



## UNIVERSITY OF MANITOBA PROCEDURE

<b>Procedure:</b>	<b>ATTENDANCE MANAGEMENT</b>
<b>Parent Policy:</b>	Attendance Management
<b>Effective Date:</b>	April 20, 2010
<b>Revised Date:</b>	
<b>Review Date:</b>	April 20, 2020
<b>Approving Body:</b>	Administration
<b>Authority:</b>	Policy: Attendance Management
<b>Responsible Executive Officer:</b>	President delegated to the Vice-President (Administration)
<b>Delegate: (If applicable)</b>	
<b>Contact:</b>	Executive Director of Human Resources
<b>Application:</b>	Employees: All Support Staff (see list)

Group:

- a) Support Staff Excluded from Bargaining Units as Members of the Board;
- b) The Executive Staff (Support Staff Members only);
- c) Excluded Management, Administrative and Professional Staff;
- d) Medical Practitioners and Administrators;
- e) Nurses in Northern Manitoba;
- f) Out of Province Support Staff;
- g) Student Support Staff; and
- h) All Support Staff in bargaining units.

## **Part I Reason for Procedure**

To provide managers/supervisors/employees with clear guidelines for addressing employee attendance. The purpose is to encourage and promote attendance in a manner that acknowledges and strikes a balance between the needs of the University and individual employees. These Procedures are expected to:

- a) supplement the Attendance Management Policy;
- b) clearly define the roles and responsibilities of all involved parties;
- c) support the value that the University places on attendance;
- d) outline the process to be followed in managing attendance to ensure fair and consistent practices throughout the University;
- e) create a work environment that encourages attendance through guidance and support, and opportunities for employees to improve attendance; and
- f) set out the conditions and actions to be taken when employees do not meet attendance expectations.

## **Part II Procedure(s)**

### 2.0 Guiding Principles

The University believes that:

- a) each employee is a valuable team member who contributes to the quality of service provided at the University;
- b) every employee has a contractual obligation to attend work as part of the job requirements for which she/he was hired;
- c) each employee brings unique circumstances to the workplace and their attendance shall be looked upon individually and evaluated based on its own merits;
- d) regular communication between managers/supervisors and employees, which keep employees informed and involved, are key elements in developing a culture of regular attendance;
- e) sick leave plans and other paid absences are provided as insurance in the event of unavoidable absence from work due to illness or injury; and

- f) attendance management is the responsibility of all parties; the University, the supervisor/manager, the employee, and their Union, if applicable.

## 2.1 Definitions

2.1.1 Attendance – being at the workplace, on time, including break times with the exception of meal breaks, when scheduled or otherwise expected to be at work.

2.1.2 Absence – any time an employee, who is scheduled or otherwise expected to be at work, is not at work.

2.1.3 Non-culpable Absenteeism (Innocent Absenteeism) – is an absence resulting from factors generally considered to be outside of the control of the employee, such as illness or injury.

2.1.4 Culpable Absenteeism (Blameworthy Absenteeism) – is an absence from work without reasonable justification, such as:

- i) lateness/leaving work early including break times;
- ii) failure to notify of absence;
- iii) absence without approval;
- iv) abuse of the sick leave benefit;
- v) failure to provide an explanation for an absence satisfactory to the University; or
- vi) absence not supported by medical information.

2.1.5 Patterned Absenteeism – absences that are non-culpable in isolation; however, upon review of overall absenteeism, a pattern appears that suggests culpability eg. a pattern of sick leaves on Fridays and/or Mondays.

## 2.2 Roles and Responsibilities

### 2.2.1 Employee Responsibilities

- a) attend work when scheduled or otherwise expected to be at work;
- b) improve personal health and adjust lifestyle, where necessary, to maintain regular attendance;
- c) report illness or injury promptly to supervisor in accordance with departmental reporting procedures;

- d) attend to personal issues and obligations (including medical appointments, physiotherapy, chiropractic treatment etc.) outside of regular work hours, whenever possible;
- e) provide all necessary documentation to justify absences (including adequately completed medical certificates, as required);
- f) fully participate in the University's timely and safe return to work initiatives;
- g) implement and adopt improved attendance strategies with the manager/supervisor where the need for improved attendance has been identified; and
- h) maintain regular contact with the manager/supervisor and provide information on expected duration of absence and possible return to work date.

#### 2.2.2 Manager/Supervisor Responsibilities

- a) inform employees about the University's Attendance Management Program and departmental reporting responsibilities;
- b) implement the Attendance Management Program;
- c) monitor, document, and report the attendance of all employees;
- d) request reasonable information related to an employee's absence and maintain confidentiality of the information received in accordance with the Personal Health Information Act;
- e) maintain regular contact with an employee who is absent from work;
- f) carry out attendance reviews when necessary and in a fair and consistent manner;
- g) coach and support employees on attendance matters which may include reasonable accommodation;
- h) refer employees to appropriate supports or resource for improving attendance; and
- i) seek the advice of senior management and Human Resources when regular attendance is not achieved following informal attention to situation.

