# Attendance Management Program Policy



1. **POLICY STATEMENT**

_____ expects employees to be punctual, present at the designated work site—whether on-site, off-site or virtual—and actively engaged in work activities associated with their jobs during designated work hours. Unexcused failure to be present, punctual and actively engaged is a violation of the employment contract, disruptive and harmful to productivity and morale. However, while such conduct is grounds for discipline and termination, _____ believes that attendance problems can be corrected constructively and without resort to disciplinary action and is committed to ensuring that employees with prior attendance problems are confronted with their transgressions, allowed to provide an explanation and afforded a full and fair opportunity based on the individual circumstances involved to improve their attendance on a non-disciplinary basis via an Attendance Management Program.

2. **PURPOSE**

The purpose of this policy is to establish the _____ Attendance Management Program (AMP).

3. **SCOPE**

The AMP and this policy apply to all full-time, part-time and contract employees of _____, including those who work off site or virtually and flexible hours of work.

4. **DEFINITIONS**

For the purposes of this policy:

**Culpable Absence** or Absenteeism means failure to be present for work as a result of factors within the employee's control, e.g., failure to notify, absence without leave, abuse of leave and arriving late or leaving early without notification or excuse. Culpable absenteeism may be grounds for discipline up to and including termination in accordance with the terms of the AMP and this policy.

**Non-Culpable Absence** or Absenteeism means failure to be present for work due to factors over which an employee has little or no control including but not limited to

- Physical or mental illness, injury, and/or mental conditions including those constituting disabilities for which accommodation is required under the Canadian Human Rights Act;
- Family responsibilities including those for which accommodation is required under said Human Rights Act;
- Unpaid leaves to which employees are entitled under the Canada Labour Code, including:

Maternity leave;

Parental leave;

Sick leave;

Military reservist leave;

Bereavement leave;

Compassionate and family care leave; and

Leave for the death, disappearance or critical illness of a child;

Other leaves and absences to which employees are entitled under the terms of their collective agreement or individual employment contract.

**Attendance Standards** means the average number of absences and/or rate of attendance over the course of a year, as determined by the _____ department to serve as an attendance standard for the employee's particular department or position. Culpable and non-culpable absences will be incorporated into separate attendance standards.

**AMP Review** means review of employees who fail to meet the attendance standard established by their department, including with regard to both culpable and non-culpable absences. AMP review will determine, among other things, if the absence was culpable or non-culpable and whether it violated the applicable attendance standard.

5. **EMPLOYEE ACCOUNTABILITY FOR ATTENDANCE**

An employee's failure to be punctual, present at the designated work site—whether on-site, off-site or virtual—and actively engaged in work activities associated with their jobs during designated work hours may be grounds for discipline and termination. This includes both:

- Culpable absenteeism; and
- Non-culpable absenteeism where:
- The absence frustrates the employee's contract; and
- Discipline can be imposed in a way that doesn't violate the employee's right to accommodations.
- Employee Accommodation Rights

Notwithstanding the above, _____ recognizes that non-culpable absenteeism may be the result of disabilities or family responsibilities for which accommodations are required under human rights and other applicable laws.

_____ is committed to carrying out this AMP policy in a way that is mindful and respectful to these accommodation rights, including but not limited to with regard to necessary modifications of AMP standards and procedures to the point of undue hardship.

6. **AMP PROCEDURE**

_____ will establish a standard number or rate for both culpable and non-culpable absences for each month or calendar year using appropriate Company and departmental attendance data. Establishing attendance standards is necessary to help the Company ensure organizational operational effectiveness by ensuring that employees are fulfilling the roles they were hired to perform.

_____ will track and record all employee absences, including culpable and non-culpable absences and absences with and without prior permission. Tracking includes identification of absences, absence time and date, reasons provided, if any, and supporting information such as a doctor's note. Absences tracked include full and partial day absences such as the result of arriving late and/or leaving without permission during the shift.

_____ will use attendance data to identify employees who exceed standard rates of absenteeism. Such employees may be subject to AMP review.

_____ will take steps to ensure that all employees are informed of and understand that attendance at work in a time and place expected by the organization, unless explicitly stated otherwise, is a job requirement of the job and that failure to comply may result indiscipline. Employees are required to provide notice of an absence as soon as possible, before or as soon as possible after, they are/will be absent from work for any reason.

AMP review will be triggered:

- By any culpable absences; and
- When the number of non-culpable absences approaches the standard for non-culpable absences for the employee's department.
- AMP review will consider, among other things, the number or rate of absences, reasons for the absence and the employee's work contributions and employment record. If AMP review determines that an absence was culpable or that the number of non-culpable absences has exceeded the standard for a department, _____ will take appropriate steps to address the address the problem via contacting, notifying and communicating with the employee.
- Status Determination: If reasons for the absence are unknown, _____ will first take steps to determine why the employee was absence. If the absence is a result of a health concern including illness or injury, the Company will request that the employee furnish information to support the facts, including a medical note or prognosis containing information on the prognosis for returning to work. If the employee is not able to return to work immediately, the Company will maintain contact with the employee during the absence and monitor the situation and let the employee know of its concerns over the absence and the employee's situation. Extended absences from work may be considered grounds for discipline or dismissal if the absence frustrates the work contract and the discipline does not violate the employee's accommodation or other rights.
- Accommodation Review: As part of AMP review, _____ will consider whether the cause for the absences or absences is a disability or family responsibility need. If so, the

- employee will be entitled to accommodations in accordance with human rights laws and the Company will work with the employee and his/her representatives, including medical providers, to determine appropriate and reasonable options for accommodation. Accommodation will be provided to the point of undue hardship.

