



GENERAL MANUAL POLICY

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CATEGORY: Human Resources

TOPIC: Attendance Awareness Program

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POLICY

Community Living Thunder Bay provides for sick leave with pay (for accrued credits) to full time employees who are unable to attend work due to their personal illness. It also provides a percent in lieu of sick time for part time employees and allows part time employees to take time off without pay when they are unable to attend work due to their personal illness.

It is the policy of Community Living Thunder Bay to monitor the use of paid and unpaid sick leave by all employees and, if necessary, take appropriate action as outlined in the attached guidelines for Team Leaders. Such actions can include offers of assistance, encouraging the employee to improve their health so as to attend work on a regular basis, discussions of possible options such as re-assignment, change of status so as to balance the needs of the employee and of the Employer, where possible.

PURPOSE

The Employer is not overly concerned with employees who have a small number of short or long-term illnesses. Rather, if the employee's absences are of such a long term nature or are so numerous as to cause a significant disruption to the team, scheduling problems and/or a significant drain on our relief/sick leave budgets, or are patterned, or otherwise indicate the possibility of sick leave abuse, the matter should be brought to the employee's attention.

Monitoring of sick leave use rests primarily with the Team Leaders. Employees should be considered for this program when their absences exceed the average of the organization for a period of six months or more.



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PROCEDURE

Prior to beginning the Attendance Awareness Program, the Team Leader will review each employee's attendance record and reasons for their absenteeism.

The Program assumes that the employee is legitimately ill/otherwise in receipt of sick leave benefits. The collective agreement allows sick leave payments in the case of the employee's personal illness. Employees have also been allowed to take one sick day only for the first day their child is ill. Should the Team Leader feel that the employee is claiming sick leave benefits inappropriately, the employee may well be subject to disciplinary action, up to and including discharge. This will be discussed with Human Resources prior to taking any action in this regard.

Finance will distribute the Attendance Awareness statistical report to the Team Leaders on a monthly basis. The report indicates the employees whose absences exceed the organizational average.

STEP 1 - COUNSELLING SESSION

As soon as possible, after the Team Leader receives the monthly Attendance Awareness statistical report, and the employee returns from absence, the Team Leader will meet with the employee privately to:

1. Discuss his/her concern with the employee's sick leave usage. The employee's sick leave record to date will be briefly reviewed.
2. Clarify any questions he/she may have about the employee's ability to attend work in the future on a regular basis.
3. Advise the employee about the impact of his/her sick leave usage on:
 - the rest of the staff
 - the individuals being supported; and
 - the Employer (costs and convenience)
4. Advise the employee that he/she may be re-assigned.
5. Offer assistance, if the employee is open to such suggestions from the Team Leader.
6. Ask for the employee to try to improve his/her attendance.

The Team Leader will make a brief anecdotal note of the meeting and of the employee's response.

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The employee's attendance will continue to be monitored for 6 months following the counselling session.

If there is a significant improvement, the Team Leader will document this improvement with a letter to the employee.

STEP 2 - COUNSELLING AND FIRST LETTER

If there is no improvement within the 6 months, a further meeting will be arranged with Human Resources. The Team Leader will give a letter outlining the discussion of the problem to the employee.

The employee's attendance will continue to be monitored for 6 months following the counselling session and the first letter.

STEP 3 - COUNSELLING AND SECOND LETTER

If there is still no significant improvement in the employee's attendance after 6 months following the counselling session and the first letter, the Team Leader will again ask the employee for an improvement in attendance, but will also advise the employee that he/she will be referred to the Disability Management Consultant.

As a result of the information obtained by the Disability Management Consultant, the Team Leader will usually be provided with one of three options:

- a. The employee suffers from a specific medical illness for which there is no cure. He/she will, in his/her current role, always have poor attendance and it may decline further.

(In this case, the Team Leader will discuss options with Human Resources, depending upon the facts in each case. These options could include changes of duties/modified work, LTD, early retirement, etc.)

- b. The employee suffers from a specific medical problem for which there is a cure. In this case, the employee would normally be counselled to have their health problem resolved, failing which, their employment could not be maintained by the employer.
- c. The employee suffers from no specific medical ailment that would account for the high rate of absenteeism. In this case, a letter would be sent to that effect.

The employee's attendance will continue to be monitored for 6 months following the counselling session and the second letter.

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STEP 4 – TERMINATION / TRANSFER / DEMOTION

If, after 6 months of sending the second letter, there is no significant improvement in the employee's attendance, the employee may be subject to discharge. This action will be documented in a third letter.

Arbitrators have held that in order to justify discharge for innocent absenteeism, the Employer must show that:

- the Employee had a significant problem;
- the Employer's concerns were made known to the employee so that she/he was aware of the seriousness with which his/her absenteeism was viewed; and that
- the Employer was able to show that there was little hope that the employee's attendance would improve in the future.

By following the Attendance Awareness Program, some employees whose sick leave usage is causing concern to the other employees and to the Employer, may be confronted in a non-threatening manner with the hope that they will improve their health/seek assistance to resolve their health problems.

Also, if the employee wishes, and with the employee's written authorization, all letters are copied to the Union so that the Union representative can clearly discuss the employee's rights and obligations in this situation.