

YORK UNIVERSITY

# Attendance Management Program

**This program is applicable to non-academic staff only**

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# Program Philosophy

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In order to meet the needs of our community members and provide a high level of service, York University depends on the contribution of its employees, and their regular attendance at work is essential in achieving these goals. The University recognizes its responsibility to provide a working environment that supports employee well-being and regular attendance at work. We believe that absences can be minimized through prevention, early intervention and individual case management, and that employee attendance issues are best resolved in a positive, supportive manner.

High levels of employee absenteeism leads to poorer quality of service, lost productivity and reduced morale of co-workers. Consistent attendance management can have highly positive effects on the workplace. The Attendance Management Program recognizes the provisions of the applicable collective agreements and standard operating procedures and does not intend that ill or injured employees attend work if unable to do so.

This program defines the roles and responsibilities for individuals at every level of the organization in an effort to resolve attendance issues co-operatively.

# Program Objectives

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- To promote regular and consistent attendance at work;
- To support and encourage employee well-being;
- To provide guidelines for a consistent and fair process while providing individual flexibility as needed;
- To support and assist individual employees to achieve regular attendance;
- To provide a framework for responding to excessive absenteeism.

# Stakeholders Responsibilities

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The responsibility for, and commitment to the York University Attendance Management Program, exists at all levels of the organization. Successful attendance management is dependent upon the commitment of all stakeholders. Outlined below are some of the key responsibilities of the various stakeholders who will impact the success of this program.

## *Employee:*

- To attend work on time and regularly.
- To attend to personal affairs and obligations outside of regular working hours.

- To facilitate early notification of absence(s) and to follow absenteeism reporting procedures in accordance with the applicable collective agreements and standard operating procedures, including the reporting of work-related injuries and illness.
- To provide medical documentation as required by the applicable collective agreement, standard operating procedure and/or the Disability Management Program to support the absence from work, the return to work, and any required accommodation to remain or return to work.
- To maintain regular contact with supervisor and/or manager during absence.
- To engage union support and assistance as required.

#### *Management Supervisor:*

- To treat employees fairly, consistently and in compliance with the guidelines of the York University Attendance Management Program, applicable collective agreement, standard operating procedure and the Disability Management Program.
- To foster a healthy and positive work environment.
- To raise awareness about the importance of regular attendance.
- To recognize exemplary attendance.
- To maintain, monitor and be accountable for attendance levels within their respective areas—monitor and manage situations where employees have excessive incidental or patterned absences in consultation with HR.
- To understand the requirements for reporting and managing work-related and non work-related illness and injury situations.
- To identify accommodation opportunities to allow employees to remain at work or to return to work in a safe and timely manner. Identify and plan modified work options or accommodation in consultation with the Employee Well-Being office (EWB) and all stakeholders if accommodation has been requested.
- To maintain regular contact with an employee during the employees absence from work [as well as EWB if it is involved in the process].

#### *Human Resources (HR):*

- To provide coaching, advice and training to management on implementation of the program.
- To provide advice and assistance to supervisors/managers on individual cases.
- To attend initial and follow-up employee meetings when requested to do so.
- To create and update tools and guidelines necessary for program delivery.
- EWB to facilitate communication with employee, department, and treating sources to obtain medical substantiation of absences.
- EWB to implement and support work accommodation plans for employees at work and returning to work.
- EWB to serve as a confidential source for employee medical information.

#### *Unions and Staff Associations:*

- To support and advise the employee.
- To attend initial and follow-up meeting with the employee as per the relevant collective agreement and standard operating procedure.

- To raise awareness about the importance of regular attendance.
- To foster a healthy and positive work environment.

## Nature of Employment Relationship

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Employment relationships are contractual in nature; that is, in return for remuneration, the employee performs work assigned to them. If the employee is not able to live up to their part of the employment relationship, the contract may be terminated for frustration. The point of frustration will be reached when the employee has consistently poor attendance with no reasonable prospect of reaching acceptable attendance in the foreseeable future. Before reaching the point of frustration, the University will provide the employee with coaching. This coaching may assist an employee in getting support (Employee Family Assistance Program), it may provide the impetus for an employee to seek medical attention or take more precautions to protect their health, and it provides the employee with an understanding of the requirements and status of the employment relationship. Employees will be warned when their absenteeism is unacceptable, and may be told that if their rate of absenteeism does not show a significant and sustained improvement, termination may result.

## Types of Absences

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Absences that will require some type of employer intervention are identified under two distinct categories: non-culpable and culpable. It is essential that these two types of absence are differentiated, recorded separately and resolved differently.

