

ADMINISTRATION MANUAL

TITLE: Attendance Support Program **POLICY #:** SJ 08-01-08

SECTION: Human Resources

ISSUING AUTHORITY: Senior Leadership Team

ORIGINAL DATE APPROVED: March 20, 2012

SUBSEQUENT APPROVAL DATES: October 21 2014, October 27, 2015

PURPOSE:

To apprise the employee of the employer's expectation for providing regular attendance and to provide support and assistance to employees in overcoming obstacles affecting their ability to regularly attend work, while ensuring that the attendance support process is transparent and is applied in a consistent and fair manner to all employees.

POLICY:

St. Joseph's Health Centre (SJHC) is committed to the delivery of quality patient and family centred care, and recognizes that regular and reliable attendance of employees is essential in achieving this goal. This policy applies to all employees who experience **innocent absenteeism*** and/or innocent absenteeism related to a **recognized disability***.

Culpable absenteeism* will be addressed in accordance with the Health Centre's Discipline Process.

Absenteeism related to a recognized disability will be managed and responded to in accordance with the duty to accommodate under the *Ontario Human Rights Act* and the Health Centre's Sick Leave Absence Policy. Absences that fall under the provision of the *Workplace Safety and Insurance Act* are not subject to the procedures set out in this policy.

ATTENDANCE BENCHMARK:

An employee will be triggered on the Attendance Support Program when they meet or exceed a sick absenteeism level of 5 **shifts*** or 4 **incidents*** in a 6 month period. The 6 month periods will run from April 1 to Sept 30 and October 1 to March 31. The attendance benchmark is based on the Ontario Hospital Association's Absence Survey results 2014 of the weighted average of Ontario Hospitals (9.84 days/yr) and will be reviewed annually and may be adjusted as needed.

PROCEDURE:

The Health Centre will provide assistance to employees dealing with health related issues that prevent them from regularly attending work. The Attendance Support Program is a five-step program designed to assist employees with absence levels that meet or exceed the Health Centre's benchmark. Each step in the program is assigned a number which indicates the increasing seriousness of the employee's absenteeism. At the end of each 6-month attendance period, attendance reports are reviewed by Human Resources, Occupational Health and Safety Services (OHS) and their Manager. An employee identified as having unsatisfactory attendance will meet with their Manager to discuss their attendance and identify supports and resources suitable to assist in improving their attendance. The corresponding Attendance Support Program letter will be issued at this time. (see Appendix A)

MEDICALLY SUBSTANTIATED EXCLUSIONS

Days of absence arising out of a medically established serious chronic condition, an ongoing course of treatment, a catastrophic event, medically necessary surgical interventions, or days where the employee is asymptomatic and is under a doctor's care from the commencement of symptoms for a confirmed communicable disease. Some examples are chemotherapy/radiation treatment, cancer, stroke, heart attack.

Frustration of Employment Contract* may occur at any point throughout the program if, as the employee progresses through the Attendance Support Program there is no reasonable medical indication of significant and sustained improvement. Termination of employment due to Frustration of Employment Contract based on innocent absenteeism will not be considered a disciplinary action.

INITIAL REVIEW

Once an employee meets or exceeds the benchmark for the first time only, an Initial Review Letter outlining the Health Centre's Policy and employee expectations will be reviewed in consultation with their Manager. If the employee once again exceeds the benchmark in the next 6 month period, they will be placed on the program at Step 1.

PROGRESSION THROUGH THE ATTENDANCE SUPPORT PROGRAM

An employee's attendance record over one or more attendance periods will determine whether they progress to the next step in the program, remain at their current step, or are released from the program.

PROGRAM DISCONTINUATION – IMPROVED ATTENDANCE

Employees may cease their participation in the program after 2 consecutive attendance periods (12 months), during which they maintain satisfactory attendance. Examples of possible routes through the program can be seen in Appendix B.

Step 1: Commencement Attendance Support Program

The Manager will:

- Meet with the employee and inform her/him that the meeting is non-disciplinary.
- Review the employee's attendance record
- Review the Attendance Support Program Policy with the employee.
- Issue Step #1 Letter
- Encourage the employee to seek medical attention, utilize the services of the Employee Assistance Program (EAP), or contact OHS for assistance to assist in achieving satisfactory attendance.
- Educate the employee on the impact his/her absenteeism has on the quality patient and family centred care, on co-workers and on departmental effectiveness.
- Explain how satisfactory attendance can lead to discontinuation from the program.
- Explain to the employee that if his/her absenteeism meets or exceeds the Health Centre's benchmark during the next attendance period s/he will proceed to Step 2 of the program.

