

Attendance Support

Effective Date	January 1, 2014
Approving Authority	Executive Leadership Team
Policy Owner	Manager, Workplace Health & Safety

PURPOSE & SCOPE

Purpose

- 1 The City of Regina recognizes that regular attendance is a necessary component in achieving its goal of operational excellence to a service and performance culture that builds resident trust.
- 2 The City is committed to providing a positive, safe, and supportive work environment to improve employee well-being, reduce absences and minimize effort spent in managing excessive absenteeism. The City will assist employees in minimizing absences from work by making reasonable efforts to provide coaching, accommodation, and rehabilitation to ensure employee health is balanced with corporate goals.
- 3 The purpose of the Attendance Support Policy is to support the attendance of all City of Regina employees. The policy outlines the requirements for attendance management and the responsibilities of the respective stakeholders.

Scope

- 4 This policy applies to all City of Regina employees except probationary employees.
- 5 This policy applies exclusively to non-culpable or innocent absenteeism. Culpable or blameworthy absences are addressed by the Corrective Discipline Policy.

POLICY PROVISIONS

- 6 The following definitions apply to this policy:
 - 6.1 Absenteeism means the failure of employees to report for work when they have been scheduled to work. Absenteeism includes both paid and unpaid absences.

There are two types of absences, culpable or blameworthy and non-culpable or innocent.

- 6.2 Attendance Support Program, 2024 means the program the City uses to address non-culpable or innocent absences. Operated by the People & Organizational Culture department, the program provides the process and procedures that support both management and employees in their efforts to enhance regular attendance at work.
- 6.3 Client Services & Labour Relations means the Client Services & Labour Relations branch within the People & Organizational Culture department.
- 6.4 Corporate absenteeism threshold/goal is an established rate of unplanned absence due to sickness or other causes. This rate is established by the People & Organizational Culture department to identify excessive non-culpable or innocent absences. This rate is determined after considering the City's average use of sick leave and shall be applied on a 12-month rolling period. This rate is subject to change at the discretion of the department.
- 6.5 Culpable or blameworthy absences are unauthorized absences which are within an employee's control and may warrant a disciplinary response under the Corrective Discipline Policy. The following are examples of culpable absences:
 - (a) excessive lateness,
 - (b) false explanation for an absence,
 - (c) no reason is provided for the absence (absence without leave),
 - (d) unsubstantiated absence, where evidence of the reason is required,
 - (e) the reason for the absence is not legitimate,
 - (f) failure to call in and report, as per collective agreement provisions or standard operating procedures, or
 - (g) does not provide a doctor's certificate when requested.
- 6.6 Excessive absenteeism is absenteeism that is more than the corporate absenteeism threshold/goal. Excessive means circumstances when an employee is away from work too frequently and yet has genuine and documented reasons for the absences.
- 6.7 Non-culpable or innocent absenteeism is absenteeism which results from an employee illness, disability, or injury. In this kind of absenteeism, the employee has a legitimate reason that explains the absence.

Some examples of innocent or non-culpable absences may include:

- (a) excessive sick leave, with or without pay (even though there is medical certification),

- (b) excessive outside appointments during working hours,
- (c) excessive absences from work to deal with ongoing family problems, and
- (d) unplanned absences regardless of credits used to cover the absences.

6.8 Review period means a three-month period.

6.9 Workplace Health & Safety means the Workplace Health & Safety branch within the People & Organizational Culture department.

Attendance Records

7 Supervisory employees are responsible for monitoring their employee's sick leave usage. Using the notes field in the City's EmpCentre software system, supervisory employees shall document the nature of the employee illness and the anticipated return date. Supervisory employees shall generate attendance reports every three months to identify employees with innocent or non-culpable absences over the corporate absenteeism threshold/goal.

Managing Non-Culpable Absenteeism

8 A limited amount of employee absenteeism is expected and part of the normal part of the employee/employer relationship. However, when an employee's absences from work exceed the corporate absenteeism threshold/goal an attendance problem may exist that requires intervention. The way in which a supervisory employee addresses excessive absenteeism plays a vital role in effective attendance management and prevents it from escalating.