### *Non-Culpable Absenteeism*

#### Innocent Absenteeism

Situations in which an employee is away from work too frequently and yet has genuine and documented reasons for the absences are presumed to be innocent. Innocent absenteeism is non-culpable behaviour, meaning that it is non-blameworthy.

Some examples of innocent absences may include:

- excessive sick leave, with or without pay (even though there is medical certification);
- excessive outside appointments during working hours;
- excessive absences from work to deal with ongoing family problems;
- unplanned absences regardless of credits used to cover the absence.

### *Patterned Absenteeism*

Patterned absenteeism is presumed to be “innocent absenteeism” unless there is evidence to the contrary since there is the possibility of a legitimate explanation for the absence.

However, if after investigating the situation, it can be confirmed that the absenteeism pattern indicates abuse (i.e. no reasonable explanation is given for the absences and it is not substantiated by acceptable medical documentation) the absences may be considered culpable and disciplinary action may be required. Like other short-term absences, the negative impact on operations and on the work environment increases with the frequency of these absences.

“Patterned” absenteeism may take the form of absences that occur:

- on particular days of the week;
- adjacent to scheduled days off and/or weekends;
- on particular days of the week each week, month or year;
- on days off after performance related matters are addressed;
- on days off after work assignments that the employee finds non-agreeable;
- and/or appear on the surface to be suspicious.

### *Culpable Absenteeism*

These are unauthorized absences which are within the employee’s control and may warrant a disciplinary response. The following are situations of culpable absence:

- excessive lateness;
- false explanation for an absence;
- no reason is provided for the absence (absence without leave);
- unsubstantiated absence, where evidence of the reason is required;
- the reason for the absence is not legitimate;
- failure to call in and report, as per collective agreement provisions or standard operating procedures
- does not provide a doctor’s certificate when required.

This type of behaviour will be dealt with through progressive discipline that may ultimately culminate in termination for cause. **Culpable absenteeism and the process by which it is addressed are not part of the attendance management process.** If at any time during the attendance management process, the Management Supervisor suspects that the attendance issues are culpable, they need to manage those issues through the progressive discipline steps.

Progressive discipline is meant to be corrective. Appropriate action by the Management Supervisor involves a response in which discipline is progressively increased for each related infraction until the behaviour is corrected or the employee has been terminated. At any stage of the process a satisfactory resolution may be achieved and, in that event, the disciplinary response process will conclude.

When determining the discipline, the nature and frequency of the offence must be taken into consideration. Some offences will require more serious disciplinary action than others. In the event of a serious offense, strict adherence to the progressive discipline model is inappropriate and more serious disciplinary action up to and including termination may be warranted at the first offence.

Normally, stages of a corrective progressive disciplinary response involve four main steps which progress as follows:

- a verbal warning
- written warning
- suspension(s)
- disciplinary termination

The specifics of the circumstance will dictate whether it is appropriate to repeat a step rather than proceed to the next.

**When an employee's absence is deemed to be culpable, the Management Supervisor/Manager should meet with local HR, senior management, and if required, Employee Relations staff in Human Resources, to determine the appropriate course of action.**

## Monitoring Attendance

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### *Tracking and Recording Absences:*

Identifying attendance problems begins with monitoring the attendance of all employees in a consistent manner. Promoting and maintaining regular attendance and assisting employees to overcome difficulties which reduce consistent attendance is dependent on early identification of attendance problems. In this regard, it is essential that Management Supervisors keep up-to-date records of employee absences, as well as, monitor attendance regularly. For more details regarding the University's reporting of time related to employees while both at work and off work, refer to the Time Managing Support System website (<http://www.yorku.ca/hr/tmss/>). For the purposes of monitoring absences relevant to the Attendance Management Program, the following definitions are available:

An absence will be recorded in increments of **“hours”**.

**“Review period”** is the period of time between the stages of the attendance management program.

**“Significant and sustained”** is the improvement in attendance that the employee is expected to show during review periods. This is a flexible standard that can be assessed on a case-by-case basis; however, in order for it to be sustained, improvement must be over at least two consecutive review periods.

### *Reviewing the Absences:*

Review the absences as recorded in the attendance record on a regular basis. Certain absences are excluded from statistics used to calculate innocent absenteeism rates for the purposes of attendance management. These absences still need to be recorded; however, they should not be included when calculating an employee's absenteeism.

