

THE UNIVERSITY OF BRITISH COLUMBIA



**ATTENDANCE MANAGEMENT GUIDELINES
FOR CUPE LOCAL 116 EMPLOYEES**

Attendance Management Guidelines for CUPE Local 116 Employees

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Attendance Management Guidelines for CUPE Local 116 Employees

Introduction

Our success as a University depends on the contributions made by our employees. Regular employee attendance is an essential part of this. The University is committed to fostering a culture of regular attendance, and promoting health and wellness among our staff.

Illnesses and injuries do occur, and when they do employees are provided with leaves for treatment and recovery, and support. During these leaves, the human resources aspect must be managed to ensure that the impact on operations is minimized, in accordance with our collective agreement, jurisprudence, as well as human resources and health and safety principles.

Excessive absenteeism results in a detrimental impact to the University's operations, such as a reduction in the quality and timeliness of service or production, increase of work flow to colleagues, and financial cost.

Absenteeism will have varying impacts on operations across departments and positions. The consistent and appropriate evaluation of absenteeism by management is essential in order to implement and maintain a successful attendance management program.

Managing employee absenteeism can be complicated. These guidelines have been developed to assist those responsible for managing employees represented by the CUPE 116 bargaining unit in the long-term management of absenteeism. The objectives of these guidelines are:

- Evaluating and understanding absenteeism
- Promoting regular attendance at work
- Managing absenteeism consistently across the University

In managing absenteeism, other health related issues may be raised, including wellness initiatives, health and safety measures and accommodation of disabilities. HR Advisors are available to guide managers through these issues and make the necessary referrals to specialists and experts, as required.

1. Evaluating and Understanding Absenteeism

In order to administer this program it is first important to understand the difference between culpable and non-culpable absenteeism.

Non-culpable absenteeism is usually an absence due to disability, injury, illness, or another legitimate health reason. It includes:

- Sick leave (paid or unpaid)
- Absence on WCB* *[discussed in greater detail below]*
- Other absences attributable to illness or injury

The term “non-culpable” means that the employee's behavior is not blameworthy. Therefore, the response from management is not disciplinary.

In contrast, **culpable** conduct involves employee fault or wrongdoing. Examples of culpable issues in absenteeism may include:

- Failure to report to work or follow the established call in procedures
- Sick leave fraud
- Falsification of time records
- Excessive lateness

These guidelines focus strictly on non-culpable absenteeism. The approach is not disciplinary. Culpable absenteeism is addressed using a disciplinary approach and, consequently, does not fall within these guidelines. It is important to deal with the two concepts separately.

If you have concerns about potential culpable conduct (for instance, concerns that an employee on sick leave is not actually sick) contact your HR Advisor to discuss the appropriate steps. These types of allegations involve a disciplinary approach, and therefore must be handled outside of this program.

2. Promoting Regular Attendance at Work

An open discussion is the key to successful attendance management and promoting regular attendance. Specific actions a manager should take include:

- Engaging employees to recognize their value to the University's operations.
- Communicating regularly with employees about the expectation for regular and consistent attendance.
- Managing absences consistently and concurrently.
- Identifying and resolving contextual factors in the workplace that may contribute to absenteeism through dialogue with employees.

3. Managing Absenteeism Consistently

The success of this program depends upon the consistent application of these administrative steps. The following steps are designed to identify and formally address excessive absenteeism.

Step 1: Review Absenteeism Records and Identify Problem Absenteeism

A. Compile the record for each employee.

For each employee, the manager must identify:

- All absences (paid or unpaid) due to illness or injury regardless of cause.
- All injury on duty or WCB leave.
- Any other unplanned, unscheduled absence or leave – some examples being absent without leave, failure to report to work, absence to care for family members, personal emergencies.

This will form the employee's record of non-culpable absenteeism for this program. In compiling this record, it is important to ensure the information used is accurate, current, and consistent.

Examples of absences not included in this record are:

- Scheduled vacation.
- Maternity leave or parental leave.
- Approved absence for Union business.

B. Initial threshold point for inclusion in the program

The next step in the program is to compile a list of employees who, based on their attendance statistics, *may* be placed in the attendance management program.

The University is made up a diverse group of employees working in a wide range of departments and occupations. Therefore, it is challenging to identify one threshold measure of absenteeism that will address the issues in all departments.