Response to a culpable absence: If it is determined that an employee's failure to meet attendance standards was a result of one or more culpable absences, _____ will treat the situation as a disciplinary matter subject to _____'s progressive disciplinary policy and applicable employment contracts and collective agreements.

- If the employee's past attendance record includes extended or patterns of absenteeism (including repeated tardiness) or is otherwise unacceptable, the employee may be given the opportunity to demonstrate that he/she is capable of regular attendance in the future through the progressive disciplinary process.
- If the employee has lied, deceived or provided false information regarding reasons for absence, he/she may be subject to termination for cause.

Response to a non-culpable absence: If it is determined that an employee's failure to meet attendance standards is a result of non-culpable absence, _____ will treat the situation as a non-disciplinary attendance matter subject to the process set out in policy Section 8 below.

Employees will be subject to disciplinary procedures up to and included dismissal if: (x) They are absent repeatedly or for an extended period and, as a result, are not performing the role they were hired to perform; (y) Accommodation is not appropriate, feasible or would be ineffective; and (z) The absences are not substantiated.

7. **STEPS TO ADDRESS ABSENTEEISM**

Although _____ reserves the right to impose discipline, the purpose of this AMP Policy is to resolve attendance management issues without resorting to discipline. To that end, _____ will carry out the following process:

**Initial Meeting**: When an attendance management issue has been identified, _____ will hold an informal interview with the employee to: (a). Notify the employee of its attendance concerns; (b) Explain the impact of absences on work operations; (c) Offer the employee an opportunity to explain the absences; (d) Set clear and specific expectations and deadlines for attendance improvements; and (e) Identify resources available to help the employee.

_____ recognizes its duty to make reasonable accommodations for absences that are the result of a disability or family responsibility, to the point of undue hardship. Accordingly, during the initial meeting, _____ will seek to determine whether the absence is the result of a disability or family responsibility requiring accommodation. If the employee reports that such is the case, _____ will request the employee to provide confirmation. Once confirmation is obtained, _____ will treat the disability or family obligation as a mitigating factor and work with the employee to determine appropriate accommodations, including but not limited to in regard to attendance improvement expectations and deadlines, based on an assessment of the employee's circumstances, capabilities and needs. If the employee is unable or unwilling to participate in this meeting or cooperate in the accommodation process, _____ will send him/her a non-disciplinary letter outlining its concerns regarding the employee's absenteeism.

**Formal Meeting** 1: In the event the employee's attendance fails to improve within the deadlines stated in the initial meeting, _____ will hold a formal meeting with and issue a formal letter to the employee to: (a) Notify the employee of its attendance concerns; (b). Explain how his/her absences impact work operations; (c) Set expectations and deadlines for improved attendance; (d) Offer the employee an opportunity to explain the absences; (e) Identify resources available to help the employee; and (f). Set a course of action to help the employee meet the attendance improvement goals established in the initial meeting. Absenteeism due to disability or family responsibility will be treated as a mitigating factor and appropriate accommodations will be made, including but not limited to in regard to improvement expectations and deadlines.

**Formal Meeting 2**: In the event the employee's attendance fails to improve within the deadlines stated in the first formal meeting, _____ will hold a formal meeting with and issue a formal letter to the employee to: (a) Notify the employee of its attendance concerns and that his/her poor attendance is causing a problem and is unacceptable; (b) Explain how his/her absences impact work operations; (c) Set expectations and deadlines for improved attendance; (d) Offer the employee an opportunity to explain the absences; (e) Identify resources available to help the employee; and (f) Set a course of action to help the employee meet the attendance improvement goals established. Absenteeism due to disability or family responsibility will be treated as a mitigating factor and appropriate accommodations will be made, including but not limited to in regard to improvement expectations and deadlines.

**Formal Meeting 3**: In the event the employee's attendance fails to improve within the deadlines stated in the second formal meeting, _____ will hold a third and final formal meeting with and issue a third and final formal letter to the employee to: (a) Reiterate its attendance concerns and the expectations and deadlines for improved attendance; (b) Make it clear that the employee has failed to meet the agreed to improvement expectations and deadlines; and (c) State a new deadline by which you expect the employee to meet the attendance improvement goals; and (d) Indicate that failure to meet the new deadline may result in discipline.

## 8. **TERMINATION**

Failure of employees to meet the attendance standards set out in this policy, including the failure to participate or cooperate with the non-disciplinary processes for correcting attendance problems set forth above, shall be cause for discipline up to and including termination.

## 9. **ACKNOWLEDGMENT**

I acknowledge that I have received, read and understood this Policy and agree to comply with its terms.