The following “absences” and authorized leaves are **excluded** from calculating the employee’s absenteeism rate:

- ESA absences: unpaid family medical leave, unpaid personal emergency leave
- Pregnancy and parental leave
- Disciplinary suspensions
- Union leave
- Bereavement leave
- Jury duty
- Work related absences for claims approved by WSIB
- Vacation\*
- Personal Leave\*
- Banked Overtime Leave

*\*the above-noted absences are **included** in calculating the employee’s absenteeism rate when substituting these leave credits for sick credits.*

#### *Remove Culpable Absences:*

Absences identified as **culpable** form part of the attendance record. However, they too are excluded when calculating an employee’s innocent absenteeism rate. It is important that culpable absences are dealt with in accordance with the principles of progressive discipline.

#### *Compare the Remaining Absences:*

After removing the above-noted absences the total remaining absences during the review period are compared to the established benchmark. If the employee exceeds the established benchmark, it is then considered excessive.

#### *Identify the Action Plan:*

- When an employee’s absenteeism is excessive the Management Supervisor needs to review all available information to determine the appropriate course of action. It is important to recognize that each employee and situation is different and that each case must be assessed objectively with some consideration and flexibility given to the individual circumstances. Therefore, once an attendance issue has been identified all available information must be considered before deciding how to proceed and to determine if an employee enters the Attendance Management Program.
- Number of incidents of absence and length of absence are important in determining the approach that should be taken in handling attendance issues. For example, one (1) incident of twenty (20) days absence due to a bona fide illness is handled differently than twenty (20) separate incidences of one (1) day each. All absences have an adverse impact on a work place; however, a single, lengthy illness or injury will not usually be categorized as problem absenteeism where an employee’s previous attendance record has been acceptable and is expected to return to satisfactory levels after the current absence issue is resolved.

### *Reporting of absences:*

Absences will be reported as per the applicable collective agreement or standard operating procedure.

*Note: Once an employee has been away for ten (10) consecutive days due to non-occupational illness, the Management Supervisor forwards the "Employee Absence Report" form to EWB. EWB will manage the absence according to the Disability Management Program.*

## Managing Non-Culpable Absenteeism

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A limited amount of employee absence is expected. This is a normal part of the employee/employer relationship. However, when an employee's absences from work exceed the established benchmark, an attendance problem may exist that requires intervention. Any absence is potentially disruptive for a department and Management Supervisors should be concerned about every instance of absence; however, excessive absence is a strong indication that a problem may exist. The way in which a manager deals with employee absences will play a critical role in effective attendance management and the prevention of attendance problems from escalating.

In instances where an attendance concern has been identified, the Management Supervisor will need to meet formally with the employee to address the attendance issue. Many attendance issues are resolved during the initial stage; in such cases, the Management Supervisor continues to encourage the employee and provides on-going monitoring and feedback. In other cases, the employee shows no improvement and absences continue to be excessive. A series of subsequent meetings may be required in these situations in order to facilitate a solution to the attendance problem.

What follows is an outline of procedures for Management Supervisors dealing with non-culpable (innocent) attendance issues. It is important to note that:

- The program should be administered with flexibility and discretion in order to allow the Management Supervisor to deal effectively with the numerous types of attendance issues that may arise. For instance, after due consideration, a manager may decide that circumstances warrant that an employee not enter the Attendance Management program or if in the program, it may be advisable to repeat one or more of the stages;
- The sample letters provided in the Appendices are offered as guides to assist the Management Supervisor in letter preparation and, as such, may require editing to be suitable for a specific situation;
- Management Supervisors should be aware that unionized employees have the right to union representation at meetings, if requested by the employee;
- Management Supervisors must consider whether EWB has been or needs to be involved when dealing with absences that have an accommodation and/or disability management element;
- The local HR representative and Employee Relations representatives should be consulted throughout the process.

# The Attendance Management Program:

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## *Stage 1 Meeting\**

When an employee's rate of absenteeism has exceeded the established benchmark over a six (6) month period, whether cumulative or on one single occasion, the Management Supervisor will meet with the employee to have a discussion about attendance expectations. If it is determined an employee will be entered into Stage 1, the Management Supervisor will follow-up with a letter to the employee (Template "A") that shall be copied to the Union, Local Human Resources and Employee Attendance File.

*\*format and nature of this meeting will be determined on the basis of the applicable collective agreement or practice*

## *Stage 2 Meeting\**

Three months after the Stage 1 meeting, the Management Supervisor will review the employee's attendance since the Stage 1 meeting. If the employee's attendance is not acceptable during those three months, the Management Supervisor will meet with the employee and their union representation, as applicable, to discuss the employee's ongoing failure to meet attendance expectations. The Management Supervisor will follow-up with a letter to the employee (Template "B") that shall be copied to the Manager, Union, Local Human Resources and Employee Attendance File.