It is important to note that the attendance management program is a formal program intended to formally document poor attendance and seek improvement in the

attendance of individual employees, but in a manner that is consistent. Therefore there must be a threshold for inclusion in the program for all employees who are members of CUPE 116. This program is only intended to deal with employees who have absenteeism that is beyond a certain threshold.

These guidelines incorporate a two-pronged approach. An employee may be included in the threshold group for review where, in the preceding year, the employee has been absent:

A. for 12 or more days;

OR

B. at a rate greater than the departmental average for the year.

Managers will be advised by HR of any changes or updates to this threshold.

If you have an employee who does not meet this threshold, but you have concerns with respect to their attendance, please contact your HR Advisor.

C. Consider the record of each employee on the list, and determine whether that employee should be placed in the program

Once the list of employees who are over the "threshold" has been compiled, individuals should not automatically be placed in the program. Managers must consider the record of each person on the list to determine whether there is an ongoing problem with excessive absenteeism that needs to be addressed and managed.

Measuring whether there is "excessive absenteeism" in each case

Not all non-culpable absenteeism is the same. Key criteria in evaluating absenteeism include:

- The duration of absences (short, intermittent versus longer term)
- The frequency (i.e. the number of separate occurrences)
- The predictability (i.e. whether planned or unplanned)

The number of incidents, and the duration of each are important considerations. Frequent, unplanned absences may cause more operational disruption and hardship than one longer planned absence.

Questions to consider in assessing each record include:

- How many times, days, and for what reason has the employee been absent?

- Is the problem recent, can it be traced to a particular change in the employee's circumstances?
- Are the absences of short duration with no medical attention?
- Are the absences due to family responsibilities?
- Is there a solution that will likely enable the employee to maintain regular attendance in the foreseeable future?
- Has the employee identified a chronic underlying condition (i.e. a disability)?
- Has the employee identified a need for accommodation of a disability or other condition? (Discuss with your HR Advisor)

There will be times when a review of the record indicates there is not a current problem with absenteeism, even although the employee is over the threshold. For instance, in a situation where absence was caused by an isolated illness or injury (such as a planned treatment or surgery, or a motor vehicle accident) and there are no other problems with the attendance record.

To summarize, the question the manager must address is whether, on a review of the record, there is an ongoing problem with excessive absenteeism that needs to be addressed and managed. If so, then the employee may appropriately be placed in the attendance management program.

This flexible approach must be applied throughout all steps of the program. Therefore, these questions and issues must be kept in mind each time the manager is evaluating the employee's record of attendance.

Managers are encouraged to contact their HR Advisor if they require any advice or guidance as to whether a particular employee has "problem attendance" and/or should be moved to the next step of the program.

Step 2: Initial absenteeism meeting with employee

If a review of the record does disclose problem absenteeism (as discussed above) the employee is required to attend a meeting. A list of proposed interviewees is to be sent to the Union in advance of meetings being arranged.

- Managers must review attendance records prior to the employee meeting. As part of that review, managers should consider the operational and financial impact of the employee's absences.

Present at this meeting is a union representative, as well as a second management representative who will document the discussion. The employee must attend with their union representative.

Appendix F to this policy lists a number of questions for managers to cover at employee interviews. [Not yet attached]

A meeting is divided into four sections:

1) Review of absences and impact

The manager confirms that this is a non-disciplinary meeting. The manager reviews the attendance record with the employee, confirming the total number of days absent, the number of occasions, and the type of leave taken. The manager explains the detrimental impact on operations given the nature of the work the employee performs. The tone of this message is important, because it highlights the employee's value in the workplace, and the consequence of their absence on the workforce when they are away.

2) Understanding

Through this discussion with the employee, the manager seeks to understand the reasons for the absences. It is important to explore workplace or personal factors that impede the employee from regular attendance at work.

Managers will not necessarily have access to confidential medical information, such as a diagnosis of an illness at this stage of the attendance management program. However, it is appropriate to ask if the employee is experiencing an ongoing medical condition that is causing or contributing to their absenteeism, if they are currently under the care of a Physician or if they are following a prescribed treatment plan. It is important to emphasize that we are not challenging their right to use the sick leave provision for a legitimate absence due to illness or injury.

