive in comparison to the College and/or department, the following procedure may be implemented. The goal of this process is to assist and support the employee in improving their attendance.

The procedure is a guideline. Managers/supervisors must use discretion and knowledge of an individual employee's circumstances to apply this procedure in a fair and positive manner. Any of the stages may be repeated. The stages may be accelerated where the employee is showing no positive sign of improvement in attendance or other special circumstances exist.

This procedure does not apply to absences that are already accommodated for under the duty to accommodate. Such absences are not included when determining whether an employee's absences are excessive.

ATTENDANCE MANAGEMENT RESPONSIBILITIES

Management/Supervisors

Management/supervisors have the responsibility to:

- Communicate expected attendance standards and obligations;
- Communicate the protocol for advising of absenteeism from the workplace;
- Provide support and assistance when deemed necessary (EFAP);
- Ensure staff are aware of patterns of usage, should an issue of absenteeism be observed;
- Monitor levels of sick leave usage on a regular basis in their work units and take appropriate and timely action to correct absenteeism issues;



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- Maintain concise and objective written documentation where absenteeism issues have been identified;
- Identify excessive usage using discretion based on the individual situation;
- Discuss and resolve issues regarding attendance with employees. In the case of extended absence, the manager will take reasonable steps to maintain contact with the employee during the absence.

It is crucial that managers/supervisors ensure employees are aware that their contributions to the unit are valued and they are missed when they are away. Managers/supervisors should encourage awareness through various actions including:

- Recognizing an employee's contributions to the College;
- Commending improved attendance;
- Leading by example;
- Recognizing and encouraging exemplary attendance;
- Exhibiting concern for the employee's wellbeing and encouraging and commending and employee's return to work;
- Assisting employees who are experiencing personal difficulties that are affecting their attendance (e.g. ensure they are aware of the services available through EFAP).

Employees

Employees have the responsibility to:

- Maintain their health and well-being so as to ensure regular attendance at work;
- Provide reasons for absence, tardiness or leaving early;
- Notify their manager/supervisor as soon as possible when there is a reason to be absent from work;
- Maintain communication with their manager/supervisor or designate while absent – this is especially important when the employee is unable to return to work and the estimated length of illness is unknown;
- Attend to personal affairs and obligations on their own time, to the extent possible and in accordance with the terms and conditions of the collective agreement (where applicable).



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Human Resources

The designated person from Human Resources has the responsibility to:

- Provide advice to managers/supervisors on the provisions of these procedures and guidelines; and
- Work with managers/supervisors to identify the source of employee's attendance issues, determine available resources and facilitate return to work programs or reasonable accommodation;
- Provide advice on Human Rights, applicable labour and employment standards legislation, collective agreement provisions, and policy interpretations where applicable.

MONITORING OF SICK LEAVE

The College accepts that some sick leave will always be utilized. The expectation is that employees will use sick leave only when it is required. Managers/supervisors will monitor employee absences through observation and computerized tracking tools.

Peer Average

In order to determine if sick leave usage is excessive, management and supervisors are encouraged to compare the utilization of sick leave (excluding usage for pressing necessity) to employees within their peer group or College as a whole. The peer group is defined as the department in which the employee works or the entire in-scope group of employees.

In instances where an employee's utilization exceeds the average hours of sick leave per full-time equivalent (FTE) within the peer group or College as a whole, or where regular patterns of absenteeism are identified, the manager/supervisor will review the data and on an individual basis and determine the appropriate follow-up, if any, that is required.

At the beginning of each academic year the designated person from Human Resources will calculate and communicate the peer group or College averages to be used for that year.

Regular Absenteeism Patterns ("Pattern Absenteeism")

Managers/supervisors will review unscheduled sick leave noting any significant history of pattern of usage, which in their judgment is unusual. Examining the individual circumstances and using discretion, the manager/supervisor will determine the appropriate follow-up, if any, that is required. Some examples of potential unusual absenteeism patterns are, but are not limited to:

- Absences adjacent to regular days off (e.g. Mon/Fri Absences);



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- A pattern of sick leave being used on a specific day of the week or a certain day each month over a period of several months;
- Absences in conjunction with scheduled vacation, statutory holidays, K-12 school holidays, time-in-lieu taken;
- Absence after request for leave denied (e.g. vacation, LOA);
- Absences in conjunction with unpleasant, difficult or high pressure task/assignment, discipline meeting, performance improvement meeting; and
- Using sick leave as soon as it is accrued.

