



## PROCEDURE

HR115

### Employee Absenteeism

**Board Received:** October 26, 2015

**Review Date:** November 2019

#### **Accountability:**

1. Frequency of Reports – As needed
2. Criteria for Success – Effective management of employee absenteeism

#### **Procedures:**

1. Definitions:
  - a) Innocent (Non-Culpable) Absenteeism:
    - i) Innocent (Non-Culpable) Absenteeism relates to absences as a result of disabilities that arise due to circumstances beyond the employee's control. These absences are not dealt with through a progressive discipline model; instead the employee is supported through the Health and Disability Management Program.
    - ii) The Board reserves the right to consider the termination of an employee for continuous, non-culpable absenteeism, greater than 24 months.
2. Illness/Injury Statistics Reporting:
  - a) The Board has established a standard frequency rate of absenteeism of two percent (2%) or less, and a standard severity rate of absenteeism of two percent (2%) or less. The definition of these two measures is as follows:
    - i) Frequency – the total number of days of absence as a percentage of an employee's total scheduled work days per school year.
    - ii) Severity – the number of occurrences of absences as a percentage of an employee's scheduled work days per school year.
    - iii) Examples:

For full-time, 12-month employees:

      - five days of absence over a school year is a frequency rate of 2% (5/260 days)
        - five consecutive days of absence in a school year is one occurrence and a severity rate of .4% (1/260 days)
        - five separate days of absence over a school year represents 5 occurrences and severity rate of 2% (5/260 days)

For full-time, 10-month employees and teachers:

      - four days of absence over a school year is a frequency rate of 2% (4/194 days)
        - four consecutive days of absence in a school year is one occurrence and a severity rate of .51% (1/194 days)
        - four separate days of absence over a school year represents 4 occurrences and a severity rate of 2% (4/194 days)
  - b) Employee absence data for schools/services, Families of Schools and the Board, may include frequency and severity rates.

DEFINITIONS	INCLUDES
Absences	<ul style="list-style-type: none"> <li>• Illness</li> <li>• Injury unrelated to work</li> </ul>
Not considered absences under the definition of this Procedure	<ul style="list-style-type: none"> <li>• Vacation</li> <li>• Compensatory</li> <li>• Pre-approved leave of absence</li> <li>• Bereavement leave</li> <li>• Personal day</li> <li>• Jury or subpoena leave</li> <li>• Pregnancy/parental leave</li> <li>• Workplace illnesses or injuries</li> <li>• Union business leave</li> <li>• Examinations and convocations</li> <li>• Quarantine</li> <li>• Observance of recognized religious holy days</li> <li>• Urgent personal day</li> <li>• Hazardous weather day</li> <li>• Moving day</li> <li>• Approved Long Term Disability Benefit claims</li> </ul>

An Administrator/Supervisor must exercise discretion in each case in determining whether to ask for a medical certificate in sections 3, 4, 5, or 6.

3. In a school year, absences of five consecutive working days for 12-month employees, OR Four consecutive working days for 10-month employees and teachers:
  - a) Employees are required to advise their Administrator/Supervisor immediately following any illness or accident that prevents them from working in order to discuss a return to work date.
  - b) If the return to work date is five (four) consecutive working days or less, documentation from the appropriate treating medical practitioner(s) may be requested by, and submitted to, the Administrator/Supervisor, to be forwarded to the Health and Disability Officer, or designate, as per 9(g).
  - c) The documentation shall consist of the following:
    - i) medical restrictions and/or limitations that are preventing the employee from working and which may require accommodation upon return to work, if any;
    - ii) expected date of recovery and/or return to work date.
  - d) If restrictions and/or limitations have been documented by the employee’s appropriate treating medical practitioner(s), the employee will contact the Health & Disability Officer, or designate.
  - e) Any form developed by the Board for use by the Health & Disability Officer, or designate, to send to the appropriate treating medical practitioner(s) shall be consistent with the requirements of 3(c) in this Procedure. The Health & Disability Officer, or designate may give a copy of the form to the employee and advise the employee that they may provide a copy to their union representative.

4. In a school year, absences of six to ten consecutive working days for 12-month employees, OR Five to ten consecutive working days for 10-month employees and teachers:
  - a) When an employee will be absent from six (five) to ten consecutive working days, the employee notifies the Administrator/Supervisor immediately of the absence and the expected return to work date.
  - b) The employee may be required to obtain documentation from the appropriate treating medical practitioner(s), as requested by and submitted to, the Administrator/Supervisor, to be forwarded to the Health and Disability Officer as per 9(g). Documentation as outlined in 3(c) of this Procedure shall be required.
  - c) The Health and Disability Officer will be advised by the Administrator/Supervisor if an employee has been requested to provide medical documentation.
  - d) The Health & Disability Officer, or designate, shall contact the employee should documentation or information regarding an employee's restrictions and/or limitations be received directly from the appropriate treating medical practitioner(s).
  
