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Name: HPEI Attendance Support and Management Policy

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Policy and Procedures Manual

ATTENDANCE SUPPORT AND MANAGEMENT

Health PEI		POLICY & PROCEDURES
Applies To:	All Health PEI employees, including physicians, students, and contract workers	
Monitoring:	Executive Director of Human Resources	
Approving Authority:	Senior Management Group	
Date:	Next Review: January 4, 2015 Next Review: January 4, 2018	
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1.0 POLICY

- 1.1 Health PEI is committed to supporting the health and wellness of its employees.
- 1.2 Health PEI depends on every employee to achieve its vision. Regular attendance at work as scheduled is an expectation of employment with Health PEI and is considered the responsibility of every employee.
- 1.3 Every Health PEI employee makes a valuable contribution to the services Health PEI provides. Absent employees are missed by their co-workers, their work unit, and ultimately by patients.
- 1.4 Health PEI recognizes that employees may experience injuries or become ill either physically or mentally, including addictions.
- 1.5 This policy has been developed to provide a consistent and equitable approach to supporting employees in meeting their obligations to attend work regularly. It provides guidelines as to
 - (a) identifying employee attendance issues
 - (b) conducting supportive discussions and
 - (c) providing for helpful exchanges of information that enable both managers and employees in assessing the impact of current attendance, opportunities to explore and developing reasonable time lines and expectations for improvement.
- 1.6 Health PEI recognizes its obligation to accommodate employees as required and provides support services and resources, such as Employee Assistance Program and sick leave, to assist employees in maintaining and improving their health including when they are ill or injured.

2.0 DEFINITIONS

<p>Attendance Report:</p>	<p>For the purposes of supporting this policy, an Attendance Report has been developed that identifies employees who are absent from work or any part of their shift in excess of one hour. This report does not include absences for the following reasons:</p> <ul style="list-style-type: none"> • Vacation • Holidays • Jury duty • Compassionate or bereavement leave • Maternity leave • Sick leave during which the employee is in receipt of long term disability benefits • Leave during which the employee is in receipt of workers' compensation benefits • Approved Union business leave • Approved leave due to adverse weather conditions or education leave <p>All partial shift absences that exceed one hour in duration will be counted for the purposes of this policy</p>
<p>Culpable Absences:</p>	<p>Culpable absences refer to the intentional and fraudulent claiming of sick or other forms of leave for which the employee is not eligible. This policy does not apply in those circumstances. Where misuse of sick leave or other forms of leave is at issue, investigation and possible disciplinary processes would be engaged.</p>
<p>Deviation:</p>	<p>For the purposes of this policy, "deviation" refers to absences that are not to be included in the accumulation of hours towards a threshold for an Attendance Support Discussion.</p>
<p>Innocent Absences:</p>	<p>Innocent absenteeism refers to absences which do not involve any form of misuse of sick or other forms of leave. This policy addresses innocent absences only.</p>
<p>Excessive Absenteeism:</p>	<p>When an employee's innocent absences result in missing a significant amount of time from work and continue over an extended period of time, the impact on the workplace can give rise to excessive absenteeism. Excessive absenteeism can only be determined after an assessment of all the circumstances of the individual situation.</p> <p>Family illness as provided under respective collective agreements shall not be included in the assessment of whether an employee's absences have reached excessive levels.</p>
	<p>Excessive absenteeism may result in the non-disciplinary termination of an employee where</p> <ul style="list-style-type: none"> • there is no duty to accommodate the underlying reason(s) for these absences, or • If there is a duty to accommodate, it would cause an undue hardship for Health PEI to maintain the employment relationship.

3.0 PURPOSE/SCOPE

- 3.1 Patient safety and delivery of quality care and services is dependent on employees achieving an acceptable level of regular and consistent attendance at work. Therefore, the direct supervisor and employee need to have a shared understanding of whether an individual's attendance has become a concern, and if so, if there are underlying causes that can be addressed, or supportive resources needed to help the employee achieve improved attendance.
- 3.2 The accumulation of time for sick leave is a negotiated benefit that employees can access in times of illness or injury to protect their income. It is in the interest of both Health PEI and employees to work together to eliminate or minimize the causes of absences and the impacts of absences in the workplace.