Step 2: Concern - Attendance Support Program

The Manager will:

- Meet with the employee and inform her/him that the meeting is non-disciplinary.
- Inform the employee that s/he is now at Step 2 of the five-step program.
- Review the employee's attendance record
- Issue the Step #2 Letter
- Encourage the employee to utilize the services of the Employee Assistance Program (EAP) to assist in achieving satisfactory attendance.
- Encourage the employee to contact OHS to assist with any medical conditions that are contributing to the employee's absenteeism.

- Inform the employee that s/he is required to provide OHS with medical documentation for each and every absence due to illness.
- Educate the employee on the impact his/her absenteeism has on quality patient and family centred care, on co-workers and on departmental effectiveness.
- Explain how satisfactory attendance can lead to discontinuation from the program.
- Explain to the employee that if his/her absenteeism meets or exceeds the Health Centre's benchmark during the next attendance period s/he will proceed to Step 3 of the program.

Step 3: Continued Concern - Attendance Support Program

The Manager will:

- Meet with the employee, the Union (if applicable) and Manager of Human Resources (HR)
- Inform her/him that the meeting is non-disciplinary to inform the employee that s/he is now at Step 3 of the five-step program and that further progression through the steps may lead to termination of employment.
- Review the employee's attendance record
- Issue the Step #3
- Recommend the services of the Employee Assistance Program (EAP) to assist in achieving satisfactory attendance.
- Advise the employee that s/he is required to visit OHS for a mandatory health review with the OHS Physician to determine if there is an underlying medical condition which is interfering with his/her ability to provide regular attendance.
- Reiterate to the employee that s/he is required to continue to provide OHS with medical documentation for each and every absence due to illness.
- Remind the employee about the impact his/her absenteeism has on quality patient and family centred care, on co-workers and on departmental effectiveness.
- Explain how satisfactory attendance can lead to discontinuation from the program.
- Explain to the employee that if his/her absenteeism meets or exceeds the Health Centre's benchmark during the next attendance period s/he will proceed to Step 4 of the program.

Step 4: Final Notice - Attendance Support Program

The Manager will:

- Meet with the employee, the Union (if applicable) and Manager of HR
- Inform her/him that the meeting is non-disciplinary to inform the employee that s/he is now at Step 4 of the five-step program and that further progression through the steps may lead to termination of employment.
- Review the employee's attendance record.
- Issue the Step #4 letter
- Recommend the services of the Employee Assistance Program (EAP) to assist in achieving satisfactory attendance.
- Encourage the employee to contact OHS in order to assist with any medical condition(s) that are contributing to the employee's absenteeism.
- Inform the employee that s/he is now required to provide OHS with a complete Short Term Disability (STD) form for subsequent absences for each and every absence due to illness.
- Remind the employee about the impact his/her absenteeism has on quality patient and family centred care, and on co-workers and on departmental effectiveness.
- Explain how satisfactory attendance can lead to discontinuation from the program.
- Explain to the employee that if his/her absenteeism meets or exceeds the Health Centre's benchmark during the next attendance period s/he will proceed to Step 5, the final step of the program, which may result in termination of employment.

Step 5: Potential Termination of Employment

Prior to termination the Manager HR, Manager OHS and Department Manager will review and consider the following:

- Recent significant improvements in attendance
- Reasonable indication of significant and sustained future improvement in attendance supported by medical documentation (e.g. prognosis of regular future attendance).

Based on the outcome of the final review, additional steps may be added to the Attendance Support Program, if appropriate, or final termination will be issued for innocent absenteeism.

EMPLOYEE RESPONSIBILITIES:

- Provide regular and reliable attendance as defined by the Health Centre's attendance benchmark.
- Seek out the proper and available supports when he/she is ill or disabled.
- Inform OHS of a absence due to a disability and provide satisfactory medical documentation to substantiate the disability
- Participate and cooperate with the Manager, OHS, HR and Union (if applicable) throughout the steps of the program.

MANAGER RESPONSIBILITIES

- Set expectations with employees by communicating the value of regular and reliable attendance at work.
- Ensure accurate and timely records of employee attendance and follow the established procedures for communicating this information to the Payroll department and OHS (http://sjhcweb.ca/intranet/occ_health/absence_form.php)
- Create a supportive environment where the employee is positively reinforced throughout the period of illness.
- Arrange and attend attendance review meetings with the employee as required in a timely manner.
- Offer reasonable assistance to employees so that he/she can attend work on a regular and reliable basis.