Tracking and Recording Absences

- 9 An employee's immediate supervisor is responsible for attendance management.
- 10 Identifying attendance problems begins with monitoring the attendance of all employees in a consistent manner. Promoting and maintaining good attendance and assisting employees to overcome attendance difficulties includes early identification of any attendance problems.
- 11 Supervisory employees shall use the City's EmpCenter software system and any other available data sources to keep up-to-date records of employee absences and monitor attendance regularly.

Reviewing Absences

- 12 Supervisory employees shall review the absences as recorded in the attendance record on a regular basis.
- 13 For the purposes of attendance management, the following absences shall be excluded from statistics used to calculate non-culpable or innocent absence rates:
 - (a) compassionate leave,

- (b) maternity, parental or adoption leave,
- (c) education leave,
- (d) disciplinary suspensions,
- (e) union leave,
- (f) bereavement leave,
- (g) jury duty,
- (h) work related absences for claims approved by the Workers' Compensation Board,
- (i) vacation,
- (j) approved personal leave, and
- (k) banked overtime leave.

Remove Culpable Absences

- 14 Absences identified as culpable or blameworthy absences form part of the attendance record. However, they too must be excluded when calculating an employee's non-culpable or innocent absenteeism rate. Culpable or blameworthy absences shall be addressed in accordance with the Corrective Discipline Policy.

Compare the Remaining Absences

- 15 After removing the above-noted absences, supervisory employees shall compare the total remaining absences during the review period to the corporate absenteeism threshold/goal. If the employee exceeds the corporate absenteeism threshold/goal, it is considered excessive absenteeism.

Attendance Support Program

- 16 If an employee's non-culpable or innocent absenteeism is found to be excessive, the employee's supervisor shall, in consultation with Workplace Health & Safety, determine whether the employee should be enrolled in the Attendance Support Program.
- 17 The decision to enroll an employee in the Attendance Support Program shall be made collaboratively by the employee's supervisor and Workplace Health & Safety. However, in the event of a conflict the supervisory employee's director shall make the final decision.
- 18 Key criteria in determining whether an employee should be enrolled in the Attendance Support Program include:
- (a) the frequency of absences (i.e., number of separate occurrences),
 - (b) the duration of absences (short intermittent vs. longer term), and

- (c) the predictability of absences (planned or unplanned).
- 19 Once an employee is enrolled in the Attendance Support Program, supervisors shall review the employee's non-culpable or innocent absenteeism in relation to the corporate absenteeism threshold/goal every three months (quarter) and determine whether the employee should:
- (a) remain in the current stage of the program,
 - (b) be moved to the next stage of the program, or
 - (c) be removed from the program.
- 20 There are five stages that progress in the Attendance Support Program. Each stage of the program has specific responsibilities for supervisors and employees to complete. The program allows management to offer support and proactively identify solutions with the employee and provide sufficient time for the employee to access supports to improve their attendance.
- 21 If an employee in any of the stages shows an improvement by using less than three sick days in a quarter but is still higher than the corporate absenteeism threshold/goal, the employee will remain at that stage.
- 22 If an employee in any of the stages continues to use three or more sick days in a quarter and is still higher than the corporate absenteeism threshold/goal, the employee will advance to the next stage.
- 23 If at any time during the attendance support process an employee falls below the corporate absenteeism threshold/goal, that is considered sufficient improvement, and the employee shall exit the Attendance Support Program.
- 24 If an employee exits the Attendance Support Program but is subsequently re-enrolled in the program within a 12-month period, the manager may opt to enroll the employee in an advanced stage but not exceeding Stage 3.
- 25 Employees should be notified of their improvement and recognized in a positive supportive manner. Where formal meetings have commenced, the recognition shall be in the form of a letter to the employee noting their participation in the Attendance Support Program is no longer required.

Frustration of Contract

- 26 Frustration of contract occurs when an employment relationship ends due to circumstances outside of the control of either party. This point occurs when absences are clearly excessive, there is no likelihood of improvement within a reasonable timeframe, and the duty to accommodate has been exhausted. As a result, the performance of the contract has been rendered impossible.

Duty to Accommodate

- 27 Employers have a legal duty to reasonably accommodate characteristics identified in *The Saskatchewan Human Rights Code, 2018* unless doing so creates an undue hardship on the employer. Part II of the Employment Standards of *The Saskatchewan Employment Act* defines accommodation as “modifying the duties or reassigning the employee.” This duty applies to all characteristics identified in the Code including disabilities, family status, pregnancy, ancestry and religion.