All absences will be treated as non-culpable unless there is clear evidence to the contrary. If at any point during discussions an employee's leave is determined to be culpable managers/supervisors should contact a designated person from Human Resources to discuss if discipline is appropriate.

FOLLOW-UP PROCEDURE

This procedure is a guideline only. Managers/supervisors must use discretion and knowledge of an individual employee's circumstances to apply this procedure in a fair and positive manner. Any of the stages may be repeated. Where the bulk of the absences can be attributed to specific identifiable circumstances such as an injury, there may be no need to apply this policy despite exceeding the peer average.

It is imperative that the purpose and the tone of the discussions/meetings is supportive. Employees should always be informed that this procedure is non-disciplinary.

Stage 1 - Informal Discussion

If the manager/supervisor determines that follow-up is required after reviewing an employee's attendance record, the first stage is an informal discussion with the employee. The primary purpose of this discussion is to share information regarding the employee's attendance.

The manager/supervisor should:

- Confirm the attendance record and communicate the expected attendance standard;
- Ask if there are things in the workplace contributing to the absences;
- Ask if there is information they wish to provide that would assist in the assessment of their attendance; and
- Discuss options and resources available to help the employee achieve an optimal level of attendance.



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- This stage may be repeated more than once. Union representation is not required during these meetings; however, upon request by the employee, union representation should be permitted.

Stage 2 – First Formal Meeting

If the employee's attendance has improved, there may be no need for a formal meeting. Acknowledge and thank the employee for their efforts and encourage future improvement. The supervisor/manager may schedule another informal follow-up meeting to ensure that the employee's absenteeism continues to improve or remains at an acceptable level. Note that this step is applicable at any time in the process if absenteeism has improved. Where formal meetings have commenced, recognition of improvement should be in the form of a letter to the employee.

Where an employee's attendance does not improve within a reasonable period of time (typically 4 to 6 months), the supervisor/manager may meet with the employee to formally outline the expected attendance standards. This stage may be repeated more than once.

During this meeting, the manager/supervisor should:

- Ensure the employee understands that the discussion is not disciplinary, but inform them that their absenteeism is under review;
- Review the employee's absenteeism records and communicate the expected attendance standard;
- Ask the employee if there are things in the workplace contributing to the absences or if there is information they wish to provide that would assist in the assessment of their attendance;
- Discuss options and resources available to help the employee attend work on a regular basis, including the potential for formal accommodation if needed;
- Make the employee aware that their level of absenteeism will continue to be monitored, and that failure to improve attendance within a reasonable time may result in non-disciplinary termination of employment;
- With the employee's consent, develop an action plan which defines possible actions to improve attendance. Ensure the employee understands that the action plan is not a mandatory part of the policy;
- Schedule a follow-up meeting within a reasonable time (typically within 3 months) to review the employee's absenteeism; and
- Following the meeting, provide the employee with a letter confirming the discussion (see 0).



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This stage may be repeated more than once. Union representation is not required during this meeting; however, upon request by the employee, union representation is permitted.

At this stage, or at any further stage, the manager/supervisor may consider making a request for the employee's medical information. The employee's medical information will not be required in every case, and the manager/supervisor should use their discretion and knowledge of the individual employee's situation to determine whether a request for medical information is appropriate. Circumstances where it may be appropriate to request medical information are:

- To verify eligibility for sick leave;
- To determine if an employee is medically fit to return to work;
- To determine if an employee is not able to perform certain duties/tasks.

Stage 3 – Second Formal Meeting

If the employee's attendance has improved, there may be no need for another formal meeting. Acknowledge and thank the employee for their efforts and encourage future improvement. The supervisor/manager may schedule another follow-up meeting to ensure that the employee's absenteeism continues to improve or remains at an acceptable level. This step is applicable at any time in the process if absenteeism has improved.

If attendance still has not improved after a reasonable period of time, a second formal meeting may be held with the employee. Managers/supervisors should consult with a designated person from Human Resources prior to holding a second formal meeting.

During this meeting, the manager/supervisor should:

- Revisit the discussion items from the first formal meeting;
- Inform the employee that a failure to improve attendance within a specific time frame could result in their employment may be terminated
- Following the meeting, provide the employee with a letter confirming the discussion (see 0).

This stage may be repeated more than once. Unionized employees will be encouraged to obtain union representation for this meeting. Where a unionized employee declines union representation, the employee should sign a waiver indicating such. In addition to revisiting the discussion items from the initial formal meeting, the manager will inform the employee that a failure to improve attendance will result in termination of employment.