3) Moving forward: Prognosis and Monitoring

The employee and manager discuss the prognosis for regular attendance and respective responsibilities and commitments. The manager reminds the employee about programs and supports in place to promote wellness at the University, including the Employee and Family Assistance (EFAP) program. The employee is informed that his/her attendance will be monitored and that a significant and sustained improvement in their attendance is required, and that if such improvement does not occur the employee will move to the next step of the program.

4) Documenting the Discussion

After the meeting, a letter is normally issued to the employee, with copies to the union, Human Resources, and the personnel file. A template is offered in Appendix A – Letter 1. Letters must be tailored to include the circumstances of each employee and what was said in the discussion. Depending on the circumstances and the responses provided it may be no letter is issued.

A subsequent meeting or second interview should not automatically or necessarily be held. If, however, the required improvement in attendance does not occur, the second and third interview may be necessary and appropriate. These subsequent meetings will adopt a similar approach to the first meeting. It is important to reference the previous meetings held with the employee within the scope of these guidelines.

Appendices B and C offer templates for the second and third absenteeism letters. These must also be tailored to the personal circumstances of the employee.

If an employee has six consecutive six month periods (i.e. three years) of absenteeism that is within the acceptable threshold, then the employee will be taken out of the attendance management program. If the employee's attendance becomes a problem again in the future, he or she will be placed at the first step of the program.

Step 3: Attendance Review Committee

If the employee or Union claims that there is an ongoing medical condition causing or contributing to their absenteeism, the employee's case will normally be referred to the Attendance Review Committee (ARC) via the HR Advisor. This referral ordinarily occurs after the issuance of an Appendix C letter, however the employee or the Union may request earlier referral to the ARC. The University will evaluate each such request on a case by case basis to determine whether it agrees with early referral to the ARC.

The Committee, consisting of one CUPE 116 Union representative, one HR representative and one representative from the Department, is empowered to request and review medical documentation. The aim is to provide insight into the nature of the employee's illness, the contribution of the medical condition to the absenteeism, the treatment program, the prognosis for improvement and the steps that may be taken to improve attendance. A template of the letter and questionnaire that are given to the employee to be forwarded to their physician is found in Appendix D.

Step 4: Assessing the Employment Relationship

The aim of this program is to assist as many employees as possible in returning to an acceptable level of regular attendance. However, in some cases this will not occur.

Where the review process does not result in an acceptable level of improvement in attendance, the University must assess the viability of continuing the employment relationship. The relevant questions are:

1. Whether the employee has had an excessive absenteeism record over a

sustained period of time.

2. Whether there is a reasonable likelihood that the employee will be able to achieve an acceptable level of attendance (i.e. the prognosis).
3. Whether the duty to accommodate has been fulfilled.

Consultation with your HR Advisor must occur at this stage.

Typically at this stage, a final notice or fourth letter is warranted. HR will assist with the preparation of the interview and final notice as required. This notice will be issued following the interview indicating that the employee's failure to improve their attendance will result in their termination of employment. A template letter, which serves as a final notice to the employee, is found at Appendix E.

If after the final warning there is no improvement, the HR Advisor will assist management with their decision and action required to end the employment relationship.

The above steps are summarized as follows:

- 1) Absenteeism Letter Follow Up To Interview -Appendix A
- 2) Absenteeism Letter For Second Meeting– Appendix B
- 3) Absenteeism Letter For Third Meeting– Appendix C
- 4) Draft Letter - Attendance Review Committee – Appendix D
- 5) Absenteeism Letter Final Warning – Appendix E

Appendix A – Letter 1

Personal and Confidential – Hand Delivered

Name
Title
Department

(Date)

RE: Absenteeism

(Name):

This letter documents a non-disciplinary meeting held with you on (date) to discuss your attendance record from (date) to the present. Present at this interview were...

A review of your attendance record reveals the following absences due to (illness) or (injury) as follows:

Period	Days absent	Number of Occasions	Type
2005	XX	XX	WCB
2006	XX	XX	Sick
2007	XX	XX	Sick

This absenteeism is of concern to the University as it is detrimental to the operations of the department.

At the meeting, you explained that your absences were caused by/attributable to/ contributed to by (...).

You were advised that the University would continue monitoring your attendance and that a significant and sustained improvement in your attendance record is required. We remain optimistic that your attendance will improve.

(If an employee claims an ongoing or chronic medical condition is contributing to their ability to attend on a regular and consistent basis, you should consult with HR about adding the following sentence). Your file will also be sent to the Attendance Review Committee for further action with respect to your ongoing medical condition.