*\*format and nature of this meeting will be determined on the basis of the applicable collective agreement or practice*

## *Stage 3 Meeting\**

Three months after the Stage 2 meeting, the Management Supervisor will review the employee's attendance since the Stage 2 meeting. If the employee's attendance has not shown a significant and sustained improvement, the Management Supervisor and next level Manager will meet with the employee and their union representation, as applicable, to discuss the employee's ongoing failure to meet attendance expectations. The Management Supervisor will follow-up with a letter to the employee (Template "C") that shall be copied to the Manager, Union, Local Human Resources and Employee Attendance File.

At this time, the employee should be advised that a continued failure to demonstrate a significant and sustained improvement in their attendance may place their employment with the University in jeopardy.

*\*format and nature of this meeting will be determined on the basis of the applicable collective agreement or practice*

## *Stage 4 Meeting\**

Three months after the Stage 3 meeting, the Management Supervisor will review the employee's attendance since the Stage 3 meeting. If the employee's attendance has not shown a significant

and sustained improvement, the Management Supervisor and next level Manager will meet with the employee and their union representative, as applicable.

At this meeting, if the employee does not identify a medical issue contributing to the employee's ongoing failure to meet attendance expectations, the Management Supervisor will follow-up with a letter to the employee (Template "D" 4 (a) – No Medical Issue Raised) that shall be copied to the Senior Unit Manager, Manager, Union, ER, Local Human Resources and Employee Attendance File. At this time, the employee should be advised that a continued failure to demonstrate a significant and sustained improvement in their attendance may place their employment with the University in jeopardy.

If the employee identifies a medical issue, the employee shall be provided with a Medical Absence/Accommodation Certificate (MAAC) by the Management Supervisor and advised to return the completed MAAC to Employee Well-Being. The Management Supervisor will follow-up with a letter to the employee (Template "E" 4 (b) - Medical Issue Raised) that shall be copied to the Senior Unit Manager, Manager, Union, EWB, ER, Local Human Resources and Employee Attendance File. After Employee Well-Being has reviewed the MAAC, the Management Supervisor and the next level Manager will meet with the employee and their union representative, as applicable, to discuss attendance expectations over a further three month monitoring period. The Management Supervisor will follow-up with a letter to the employee (Template "F" 4 (b) - Medical Issue Raised Follow-up) that shall be copied to the Senior Unit Manager, Manager, Union, EWB, ER, Local Human Resources and Employee Attendance File.

*\*format and nature of this meeting will be determined on the basis of the applicable collective agreement or practice*

#### *Stage 5 Meeting\**

Three months after the Stage 4 meeting, the Management Supervisor will review the employee's attendance since the Stage 4 meeting. If the employee's attendance has not shown a significant and sustained improvement, and there is no reasonable basis upon which to believe that the employee's attendance will improve to an acceptable level within the foreseeable future, consideration should be given to entering into a LAST CHANCE AGREEMENT.

If management determines that a LAST CHANCE AGREEMENT is the best option, the Management Supervisor along with the assistance and advice of Employee Relations will develop the appropriate documentation and hold a meeting with the employee and union representative, where applicable.

If management does not choose to pursue a LAST CHANCE AGREEMENT the Management Supervisor and Employee Relations representative will meet with the employee and their union representative, as applicable, to advise the employee that their employment with the University is in effect terminated due to frustration of contract of employment arising out their inability to fulfill their part of the employment relationship. This meeting will be followed up with a letter to the employee (Template "G" – Termination Letter) that shall be copied to the Senior Unit Manager, Manager, Union, ER, Local Human Resources and the employee's Personnel File.

If there is a reasonable basis upon which to believe that the employee's attendance will improve to an acceptable level within the foreseeable future, the employee will repeat Stage 4 until either it is determined that there is no longer a reasonable basis upon which to believe this, or the employee's attendance improves and the employee begins moving backward through the program as described in Note "3" below.

*\*format and nature of this meeting will be determined on the basis of the applicable collective agreement or practice*

**Note:**

(1) For specific details as to union representation at meetings and titling of meetings, please refer to the relevant collective agreement.

(2) At any stage of the above noted process, the Management Supervisor may, in consultation with ER, exercise their discretion to extend the review period or to exclude from consideration specific absences if appropriate in the circumstances.