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Stage 4 – Third Formal Meeting

If the employee's attendance has improved, there may be no need for another formal meeting. Acknowledge and thank the employee for their efforts and encourage future improvement. The supervisor/manager may schedule another follow-up meeting to ensure that the employee's absenteeism continues to improve or remains at an acceptable level. This step is applicable at any time in the process if absenteeism has improved.

If attendance still has not improved after a reasonable period of time, a third formal meeting may be held with the employee. Managers/supervisors should consult with a designated person from Human Resources prior to holding a second formal meeting.

During this meeting, the manager/supervisor should:

- Revisit the discussion items from the first formal meeting;
- Inform the employee that a failure to improve attendance is jeopardizing their employment and the next stage in the procedure may be termination of employment;
- Schedule a follow-up meeting within a reasonable time; and
- Following the meeting, provide the employee with a letter confirming the discussion (see 0).

This stage may be repeated more than once. Unionized employees will be encouraged to obtain union representation for this meeting. Where a unionized employee declines union representation, the employee should sign a waiver indicating such. In addition to revisiting the discussion items from the initial formal meeting, the manager will inform the employee that a failure to improve attendance will result in termination of employment.

Stage 5 - Final Meeting

The manager/supervisor should use their discretion to decide whether additional formal or informal meetings are required. Any of the stages in this procedure may be repeated more than once.

If the employee's attendance does not improve to an acceptable level, the manager/supervisor together with a designated person from Human Resources will review the employee's attendance history and any medical evidence to make an assessment as to whether:

1. The absenteeism is excessive;
2. There is no likelihood of regular attendance in the future; and
3. The duty to accommodate has been exhausted.



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A decision to terminate the employee's employment for non-culpable absenteeism will be reviewed and decided on its own specific circumstances. If all three above requirements are met, a final termination meeting may be held. At this meeting, a letter of termination will be presented to the employee (see 0).

Unionized employees will be encouraged to obtain union representation for this meeting. Where a unionized employee declines union representation, the employee should sign a waiver indicating such.

Improvement in Attendance

If at any time during the attendance management support process an employee shows sufficient improvement in attendance the follow-up procedure should be terminated. Employees should be notified of improvement and recognized in a positive supportive manner. Where formal meetings have commenced, the recognition should be in the form of a letter to the employee noting that follow-up is no longer required.

Retention of Documentation on Employee File

Letters will be placed on the employee's personnel file for documentation purposes, but will not be used for disciplinary purposes.

REVIEW OF ROOT CAUSES:

In addition to reviewing individual circumstances, all levels of management are encouraged to review the workplace to determine whether there are environmental factors contributing to absenteeism. Some examples of potential root causes are:

- Attitudes/Culture of entitlement – There may be a belief in the workplace that sick leave days are an earned entitlement that are to be taken at the employee's discretion.
- Workload – High amounts of overtime or increased workplace pressures can result in increased absenteeism.
- Interpersonal Conflict/Harassment – Absenteeism can also be driven by workplace relationships. The concern could be between co-workers or between supervisor and employee.
- Management Style – In some cases management style can lead to poor employee relations resulting in increased absenteeism. Supervisors, Managers, and Vice Presidents should be aware of this possibility and investigate as necessary.

Reviewing the workplace for root causes of absenteeism should be an ongoing process, however it is especially recommended where a high number of employees are excessively absent.



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MEDICAL EVIDENCE

When an employee is absent from the workplace due to illness or injury, the College may request an employee to provide medical information. Circumstances where it is appropriate to request medical information are:

- To verify an employee's eligibility for sick leave;
- To determine if an employee is medically fit to return to work; and
- To determine if an employee is not able to perform certain duties/tasks.

When requesting medical information it is reasonable for the employer to ask:

- If the problem is work related;
- If the absence from work is medically required;
- Prognosis for recovery;
- If functional limitations exist, and;
- An evaluation of functional limitations, including what accommodations are recommended to guide return to work decisions.

The College will pay the cost of the medical information requested.

Discretion is to be used when seeking medical verification of an absence.

When making the determination as to whether or not it would be appropriate to seek medical verification, the manager/supervisor should contact a designated person from Human Resources for assistance prior to requesting the information from an employee.

An employee's medical information will be kept strictly confidential and only shared to the extent necessary to administer the policy.