### 2.2.3 Human Resources Responsibilities

- a) provide training on the University's Attendance Management Program and advice to managers/supervisors as required;
- b) discuss particular employee attendance concerns with the manager/supervisor;
- c) schedule Attendance Management Meetings and Attendance Management Hearings and notify all parties;
- d) maintain historical attendance records and data;
- e) maintain confidentiality of the information received in accordance with the Personal Health Information Act;
- f) monitor ongoing attendance management concerns; and
- g) ensure appropriate consultation with unions, if applicable.

### 2.2.4 Disability Case Coordinator Responsibilities

- a) provide support to employees and managers/supervisors with respect to sick leave and disability case management;
- b) provide advice, as required, on the University's Attendance Management Program and on attendance issues, generally;
- c) act as a resource and support when an identified or suspected medical problem prevents an employee from performing his/her regular duties;
- d) manage the University's timely and safe return to work process;
- e) work collaboratively with managers/supervisors, employees and unions in developing rehabilitation programs; and
- f) maintain the confidentiality of employee information received in accordance with the Personal Health Information Act.

### 2.2.5 Occupational Health Coordinator Responsibilities

- a) provide support to employees and managers/supervisors with respect to Workers Compensation related case management;
- b) act as a resource and support when an identified or suspected work-related medical condition prevents an employee from performing his/her regular duties;

- c) work collaboratively with the Workers Compensation Board (WCB), managers/supervisors, employees and unions in developing rehabilitative programs; and
- d) maintain the confidentiality of employee information received in accordance with the Personal Health Information Act.

## 2.3 Procedures

It is the responsibility of all departments and managers/supervisors to ensure the consistent application of the University's Attendance Management Program. Where an attendance concern has been identified, the following corrective action steps will be followed. A specific step may be repeated before proceeding to the next step.

### 2.3.1 STEP 1 - Informal Attendance Review

Where attendance suggests an emerging absenteeism problem, the supervisor will conduct an informal interview with the employee. The attendance concern may have arisen due to the number of days absent, the number occurrences of absence, or the identification of a pattern of absenteeism. The purpose of the informal interview is to:

- a) identify concerns with attendance;
- b) reinforce the importance of being at work;
- c) determine the nature of the problem that has caused the absences;
- d) determine if the absences are "culpable" or "non-culpable";
- e) discuss resources available for assistance
- f) provide expectations for improvement

Every conversation, meeting, telephone call or email message should be documented and maintained by the supervisor.

If the informal attention has not resulted in improvement in regular attendance, it may be necessary to take a more formal approach and proceed to "STEP 2".

\*Note – at any Step in the procedures, once a determination is made regarding the culpability of absences, the following is applicable:

- I. where absences are culpable in nature (i.e. the employee is able to attend but chooses not to) the employee is not eligible for pay for the time not worked and the basic principles of progressive discipline should be followed and administered in accordance with the University's disciplinary policy

and/or collective agreements. Ongoing consultation with Human Resources is required; or

II. where absences are non-culpable in nature (i.e. the employee wants to attend work but is unable to due to situations that appear to be beyond his/her control) a progressive non-disciplinary approach should be followed. Activities will include some, or all, of the following:

- 1) request for medical documentation and/or information about any medical restrictions;
- 2) explore the possibility of reasonable accommodation
- 3) inform the employee of the type of options available (i.e. leave of absence, reduction in hours, move to casual status); and
- 4) communicate to the employee that promotions to other positions may be affected while efforts to improve attendance are in the process.

### 2.3.2 STEP 2 – Attendance Review Meeting

Prior to conducting a formal meeting with the employee, the supervisor must consult with a Human Resource Consultant to discuss the nature of the situation and the next steps to be taken. Following this consultation the supervisor will meet with the employee to discuss the absences. The employee is entitled to bring a representative from his or her union to the meeting. The purpose of the Attendance Review Meeting is to:

- a) advise the employee of the attendance concern;
- b) review the employee's attendance record;
- c) provide the employee with an opportunity to discuss the situation;
- d) determine if the absences are "culpable" or "non-culpable";
- e) discuss the possibility of improvement and identify attendance expectations;
- f) offer assistance where possible – remind the employee of available resources;
- g) express confidence that the employee will improve his/her attendance;
- h) inform the employee that their attendance will be continued to be monitored; and
- i) advise that if this meeting fails to correct the attendance issue, further action will be warranted.

The supervisor must maintain accurate documentation of the Attendance Review Meeting.

