
THE UNIVERSITY OF BRITISH COLUMBIA



Human Resources
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Date: December 11, 2008

To: Deans, Directors, Department Heads and Administrators

From: Lindi Frost, Associate Director, Employee Relations

CC: HR Advisors

Re: Update on Attendance Management Program for CUPE 116 Staff

This memo is for those who manage CUPE 116 staff. Our intent is to provide you with an update on the current status of the Attendance Management Program for employees who are a part of the CUPE 116 bargaining unit.

BACKGROUND

For quite some time, the University has been tasked with gathering statistics on health indicators. As a result of significantly high absenteeism rates for some staff that are members of CUPE 116, the University has highlighted the need to manage attendance more closely.

Since 2002 there has been an Attendance Management Policy within Land & Building Services (LBS) which had the Union's agreement. Historically, other University departments have also taken steps to manage employee attendance. In early 2008, the University implemented Attendance Management guidelines for departments with employees who are members of CUPE 116, except LBS.

This is due to the fact that there is an agreed-upon attendance management policy already in place in LBS. However, substantively, the 2008 guidelines and the LBS policy are based on the same principles.

ARBITRATION AND APPEAL

The Union has been dissatisfied with the manner in which LBS have administered their policy and they filed a grievance in 2006. That grievance went to arbitration in the first part of 2008 and the hearing lasted 8 days. The hearing also included an issue over whether the University can pursue further medical information from employees outside of certain provisions in the collective agreement.

The Union maintained that the University was obligated by law to have one attendance management policy across the University, and could not have an LBS-specific program. The University maintained that it was entitled to have an LBS specific program because it was by agreement of the parties.

Arbitrator Sullivan recently issued his award. The University's position with respect to both the Attendance Management program and the further medical were upheld.

Since then, CUPE 116 has chosen to appeal Arbitrator Sullivan's award. In its appeal, the Union says that the arbitrator erred in refusing to determine whether or not the University applied the LBS Attendance Management Policy consistently in other departments and units (i.e. outside of LBS).

CURRENT STATUS

It is not known yet when the appeal will be heard, however, the following sets out the University's intention with respect to the Attendance Management Program (CUPE 116):

1. We will continue to treat employees fairly and according to the same basic principles of attendance management, despite the separation of the LBS program from other departments.
2. Outside of LBS we will continue to adhere to the guidelines established found at www.hr.ubc.ca/files/pdf/advisory_services/Attendance_Management_Guidelines_CUPE_116.pdf.
3. LBS will continue to use their departmental policy with respect to the Attendance Management Program.

The current guidelines reference a phased approach. We want to encourage departments to deal with those employees who have the highest levels of absenteeism first. As most departments have worked through Phase I of the Attendance Management guidelines, it is appropriate to move to the next phase. The second phase is outlined in the Attendance Management Guidelines under the section titled *Managing Absenteeism Consistently* (page 3).

ONLINE REFERENCE & TOOLS

Please ensure the following one-pager letter and the Attendance Management Guidelines are provided to all CUPE 116 staff in your unit/department:

Download/view the Attendance Management Guidelines (CUPE 116):

www.hr.ubc.ca/files/pdf/advisory_services/Attendance_Management_Guidelines_CUPE_116.pdf

Download/distribute our Letter to CUPE 116 Employees at:

[http://www.hr.ubc.ca/files/pdf/advisory_services/Ltr to CUPE 116 EEs Attendance Mgmt Guidelines.pdf](http://www.hr.ubc.ca/files/pdf/advisory_services/Ltr_to_CUPE_116_EEs_Attendance_Mgmt_Guidelines.pdf)

Your HR Advisor will be contacting you to assist you in this process.

If you have any questions with respect to the current guidelines or the arbitration/appeal process, please contact your HR Advisor.