Generally, the obligations under the duty to accommodate are as follows:

- (a) Given the circumstances, the employer is expected to identify and arrange for reasonable accommodation in a timely manner. In accommodating an employee or a candidate in a selection process, an employer is required to make adjustments and sometimes bear some costs and disruptions to operations (up to undue hardship).
- (b) All accommodations are to protect the right for privacy and confidentiality while respecting the dignity, individuality, and self-esteem of the employee. All work assigned must be meaningful, productive and have value to the department/agency and the employee.

Roles and Responsibilities

28 Supervisory employees shall:

- (a) ensure consistent application of this policy within their work areas,
- (b) ensure employees are aware of this policy,
- (c) monitor levels of absenteeism in their department or branch and take appropriate action to correct or address absence issues where excessive usage or patterned absenteeism occurs,
- (d) encourage awareness through various actions including:
 - (i) leading by example,
 - (ii) demonstrating concern for the employee’s well-being and encouraging and commending an employee’s return to work,
 - (iii) commending improved attendance, and
 - (iv) recognizing employee contributions to the business area,
- (e) proactively discuss and resolve issues regarding attendance with employees,
- (f) communicate the protocol or reporting procedure for advising of absenteeism and expected attendance standards and obligations to employees,
- (g) maintain written documentation where absenteeism issues have been identified,

- (h) provide support and assistance when deemed necessary (i.e., referring employees to the Employee Family Assistance Program, exploring flexible working arrangements, etc.),
- (i) provide employees with regular feedback to ensure employees are aware of their contributions to the workplace and are valued,
- (j) maintain frequent communication with employees while absent – this is especially important when the employee is unable to return to work and the estimated length of illness is unknown,
- (k) maintain the confidentiality and privacy of employee information and associated documentation, and
- (l) work with Workplace Health & Safety and Client Services & Labour Relations when employees have been unsuccessful in improving their attendance.

29 Employees shall:

- (a) maintain their health and well-being to better ensure regular attendance at work,
- (b) provide a valid reason for all absences such as illness, injury, or personal problem,
- (c) follow the absence reporting procedure for their respective work unit,
- (d) maintain ongoing and timely communication with management,
- (e) attempt to manage personal affairs and obligations such as medical appointments, etc. during regular days off,
- (f) willingly participate in the attendance improvement plan and/or return to work process, and
- (g) use sick leave only when it is legitimately required.

30 Workplace Health & Safety shall:

- (a) provide advice to managers and supervisors on the provisions of this policy and any related procedures or programs,
- (b) assist and support managers and supervisors with matters related to non-culpable absenteeism, such as:
 - (i) identifying the source of employee attendance issues,
 - (ii) determining available resources to help improve an employee's attendance,
 - (iii) facilitating return-to-work programs,
 - (iv) attending formal coaching sessions,

- (v) working with Client Services & Labour Relations to support managers in circumstances where employees have been unsuccessful in improving their attendance,
 - (vi) promoting the consistent application of this policy and any related procedures or programs, and
 - (vii) preparing documents and oversee relevant details,
- (c) regularly audit this policy to ensure compliance, and
- (d) maintain the confidentiality and privacy of employee information and associated documentation.

31 Client Services & Labour Relations shall:

- (a) provide advice to managers and supervisors on the provisions of this policy and related procedures and programs,
- (b) collaborate with managers and supervisors to identify the source of an employee's attendance issues,
- (c) collaborate with Workplace Health & Safety on return-to-work programs and appropriate accommodation,
- (d) provide advice on *The Saskatchewan Human Rights Code, 2018*, *The Saskatchewan Employment Act*, applicable collective agreement provisions, and policy interpretations,
- (e) when applicable consult with the manager or supervisor regarding culpable absenteeism,
- (f) maintain the confidentiality and privacy of employee information and associated documentation, and
- (g) support managers in circumstances where employees have been unsuccessful in improving their attendance.

Related Materials

32 The following materials relate to this policy:

- (a) Attendance Support Program, 2024
- (b) Corrective Discipline Policy
- (c) Return to Work Guidelines
- (d) *The Saskatchewan Employment Act*

(e) *The Saskatchewan Human Rights Code, 2018*

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