### 2.3.3 STEP 3 – Attendance Management Meeting

An Attendance Management Meeting is held when the employee's attendance has not improved as required following the previous meeting. The supervisor must consult with a Human Resource Consultant before holding an Attendance Management Meeting. If such a meeting is deemed appropriate, participants will include the supervisor, employee, human resources representative, and union representative (if requested). The discussions and outcome of the meeting will be documented in a letter to the employee. The purpose of the Attendance Management Meeting is to:

- a) follow-up on items discussed at the previous meeting
- b) identify that the employee's attendance is unacceptable
- c) seek further response from the employee concerning the absenteeism
- d) determine if the absences are "culpable" or "non-culpable";
- e) reinforce attendance requirements; and
- f) identify specific course of action to be taken and possible consequences

### 2.3.4 STEP 4 – Attendance Management Hearing

An Attendance Management Hearing is held if the absenteeism continues to be excessive following the previous meeting and it appears that the absences are "non-culpable". The supervisor must consult with Human Resources before holding this meeting. If such a meeting is deemed appropriate, participants will include the supervisor, employee, human resources representative, and union representative (if requested). The discussions and outcome of the meeting will be documented in a letter to the employee. The purpose of the Attendance Management Hearing is to:

- a) review the employee's attendance record;
- b) summarize previous attempts to resolve the issue;
- c) explain the impact the absenteeism is having on the employee, co-workers and the organization;
- d) give the employee an opportunity to respond to the absenteeism concerns;
- e) determine if the absences are "culpable" or "non-culpable";



- f) determine if there is any indication that attendance will improve in the future:
  - i) if yes, advise of last chance to show that he/she can attend work regularly; or
  - ii) if no, advise of other options that may be pursued, including non-disciplinary termination (as the absence is without blame).

## 2.4 Medical Certificates – Workplace Capabilities Form

2.4.1 As a basic premise, an employer has a right to enquire into any absence from work, and an employee has an obligation to account for any absence, including an absence alleged to be due to illness or injury. An employer's right to obtain medical information to accommodate an employee's disability, determine eligibility for sick benefits, or verify the basis for an absence from work must be balanced with the employee's right to privacy. The determination to obtain medical information is dependent on the circumstances underlying the absence, the purpose of the request, and the specifics of the applicable collective agreement/University Policy.

2.4.2 The level of detail an employer may insist upon will depend on the particular situation. The employer has a right to be advised of the employee's prognosis for recovery (with or without limitations), the general nature of the medical condition, fitness for work, and duration of any work limitations.

2.4.3 A certificate may be deficient if it does not contain sufficient information to establish that the employee was unable to work, or if it fails to demonstrate that an employee is fit to return to work following an injury or illness. Some instances where an employer may reject a medical certificate and/or request further information include:

- a) if it is not clear that the physician and patient have actually met, it is legitimate to request the date and time of the appointment and whether or not the patient was examined;
- b) when the medical certificate is either prospective (for future dates), or retrospective (obtained after the injury or illness);
- c) if it appears that the physician is not aware of the employee's duties, it would be appropriate to provide the physician with a copy of the job description and to request an opinion about the employee's ability to perform same;
- d) if it appears that the employee is seeing multiple physicians, the employer has the right to ask the physician how long the employee has been a patient, and whether other physicians are treating him/her for the same ailment; or

- e) if there is a concern that the physician might not have the necessary expertise or qualifications to diagnose or treat the employee's condition, the employer could ask the physician if a referral to a specialist would be appropriate.

### **Part III Accountability**

- 3.1 University Secretary or the President is responsible for initiating a formal review of these Procedures.
- 3.2 The Executive Director of Human Resources is responsible for the communication, administration and interpretation of these Procedures.

### **Part IV Review**

- 4.1 Formal Procedure reviews will be conducted every ten (10) years. The next scheduled review date for these Procedures is .
- 4.2 In the interim, these Procedures may be revised or rescinded if:
  - a) the Vice-President (Administration) or the President deems necessary; or
  - b) the relevant Bylaw, Regulation(s) or Policy is revised or rescinded.

### **Part V Effect on Previous Statements**

- 5.1 This Procedure supersedes:
  - a) all previous Board/Senate Policies, Procedures, and resolutions on the subject matter contained herein; and
  - b) all previous Administration Policies, Procedures, and directives on the subject matter contained herein,
  - c) all previous Faculty/School Council Procedures stemming from the Faculty/School Council Bylaw and academic and admission Regulations and any resolutions on the subject matter contained herein.

**Part VI**  
**Cross References**

- (1) Policy: Attendance Management
- (2) Policy: Sick Leave
- (3) Procedures: Sick Leave
- (4) Policy: Temporary Absences from Work
- (5) Procedures: Temporary Absences from Work
- (6) Policy: Reasonable Accommodation for Persons With Disabilities