5. In a school year, after the sixth separate occurrence of an absence for 12-month employees, OR After the fifth separate occurrence of an absence for 10-month employees and teachers AND on each subsequent occurrence of an absence within the same school year:
  - a) When an employee is absent for six (five) separate occurrences within the school year, the Administrator/Supervisor must meet with the employee to discuss the absences.
  - b) The employee may be required to provide documentation, if any, as outlined in 3(c) of this Procedure.
  - c) The employee has a responsibility to notify the Health & Disability Officer, or designate, as outlined in 4(c) of this Procedure.
  - d) The Health & Disability Officer, or designate, has responsibilities as outlined in 4(d) of this Procedure.
  
6. Absences of more than ten consecutive working days:
  - a) When an employee is going to be absent for more than ten consecutive working days, the employee notifies their Administrator/Supervisor immediately of the absence.
  - b) The Administrator/Supervisor shall indicate to the employee that the Health & Disability Officer, or designate, will be notified of the employee's absence to enable early intervention and to facilitate a safe and timely return to work.
  - c) The Administrator/Supervisor will notify the Health & Disability Officer, or designate, in one of three ways:
    - i) via e-mail
    - ii) via fax - 519-759-5362
    - iii) via phone - 519-756-6306 or 888-548-8878, ext. 281130
  - d) The Health & Disability Officer, or designate, may require the employee to provide documentation completed by the appropriate treating medical practitioner(s) that includes the following information:
    - i) functional abilities form that describes the medically supported restrictions and/or limitations the employee is experiencing in relation to the essential duties of their position;
    - ii) confirmation that the employee is participating in the appropriate treatment to expedite the employee's safe and timely return to work;
    - iii) expected date the employee could participate in a Return to Work Program with appropriate modifications/accommodations based on restrictions and/or limitations;
    - iv) expected return to work date at regular hours and duties;
    - v) any other information required to safely return the employee to work in a timely manner;
    - vi) treating medical practitioner's name, signature, address, phone number and fax number;

- e) Unless otherwise arranged, this documentation must be submitted by the employee or appropriate treating medical practitioner(s) to the Health & Disability Officer, or designate, within ten working days of the date of the request.
7. Sick Leave Benefit:
- a) As outlined below, an employee is entitled to sick leave benefits if they become injured or ill and have a credit of unused sick leave.
  - b) An employee is entitled to sick leave if they are disabled, which is defined as a state of incapacity which is due to bodily injury or sickness, preventing the employee from working for the Board for remuneration.
  - c) Sick leave benefits are not payable:
    - i) in cases which are compensable by the Workplace Safety & Insurance Board, excluding top-up;
    - ii) for 12-month employees during scheduled vacation unless the illness requires hospitalization;
    - iii) when an employee is on an authorized unpaid leave of absence;
    - iv) when an employee does not have a bank of sick days;
    - v) for the percentage of time an employee is receiving Long Term Disability Benefits
    - vi) when appropriate medical documentation has not been received. Appropriate medical documentation refers to, but is not limited to, medically supported restrictions and/or limitations as they relate to the employee's ability to perform the essential duties of their position. It is the employee's responsibility to submit appropriate documentation to the Principal/Vice-Principal, Immediate Supervisor, Health & Disability Officer, or designate, as applicable.
  - d) To be eligible for sick leave benefits, the employee must follow the Board's procedures for reporting absences related to illness or injury and for returning to work, as referred to under section 8 of this Procedure.
  - e) The Board will endeavour to accommodate the return to work and placement of partially disabled employees in accordance with HR116 Return to Work Program and Workplace Accommodation Procedure.
  - f) In order to maintain access to sick leave benefits, the Health & Disability Officer, or designate, may request the employee to attend an Independent Medical Evaluation (IME) and/or Functional Abilities Evaluation to determine the employee's restrictions and/or limitations and the employee's capacity to perform the duties of their position, as well as providing return to work and/or accommodation option(s). In requesting the IME, the following Protocol will apply:
    - i) if the Health & Disability Officer, or designate, reasonably requires medical documentation to determine whether an employee is able to return to work or should properly remain off work and in receipt of sick leave benefits, the Health & Disability Officer, or designate, shall so advise the employee and request that such documentation be provided;
    - ii) the employee is to provide medical documentation to the Health & Disability Officer, or designate, in response to the request;
    - iii) The Health & Disability Officer, or designate, will review the documentation provided by the employee. If the Health & Disability Officer, or designate, is not satisfied with the adequacy of the medical documentation provided, the Health & Disability Officer, or designate, will clearly identify to the employee why the documentation is not adequate;
    - iv) The employee will be given an opportunity to provide the Health & Disability Officer, or designate, with further medical documentation;
    - v) The Health & Disability Officer, or designate, will review any further documentation provided by the employee. If the entirety of the medical documentation provided does not reasonably permit the Health & Disability Officer, or designate, to determine whether the employee should return to work or remain off work, the employee may be requested to submit to an IME;