4.0 APPLICATION

This policy applies to all Health PEI employees including physicians, students, and contract workers. Should any section of this policy conflict with the terms and conditions of any applicable collective agreement, the offending section of the policy shall be void.

5.0 PROCEDURES**5.1 Reporting Absences**

- (a) Employees must report all absences from work to their individual supervisor or his/her designate as soon as possible, using the process set out by the supervisor with respect to whom is to be contacted, and how. Employees must provide the reason for the absence (illness, injury, bereavement, etc.) and an estimation of the expected return to work date.

5.2 Attendance Report

- (a) Health PEI will review the attendance record of each employee on a regular basis using the Attendance Report. The report will
- identify when employees have used more than 67.5 hours, 101.25 hours, and 135 hours within the last 12 months;
 - indicate if employees have been made aware of the extent of their absences through attendance support discussions; and,
 - whether any of the time has been deviated.
- (b) The Attendance Report tracks absences on the basis of a rolling calendar. A rolling calendar means that reports will capture the previous 12 months from the date the report is generated.
- (c) Direct supervisors collect and maintain attendance data for each employee.
- (d) If there is concern regarding whether an absence is innocent or culpable, Human Resources (HR) will be consulted. If there are no culpable absences, this policy will apply. If culpable absences are an issue, the direct supervisor and HR will discuss next steps.

6.0 INNOCENT ABSENCES

Attendance Support Discussions and other meetings respecting innocent absences are not disciplinary; Health PEI will not take a disciplinary response to innocent attendance concerns.

7.0 REQUESTS FOR MEDICAL INFORMATION

- 7.1 Medical notes may be requested in accordance with the provisions of the applicable collective agreement or employment contract. A medical note required by the collective

agreement shall be that of a licensed medical doctor or authorized health care provider, and shall include the following information:

- (a) Employee's name;
- (b) Dates the employee was unable to attend work;
- (c) Date(s) the doctor or authorized health care provider assessed the employee;
- (d) Nature of the illness (not diagnosis);
- (e) Anticipated return-to-work date;
- (f) Signature of treating doctor or authorized health care provider, and;
- (g) The treating doctor or authorized health care provider's name, address and telephone number.

7.2 Where an employee indicates that a chronic condition may be impacting attendance, the Employer may request further particulars from the employee's doctor or health care provider including:

- (a) Description of the condition and how it interferes with attendance or performance of other duties;
- (b) Prognosis for improvement;
- (c) Any restrictions or limitations on work that would have a positive impact on the employee's attendance;
- (d) Any supports or modifications of the work environment that would minimize or eliminate the impact of this condition on attendance; and
- (e) Any other steps Health PEI can take to accommodate or facilitate the employee's improved attendance or return to work.

7.3 In unusual circumstances involving lengthy or unexplained absences, and in consultation with the manager and HR, the HR manager may request that the employee have the attending physician or health care provider provide information relevant to understanding the underlying issues.

7.4 Health PEI respects the dignity and privacy of each employee and will keep all employee medical information confidential and shared only with the direct supervisor, insofar as is required to appropriately support the employee's efforts to achieve improved attendance.

8.0 ATTENDANCE SUPPORT DISCUSSIONS

Because Health PEI endorses a supportive approach, the following process will apply under this policy:

8.1 **Attendance Support Discussion #1:** In accordance with this policy, employees who accumulate innocent absences that meet or exceed 67.5 hours within the last 12 months will have a discussion scheduled by their direct supervisor.

- (a) During this discussion, the direct supervisor and the employee will:
 - Review the employee's attendance record so that the employee is aware of Health PEI's concern;
 - Work with the employee to identify root causes of absences and identify solutions;
 - Consider the circumstances of the individual employee, the nature of the work and circumstances;

- If relevant, consider whether a deviation of any or all of the accumulated absences in accordance with clause 9 of this policy is appropriate;
 - Offer support, including advising the employee of the assistance available through the Employee Assistance Program (EAP) and through other resources appropriate to the situation, and that the employee can also contact Human Resources for assistance or to coordinate other services;
 - Discuss the impact of absenteeism on the operation of Health PEI and on the employee's co-workers;
 - Ensure the employee understands that regular attendance is important to the operations; indicate there is a need for improvement in the employee's attendance ;
 - Agree on mutual steps that can be taken to improve attendance with the employee; and,
 - Outline the next step in the attendance management process pursuant to this policy.
- (b) The fact of this discussion occurring will be reflected in the PeopleSoft system for the purposes of the Attendance Management Report, but will not be recorded in the employee's personnel file.
- (c) There shall be no record of the Attendance Support Discussion if deviated according to 9.5 (A and B).