REHABILITATION, RETURN TO WORK AND EMPLOYEE ACCOMMODATION

Where the cause of absenteeism is due to a disability, verified by medical evidence, the College will accommodate the employee to the point of undue hardship in accordance with the Accommodation Policy.

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Last Approved: December 16, 2022	Approval Motion Number: 12-16-22-2778



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APPENDIX A - LETTER FOLLOWING FIRST FORMAL MEETING

Date

Employee's Name
Address

Dear _____:

The purpose of this letter is to confirm our discussion on _____ regarding your absenteeism record. During the meeting we gave you a copy of your absenteeism record. We also expressed our concern that this record is unacceptable and significantly above our current College average of _____ percent.

We are concerned that you are not living up to the spirit of the employment relationship that was entered when you were hired. We expect significant improvement and will continue to monitor your attendance. With this in mind, we have scheduled a follow-up meeting for three months from now to discuss your progress. This meeting will be held _____ at _____.

The College is prepared to assist you in any way that it can to improve your attendance rate. If personal problems are contributing to the reasons for your high absenteeism, please contact our Employee Assistance Program or Human Resources for assistance.

We urge you to take whatever steps are necessary to improve your attendance.

Sincerely,

Attendance Administrator's Name
Title

- cc: Human Resources Manager, Union, Personnel File



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APPENDIX B - LETTER FOLLOWING SECOND FORMAL MEETING

Date _____

Employee's Name _____

Address _____

Dear _____:

The purpose of this letter is to confirm our discussion on _____ regarding your attendance record. This discussion was in follow-up to our previous discussion of _____. During this meeting we gave you a copy of your absenteeism record. We also expressed our concern that your record is not improving. It remains at an unacceptable level and is still significantly above our current College average of _____ percent.

We remain concerned that you are not living up to the spirit of the employment relationship that was entered into when you were hired. We expect significant improvement and will continue to monitor your absenteeism. With this in mind, we have scheduled a follow-up meeting for two months from now to discuss your progress. This meeting will be held _____ at _____.

As stated in our previous discussion, the College is prepared to assist you to improve your attendance in any way possible. **If personal problems are contributing to the reasons for your high absenteeism, please contact our Employee Assistance Program or Human Resources for assistance.**

It is important for you to understand that if your absenteeism does not improve to an acceptable level your employment will be in jeopardy. We urge you to take whatever steps are necessary to improve your attendance.

Sincerely,

Attendance Administrator's Name _____

Title _____

- cc: Human Resources Manager, Union, Personnel File



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APPENDIX C - LETTER FOLLOWING THIRD FORMAL MEETING

Date _____

Employee's Name _____

Address _____

Dear _____:

The purpose of this letter is to confirm our discussion on _____ regarding your attendance record. This discussion was in follow-up to our previous discussions of _____ and _____. During this meeting we gave you a copy of your absenteeism record. We also expressed our concern that this record is still not improving. It remains unacceptable and is still significantly above our current College average of _____ percent.

We are very concerned that you are not living up to the spirit of the employment relationship that was entered when you were hired. We expect significant improvement and will continue to monitor your absenteeism. With this in mind, we have scheduled a follow-up meeting for two months from now to discuss your progress. This meeting will be held _____ at _____.

As stated in our previous discussions, the College is prepared to assist you to improve your attendance in any way possible. **If personal problems are contributing to the reasons for your high absenteeism, please contact our Employee Assistance Program or Human Resources for assistance.**

It is important for you to understand that if your absenteeism does not improve over the next _____ months your employment may be terminated. We urge you to take whatever steps are necessary to improve your attendance.

Sincerely,

Attendance Administrator's Name _____

Title _____

- cc: Human Resources Manager, Union, Personnel File



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APPENDIX D - TERMINATION LETTER

Date

Employee's Name
Address

Dear _____:

The purpose of this letter is to inform you that we are terminating your employment for innocent absenteeism, effective today.

We have had numerous documented discussions with you regarding your absenteeism record. Each time we gave you copies of your absenteeism record, urged you to improve it to an acceptable level and, in the last two meetings, advised you of the consequences if such did not happen. We continually expressed our concern that your absenteeism record was unacceptable and was significantly above our current College average in each case.

We feel you are not able to live up to the spirit of the employment relationship that was entered when you were hired. Your absenteeism record in the past has been unacceptable and we have no reason to believe it will improve in the future.

Sincerely,

Human Resources Manager's Name
Title

-cc: Union, Personnel File