HR RESPONSIBILITIES:

- Administer the Attendance Support Program in a fair and consistent manner.
- Track and monitor the attendance records of all employees.
- Confirm employee attendance data through report generation and verification with Department Managers and OHS.
- Create step letters for all employees in the program.
- Offer reasonable assistance to employees so that he/she can attend work on a regular and reliable basis.

OHS RESPONSIBILITIES:

- Assist employees with medical issues that may be preventing them from providing regular and reliable attendance.
- Work with the employee and his/her medical practitioners to gather information necessary to identify absences related to an illness and or disability.
- Assist Human Resources in reviewing and verifying attendance records.
- Offer reasonable assistance to employees so that he/she can attend work on a regular and reliable basis.

UNION'S RESPONSIBILITIES:

- Provide assistance, support and/or guidance to its members relating to their illness and the steps

throughout the Attendance Support process.

- Attend Attendance Support Program meetings when requested to ensure that the employee is clear with the Health Centre's expectations going forward through the Attendance Support Program steps.
- Offer reasonable assistance to employees so that he/she can attend work on a regular and reliable basis.

DEFINITIONS:

Culpable Absenteeism: Unauthorized absences within the employee's control. This type of absence is blameworthy and will be managed in accordance with the Health Centre's Discipline Process.

Frustration of Employment Contract: Termination of the Employment contract due to unforeseen circumstances for example innocent absenteeism.

Incident: An absence for one or more consecutive days resulting from the same illness.

Innocent Absenteeism: Absences for reasons beyond the employee's control, which are medically substantiated. This type of absence is not culpable and therefore is not subject to disciplinary action.

Recognized Disability:

- Any degree of physical disability, infirmity, malformation or disfigurement
- A condition of mental impairment or developmental disability
- A learning disability or mental disorder

Satisfactory Attendance: An innocent absenteeism level below the Health Centre's benchmark in any given attendance period.

Shift: A scheduled period of work that may vary in duration (e.g. 8 hours or 12 hour).

CROSS REFERENCE: Sick Leave Absence SJ-09-01-20, Discipline Process SJ-08-01-20, Return to Work from a Work or Non-Work Related Illness or Injury SJ-09-02-01

REGULATORY REFERENCE: Ontario Human Rights Act, Workplace Safety and Insurance Act, Ontario Employment Standards Act

DEVELOPED BY: Human Resources and Occupational Health and Safety Services

INITIALLY REVIEWED BY: Medicine Program, Emergency, Nutrition Services, Environmental Services, Financial Services, Quality, Strategic Information & Performance Systems Enhancement.

DISTRIBUTION: Everyone

Appendix A

SUMMARY OF ACTIONS: Step 1 - 5

ACTIONS REQUIRED	STEP 1	STEP 2	STEP 3	STEP 4	STEP 5
Meeting with Manager					
Review attendance & policy					
Review next steps					
Recommend use of EAP & OHS					
Educate employee on how their absence effects the organization					
Contact OHS					
Provide medical certificate for each and every absence					
Meeting with Manager, Union (if applicable and Manager HR					
Mandatory Health Review by OHS physician					
Provide Short Term Disability form for each and every absence					
Potential Termination of Employment					

APPENDIX B: Progression through the Attendance Support Program to Termination of Employment

Employee	Period 1 – 6 mths (6 months)	Period 2 – 6 mths (12 months)	Period 3 – 6 mths (18 months)	Period 4 – 6 mths (24 months)	Period 5 – 6 mths (30 months)	Period 6 – 6 mths (36 months)	Period 6 – 6 mths (42 months)
A - John	Exceed benchmark Step 1 –	Exceed benchmark Step 2 –	Exceed benchmark Step 3 –	Exceed benchmark Step 4 –	Exceed benchmark Step 5 -		
B - Mary	Exceed benchmark Step 1	Below benchmark No letter issued Remain at Step 1	Exceed benchmark Step 2	Exceed benchmark Step 3	Exceed benchmark Step 4	Exceed benchmark Step 5 –	
C - Tom	Exceed benchmark Step 1	Below benchmark No letter issued Remain at Step 1	Below benchmark Discontinue letter -	Exceed benchmark Enrolled in program Step 1	Exceed benchmark Step 2	Exceed benchmark Step 3	Exceed benchmark Step 4