There are many means to fulfill your responsibility to attend work on a regular basis. We encourage you to explore means to improve your attendance. During the meeting, you committed to/ did not commit to... We are committed to supporting the health and wellness of our employees, and encourage you to ask for support when facing health related issues. During the meeting, we committed to.... Since these events may be complex for both you and the department, we take this opportunity to refer you to the Employee and Family Assistance Program (EFAP), which may be reached at (604) 431-8200 or 1-800-663-9099, as an additional resource.

Yours truly,

Name
Title
Department

cc: CUPE 116
HR Advisor Personnel File Department

Appendix B – Letter 2

Personal and Confidential – Hand Delivered

Name
Title
Department

(Date)

RE: Absenteeism

(Name):

This letter documents a non-disciplinary meeting held with you on (date) to discuss your attendance record from (date) to the present. Present at this interview were... We last met to discuss your attendance on ____, with a follow up letter to you dated _____.

A review of your attendance record reveals the following absences, since your last interview, due to (illness) or (injury) are as follows:

Period	Days absent	Number of Occasions	Type
2005	XX	XX	WCB
2006	XX	XX	Sick
2007	XX	XX	Sick

This absenteeism is of concern to the University as it is detrimental to the operations of the department. At our most recent meeting, you explained that your absences were caused by/attributionable to/ contributed to by (...).

A review of your attendance record overall reveals the following absenteeism, as addressed in our letter dated XXX:

Period	Days absent	Number of Occasions	Type
2005	XX	XX	WCB
2006	XX	XX	Sick
2007	XX	XX	Sick

(If an employee claims an ongoing or chronic medical condition is contributing to their ability to attend on a regular and consistent basis, you should consult with HR

about adding the following). Your file will also be sent to the Attendance Review Committee for further action with respect to your ongoing medical condition.

Unfortunately, since our last meeting and written correspondence your attendance has not improved to an acceptable level. In the (time) since that meeting you have been absent _____ days. Please be advised that the University will continue to monitor your attendance and that a significant and sustained improvement in your attendance record is required. We remain optimistic that your attendance will improve. If, however, your absenteeism continues to fall below an acceptable standard, your employment with the University may be in jeopardy.

There are many means to fulfill your responsibility to attend work on a regular and consistent basis. We encourage you to explore means to improve your attendance. During the meeting, you committed to/ did not commit to... We are committed to supporting the health and wellness of our employees, and encourage you to ask for support when facing health related issues. During the meeting, we committed to.... Since these events may be complex for both you and the department, we take this opportunity to refer you to the Employee and Family Assistance Program (EFAP), which may be reached at (604) 431-8200 or 1-800-663-9099, as an additional resource.

Yours truly,

Name
Title
Department

cc: CUPE 116
HR Advisor
Personnel File
Department

Appendix C – Letter 3

Personal and Confidential – Hand Delivered

Name
Title
Department

(Date)

RE: Absenteeism

(Name):

This letter documents a non-disciplinary meeting held with you on (date) to discuss your attendance record from (date) to the present. Present at this interview were... We last met to discuss your attendance on ____, with a follow up letter to you dated ____.

A review of your attendance record reveals the following absences, since your last interview, due to (illness) or (injury) are as follows:

Period	Days absent	Number of Occasions	Type
2005	XX	XX	WCB
2006	XX	XX	Sick
2007	XX	XX	Sick

This absenteeism is of concern to the University as it is detrimental to the operations of the department. At our most recent meeting, you explained that your absences were caused by/attribution to/ contributed to by (...).

A review of your attendance record overall reveals the following absenteeism, as addressed in our letter dated XXX:

Period	Days absent	Number of Occasions	Type
2005	XX	XX	WCB
2006	XX	XX	Sick
2007	XX	XX	Sick

(If an employee claims an ongoing or chronic medical condition is contributing to their ability to attend on a regular and consistent basis). You should consult with HR about adding the following sentence. Your file will also be sent to the Attendance Review Committee for further action with respect to your ongoing medical condition.

Unfortunately, since our last meeting and written correspondence your attendance has not improved to an acceptable level. In the (time) since that meeting you have been absent _____ days. Please be advised that the University will continue to monitor your attendance and that a significant and sustained improvement in your attendance record is required. We remain hopeful that your attendance will improve. If, however, your absenteeism continues to fall below an acceptable standard, your employment with the University may be in jeopardy.