8.2 Attendance Support Discussion #2: In accordance with this policy, employees who accumulate innocent absences that

- (a) Meet or exceed 101.25 hours within the last 12 months, or
- (b) Where the Attendance Report indicates that the total hours of absence in the last 12 months has increased by at least an additional 33.75 hours from Attendance Support Discussion #1 in a rolling calendar, the employee will have a discussion scheduled by their direct supervisor for Attendance Support Discussion #2.
- (c) There must be a minimum of 30 calendar days between Attendance Support Discussions #1 and #2.
- (d) During Attendance Support Discussion #2 the direct supervisor and employee will
 - Discuss the impact of absenteeism on the operation of Health PEI and on the employee's co-workers;
 - Review the employee's attendance record including a review of Section 2 of the Attendance Management Policy so the employee fully understands the types of absences which are *not* tracked in the Attendance Report for the purpose of this policy;
 - Ensure the employee understands that regular attendance is important to the operations; indicate there is a need for improvement in the employee's attendance;
 - Discuss the circumstances of the individual employee, the nature of the work, and if relevant, consider whether a deviation of any or all of the accumulated absences in accordance with clause 9 of this policy is appropriate;

- Work with the employee to identify root causes of absences and identify solutions to improve attendance and establish targets and expectations for improvement;
 - Offer support, including reminding the employee of the assistance available through EAP and through other resources appropriate to the situation, and that the employee can also their contact manager to coordinate other services;
 - Outline the next step in the attendance management process pursuant to this policy.
- (e) The employee's direct supervisor will prepare and sign a written summary (Appendix B) of the outcome of this discussion which the employee is invited to sign stating only that he/she has been made aware of the attendance issue and has been informed of the next step pursuant to this policy.
- A copy of the summary will be kept in the employee's personnel file, with a copy to the employee.
 - The document will only be used as proof of the fact that the discussion was held should absences reach excessive levels at some point in the future.

8.3 Attendance Support Discussion #3: In accordance with this policy, employees who accumulate innocent absences that

- (a) Meet or exceed 135 hours within the last 12 months, or
- (b) Where the Attendance Management Report indicates that the total hours of absence in the last 12 months has increased by at least 33.75 hours of absence from Attendance Support Discussion #2 in a rolling calendar, the employee will have a discussion scheduled by their direct supervisor for Attendance Support Discussion #3, which will also include the manager to whom the direct supervisor reports, or a designate. While this is not a disciplinary meeting, the employee will be advised of their right to have a union representative present if they so wish.
- (c) There must be a minimum of 30 calendar days between Discussions #2 and #3.
- (d) The direct supervisor will initiate a referral to EAP for the employee.
- (e) During Discussion #3 the direct supervisor and employee will
 - Discuss the impact of absenteeism on the operation of Health PEI and on the employee's co-workers;
 - Review of the employee's attendance records, including a review of section 2 of the Attendance Management Policy so the employee fully understands the types of absences which are not considered an absence for the purpose of this policy;
 - Consider the circumstances of the individual employee, the nature of the work; and if relevant, consider whether a deviation of any or all of the accumulated absences in accordance with clause 9 of this policy is appropriate;
 - Ensure the employee understands that regular attendance is important to the operations; indicate there is a need for improvement in the employee's attendance ;
 - Advise the employee that continued absenteeism may impact their job opportunities (if applicable), and failure to improve may qualify as innocent excessive absenteeism as described in paragraph 10;