- vi) If the employee fails to attend the IME or does not, prior to the IME, provide the Health & Disability Officer, or designate, with further medical documentation to reasonably permit the Health & Disability Officer, or designate, to determine whether the employee should return to work or remain off work, the employee's access to sick leave benefits may be discontinued.
8. Responsibilities of the Employee:
- a) To personally call in to report an absence, unless the employee is incapacitated and unable to do so. Failure to report absences at the first opportunity in accordance with these Procedures may result in denial of pay or benefits.
  - b) To indicate, in general terms, the reason for the absence, ie. due to accident, illness, bereavement, etc.
  - c) To call in directly to their Administrator/Supervisor. Unless otherwise arranged with the Administrator/Supervisor, the employee is to call in on each day of absence.
  - d) To assume responsibility for the costs associated with the initial documentation from the appropriate treating medical practitioner(s) in relation to the absence. Costs associated with subsequent request(s) for medical documentation by the Health & Disability Officer, or designate, will be borne by the Board.
  - e) To be entitled to sick leave benefits, employees may be required to provide satisfactory medical documentation in the form of a medical certificate or on forms provided by the Board to be completed by the appropriate treating medical practitioner(s), as referred to in sections 3, 4, 5 and 6 of this Procedure.
  - f) To maintain regular contact with their Administrator/Supervisor during their absence when they are unable to perform the essential duties of their position due to illness or disability.
  - g) To participate in appropriate treatment, as determined by the appropriate treating medical practitioner(s), to ensure a safe and timely return to work. To participate in the development of their Return to Work Plan, including taking the proposed Return to Work Plan (including appropriate accommodations and/or modifications) to the appropriate treating medical practitioner(s) for approval, if necessary.
9. Responsibilities of the Administrator/Supervisor:
- a) To ensure the daily maintenance of accurate, up-to-date records in the absence sub-system.
  - b) To monitor individual employee absenteeism records by accessing the absence sub-system.
  - c) To identify, by accessing the absence sub-system, absenteeism trends or patterns, such as the following:
    - i) frequent absences of short duration of ten days or less;
    - ii) absences of more than ten days;
    - iii) absences due to doctor appointments or scheduled treatment;
    - iv) due to workplace injury and/or illness;
    - v) unauthorized absences;
    - vi) a pattern of repeated days of absence taken in proximity to weekends, scheduled days off and statutory holidays;
    - vii) absenteeism in excess of the severity and frequency rates identified above;
    - viii) as identified by the Health & Disability Officer, or designate, absences in excess of standard recovery time, in accordance with Canadian Medical Association, for an employee's illness or injury.
  - d) To receive call-ins or return employees' calls should a message be received from employees, and determine the reason for absence.
  - e) To ensure employee confidentiality in relation to absences and medical documentation received from an employee's appropriate treating medical practitioner under sections 3 to 6 of this Procedure.
  - f) To contact Human Resources or the Health & Disability Officer, or designate, for assistance when restrictions and/or limitations have been documented by the employee's appropriate treating medical practitioner.

- g) To forward all medical documentation directly to the Health & Disability Officer, or designate, in a secure and confidential manner.
- h) To advise employees of their obligation to provide medical restrictions and/or limitations, as required. However, Administrators/Supervisors shall not require an employee to sign a release to authorize collection of medical documentation.
- i) To meet with the employee to discuss attendance issues when the employee has been absent in accordance with sections 3, 4, 5, and 6 of this Procedure.
- j) To participate in the development of the employee's Return to Work Plan, including providing accommodations and/or modifications to the employee's duties and/or hours, based on recommendations from the Health & Disability Officer, or designate.

10. Responsibilities of the Health & Disability Officer, or Designate:

- a) To request medical documentation from employees in accordance with this Procedure.
- b) To receive all medical documentation required from the employee, or their Administrator/Supervisor, or the employee's appropriate treating medical practitioner(s), and provide support to the employee during their time of disability.
- c) To assist the Administrator/Supervisor by maintaining contact with employees disabled for ten (10) or more consecutive working days, verifying that the employee is under the active care of the appropriate medical practitioner(s) and following an appropriate treatment plan, and advise the Administrator/Supervisor of the expected return to work date, when known.
- d) To develop an appropriate Return to Work Plan (including appropriate accommodation and/or modification recommendations) based on the employee's medically-supported restrictions and/or limitations.

For further direction beyond this Procedure, refer to HR116 Return to Work Program and Workplace Accommodation Procedure.