There are many means to fulfill your responsibility to attend work on a regular and consistent basis. We encourage you to explore means to improve your attendance. During the meeting, you committed to/ did not commit to... We are committed to supporting the health and wellness of our employees, and encourage you to ask for support when facing health related issues. During the meeting, we committed to.... Since these events may be complex for both you and the department, we take this opportunity to refer you to the Employee and Family Assistance Program (EFAP), which may be reached at (604) 431-8200 or 1-800-663-9099, as an additional resource.

Yours truly,

Name
Title
Department

cc: CUPE 116
HR Advisor
Personnel File
Department

Appendix D – Attendance Review Committee

Personal and Confidential – Hand Delivered

Name
Title
Department

(Date)

RE: Absenteeism

(Name):

An Attendance Review Committee has been established under Article 17.07 of the Collective Agreement to review your attendance. The members of the Committee are XXX.

Your attendance record is a matter of concern for the Committee. In addition to the detrimental impact on the operations of your department, the Committee is concerned for your general state of health and well-being. As such, we require that you to provide us with a report from your physician providing the following information:

- 1) A description outlining the particulars of your medical and/or physical ailments;
- 2) An assessment outlining how this medical and/or physical problem(s) prevents you from attending work full-time on a regular and consistent basis and performing your responsibilities;
- 3) A comprehensive statement outlining whether therapeutic treatment is being or can be undertaken to correct the problem(s);
- 4) An assessment of when, in all likelihood, you will be able to attend work full-time on a regular and consistent basis; and
- 5) A recommendation on whether any lifestyle changes would assist you in attending work full-time on a regular and consistent basis.

We also require you to give the physician the enclosed copy of this letter for her/his information. Your Department will assume the cost of the examination and letter.

This information must be provided no later than XXX.

Please send this information by registered mail to:

The Attendance Review Committee -Departmental Representative

Upon receipt of the information from your physician, the Committee will review the report and ensure it completeness The Committee will then make a recommendation to your Department.

Yours sincerely,

CUPE 116 Representative

Employee Relations Manager

Departmental Representative

cc: CUPE 116
HR Advisor
Department
Personnel File

Appendix E – Letter 4 – Final Absenteeism Warning Letter

Personal and Confidential – Hand Delivered

Name
Title
Department

(Date)

RE: Absenteeism – Final Notice

(Name):

This letter documents a non-disciplinary meeting held with you on (date) to discuss your attendance record from (date) to the present. Present at this interview were... We last met to discuss your attendance on ____, with a follow up letter to you dated_____.

A review of your attendance record reveals the following absences due to (illness) or (injury) as follows:

Period	Days absent	Number of Occasions	Type
XX	XX	XX	WCB
Present			Sick

This absenteeism is of concern to the University as it is detrimental to the operations of the department. At our most recent meeting, you explained that your absences were caused by/attributable to/ contributed to by (...).

A review of your attendance record overall reveals the following absenteeism, as addressed in our letters dated XXX:

Period	Days absent	Number of Occasions	Type
2005	XX	XX	WCB
2006	XX	XX	Sick
2007	XX	XX	Sick

Unfortunately, since our last meeting and written correspondence your attendance has not improved to an acceptable level. In the (time) since that meeting you have

been absent _____ days.

You have now had ___ meetings and received ___ letters with respect to the need to improve your attendance, however your attendance continues to fall below an acceptable standard. In light of the above, and based upon the fact that you have been advised previously about your poor attendance, this letter serves as a final warning of the need for an improvement in your attendance. The matter of your attendance is now at a critical stage. The University will continue monitoring your attendance. Unless there is a significant and sustained improvement in your attendance the University will terminate your employment due to non-culpable absenteeism.

There are many means to fulfill your responsibility to attend work on a regular and consistent basis. We encourage you to explore means to improve your attendance. During the meeting, you committed to/ did not commit to... We are committed to supporting the health and wellness of our employees, and encourage you to ask for support when facing health related issues. During the meeting, we committed to.... Since these events may be complex for both you and the department, we take this opportunity to refer you to the Employee and Family Assistance Program (EFAP), which may be reached at (604) 431-8200 or 1-800-663-9099, as an additional resource.

Yours truly,

Name
Title
Department

cc: CUPE 116
HR Advisor
Personnel File
Department