- Provide the employee an opportunity to explain what he/she will be doing in the future to ensure he/she will be able to attend work on a regular basis;
 - Offer support, including reminding the employee of the assistance available through EAP and through other resources appropriate to the situation, and that the employee can also their contact manager to coordinate other services; and,
 - Note that this level of absenteeism is high, review the policy’s provisions regarding excessive absenteeism and explain that if attendance concerns continue, additional discussions will be necessary and which will involve HR and union representation.
- (f) The employee’s direct supervisor will prepare and sign a written summary (Appendix C) of the outcome of this discussion which the employee is invited to sign stating only that he/she has been made aware of the attendance issue and has been informed of the next step pursuant to this policy.
- A copy of the summary will be kept in the employee’s personnel file, with a copy to the employee and the union.
 - The document will only be used as proof of the fact that the discussion was held should absences reach excessive levels at some point in the future.
- 8.4 **Sequence of Attendance Support Discussions:** For clarity, the series of Attendance Support Discussions is intended to be progressive in nature. The first discussion with the employee will always be an Attendance Support Discussion #1; subsequent discussions shall not be scheduled until further absences totalling 33.75 hours occur within the rolling calendar. Once absences fall below 67.5 hours in a rolling calendar, the next Attendance Support Discussion will be #1.

9.0 DEVIATIONS

- 9.1 The term “deviation” refers to absences that are not to be included in the accumulation of hours towards a threshold for an Attendance Support Discussion.
- 9.2 Deviations are noted in the Attendance Report to indicate that some hours of absences do not require further discussions with the employee because there has been a helpful exchange of information between the employee and Health PEI regarding an important factor relating to these particular absences.
- 9.3 A deviation does not prevent the accumulation of hours for other reasons not subject to the deviation which may require an Attendance Support Discussion.
- 9.4 The Employer will exercise its discretion to deviate some absences where a medical note is provided substantiating an absence relating either to
- (a) A single, significant health-related event that impacts a large number of absences and is unlikely to occur again (for example being put off work because of a major injury, or a surgical procedure). An event that was deviated once for an employee under this provision may not be considered for deviation a second time within a 36 month period except in extraordinary circumstances; or
 - (b) A series of short absences that result in a significant accumulation of hours absent and that are directly related to an underlying and chronic condition that would be considered a disability under human rights legislation.
- 9.5 Health PEI reserves the right to deviate from the Attendance Support Discussions in individual circumstances.
- 9.6 Direct supervisors are required to confer with Human Resources in reaching a decision to deviate. All policy deviations must be recorded on the Attendance Support and

Management Policy Deviation Form (Appendix A) and entered into PeopleSoft.

10.0 INNOCENT EXCESSIVE ABSENTEEISM

10.1 Where employee's absences have become excessive and there is no reasonable prospect of marked improvement in the foreseeable future, such excessive absenteeism may result in a non-disciplinary termination of an employee for frustration of the employment relationship. This will occur only after Health PEI has determined that

- (a) there is no duty to accommodate the underlying reason(s) for these absences, or
- (b) if there is a duty to accommodate, it would cause an undue hardship for Health PEI to maintain the employee relationship.

11.0 DUTY TO ACCOMMODATE

The Employer acknowledges its duty to accommodate employees with disabilities in the manner and to the extent required by the Prince Edward Island *Human Rights Act*, and will interpret and apply this policy in compliance with this duty.

12.0 MONITORING

The Executive Director, Human Resources is responsible for ensuring that collection of feedback and amendments are made to this policy according to Health PEI's policy review cycle and standards every three years.

13.0 REFERENCES

Related Documents

N/A

References

N/A

Appendices

Appendix A - Attendance Management Policy Deviation Form

Appendix B - Discussion #2

Appendix C - Discussion #3

14.0 STAKEHOLDER REVIEW

Group / Committee	Dates of Review
Health PEI HR Managers	Summer 2016

15.0 REVIEW HISTORY

Review Dates: January 4, 2017 _____

APPENDIX A: Attendance Support and Management Policy Deviation Form

1. GENERAL INFORMATION

Employee's Name:		Employee ID#:
Direct Supervisor:		Date Reviewed:
Deviated Hours:	Start date:	End date:

2. REASON FOR DEVIATION (direct supervisors are required to confer with Human Resources)

Health PEI reserves the right to adjust or deviate from the policy depending on the individual circumstances of the employee or in other unusual circumstances.

Reason for the Deviation:

3. DEVIATION FROM POLICY SUPPORTED

Human Resources consulted : Yes <input type="checkbox"/> No <input type="checkbox"/> Who: _____ Date: _____	Direct Supervisor signature: _____ Date: _____
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4. For office use only:

- Copy forwarded to Human Resources
- Deviation entered into PeopleSoft
- Deviation form placed on employee's personnel file

APPENDIX B: Attendance Support Discussion #2

This form is a non-disciplinary record of the fact that discussions regarding attendance has occurred concerning innocent absences.

Date: _____ Reported Absences (HRS) as of today: _____
Employee: _____ Employee ID #: _____

This discussion is occurring because the records of Health PEI demonstrate that the employee's innocent absences have reached or exceeded 101.25 hours within a 12-month period.

It is confirmed that, at this discussion, the following was discussed:

1. The impact of absenteeism in the operation of Health PEI and on the employee's co-workers;
2. A review of the employee's attendance records, including a review of Section 2 of the Attendance Management Policy so the employee fully understands the types of absences which are not considered an absence for the purpose of this policy;
3. Consideration of the circumstances of the individual employee, the nature of the work; and if relevant, consider whether a deviation of any or all of the accumulated absences in accordance with Clause 9 of this Policy is appropriate;
4. Regular attendance is important to the operations;
5. Health PEI's concern about the employee's innocent absences and a clear indication the employee needs to improve attendance and reduce absences;
6. The employee was specifically advised that, in accordance with the Attendance Management Policy, if the employee's innocent absenteeism reaches excessive absenteeism levels, and the employee cannot provide significant assurance to Health PEI that there will be regular attendance in the future, then Health PEI may terminate the employment of the employee for non-disciplinary reasons;
7. The employee was provided with the opportunity to explain what he/she will be doing in the future to ensure he/she will be able to attend work on a regular basis;
8. A reminder to the employee of the assistance through EAP and that the employee can also contact their manager for assistance or to coordinate other services;
9. Noted that this level of absenteeism is high and that if further attendance concerns continue, additional discussions which will involve union representation will be necessary.

A copy of this summary will be kept in the employee's personnel file, with a copy provided to the employee.

Signed: _____
(Employee's direct supervisor)

Signed: _____
(Employee)

c: Personnel File

APPENDIX C: Attendance Support Discussion #3

This form is a non-disciplinary record of the fact that discussions regarding attendance has occurred concerning innocent absences.

Date: _____ Reported Absences (HRS) as of today: _____
Employee: _____ Employee ID #: _____

This discussion is occurring because the records of Health PEI demonstrate that the employee's innocent absences have reached or exceed 135 hours within a 12-month period.

It is confirmed that at this discussion, the following was discussed:

1. The impact of absenteeism in the operation of Health PEI and on the employee's co-workers;
2. A review of the employee's attendance records, including a review of Section 2 of the Attendance Management Policy so the employee fully understands the types of absences which are not considered an absence for the purpose of this policy;
3. Consideration of the circumstances of the individual employee, the nature of the work; and if relevant, consider whether a deviation of any or all of the accumulated absences in accordance with Clause 9 of this Policy is appropriate;
4. Regular attendance is important to the operations;
5. Health PEI's concern about the employee's innocent absences and a clear indication the employee needs to improve attendance and reduce absences;
6. The employee was specifically advised that, in accordance with the Attendance Management Policy, if the employee's innocent absenteeism reaches excessive absenteeism levels, and the employee cannot provide significant assurance to Health PEI that there will be regular attendance in the future, then Health PEI may terminate the employment of the employee for non-disciplinary reasons;
7. The employee was provided with the opportunity to explain what he/she will be doing in the future to ensure he/she will be able to attend work on a regular basis;
8. A reminder to the employee of the assistance through EAP and that the employee can also contact their manager for assistance or to coordinate other services; and,
9. That this level of absenteeism is high and that if further attendance concerns continue, additional discussions will be necessary which involve HR and union representation.

A copy of this summary will be kept in the employee's personnel file, with a copy provided to the employee and to the Union.

Signed: _____ Signed: _____
(Employee's direct supervisor) (Manager)

Signed: _____
(Employee)

c: Personnel File
Union

Attendance Support Discussion #3 Notes of Discussion

DATE: _____ EMPLOYEE: _____

This record of discussion shall be attached to or printed on the reverse side of the previous page which outlines the process for Attendance Support Discussion #3, and filed accordingly.