(3) If, at the end of any review period referred to above, the employee has shown a significant and sustained improvement in their attendance, they move to the previous stage. This process shall continue until the employee exits the attendance management program by moving backward through each Stage.

(4) If, at the end of any review period referred to above, the employee has shown some improvement in their attendance, they repeat the same stage.

(5) The attached forms and letters are samples only and should be modified to reflect the actual circumstances. Management Supervisors are encouraged to customize the letters to suit their needs.

(6) If at any stage of the process set out above, the employee reveals that their excessive absences are due to a disability/underlying medical issue, the University's duty to accommodate must be considered before continuing with the attendance management process. When a disability/underlying medical issue is revealed, the Management Supervisor should discuss the matter with EWB. While attendance may still be managed during the accommodation process, special considerations may apply. In all cases, EWB will require a completed MAAC to substantiate any request for accommodation.

## Conclusion

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It is important to note that most attendance issues are resolved early in the process. While the steps described in the latter part of this section are occasionally necessary, in the majority of cases, the situation is resolved before it is necessary to terminate employment. Through implementation of positive actions suggested earlier in this program, such as counseling the employee and ensuring that the employee is aware of the resources available to assist with their

individual situation, the Management Supervisor will encourage and support the employee in achieving and maintaining good attendance.

# **A P P E N D I X**

## **Sample Employee Attendance Letters**

**[These letters are to be modified as applicable taking into account the manager's conversation with the employee]**

## Stage 1 Meeting – Template A

<Date>

<Name>

<Department/Home Address>

### CONFIDENTIAL

Dear <First Name>:

#### Re: Attendance Management Program – Stage 1

This letter will confirm our meeting on <date>. Present at this meeting were: [list attendees]. We discussed your pattern of attendance during the period of <date> to <date>. As you were informed in our meeting, it is the University's policy to review the attendance of all employees. This meeting was Stage 1 of the Attendance Management Program and was not a disciplinary meeting.

During the review period your rate of absenteeism exceeded the established benchmark of <insert benchmark % >. Your absences have a significant impact on the department and your co-workers. It is important that you make every effort to attend work on a regular basis.

Your rate of absenteeism over the past six months was as follows:

3 Month Review Period	# of Available Working Hours	# of Hours of Absence	% of Working Hours Absent

You advised me in our meeting that there are no special circumstances or underlying medical reasons that are giving rise to these absences. Please note that the EWB will require a completed MAAC to substantiate any request for accommodation. *[Note to Management Supervisor - Remove this statement if not applicable in the circumstances. Contact your designated AO/HR Business Partner to discuss appropriate language if special circumstances or underlying medical reasons were discussed. In cases where an employee has indicated a medical reason that may require accommodation, a MAAC should be provided to the employee at the meeting. In all cases, EWB will require a completed MAAC to substantiate any request for accommodation.]*

#### **Use the following when:**

##### ***[A: the employee is entered into Stage 1 from outside the Program]***

As a result, you will be entered into Stage 1 of the Attendance Management Program and a significant and sustained improvement in your attendance is required. Your attendance record will be monitored closely and reviewed again for improvement in three months after which time I will meet with you.

I would like to remind you that in the event that you require any assistance in improving your attendance or managing any difficulties that you are experiencing, you may speak with me or *<insert any other list names of appropriate people e.g. Manager, Employee Well-Being, Administrative Officer/HR Business Partner, etc., otherwise remove>*. You may also wish to make use of the University's Employee Family Assistance Program (EFAP), which may be reached at 1-800-387-4765 (service in English) or 1-800-361-5676 (service in French).

**-or-**

##### ***[B: the employee is maintained at Stage 1]***

Given that your attendance has shown a significant improvement, you will remain at Stage 1 of the Attendance Management Program. Your attendance will be monitored closely and reviewed again for improvement in three months, after which time I will meet with you.

I would like to remind you that in the event that you require any assistance in improving your attendance or managing any difficulties that you are experiencing, you may speak with me or *<insert any other list names of appropriate people e.g. Manager, Employee Well-Being, Administrative Officer/HR Business Partner, etc., otherwise remove>*. You may also wish to make use of the University's Employee Family Assistance Program (EFAP), which may be reached at 1-800-387-4765 (service in English) or 1-800-361-5676 (service in French).

**-or-**

***[C: the employee is removed from the AMP after significant and sustained improvement]***

Given that your attendance record has shown significant and sustained improvement, you will be removed from the Attendance Management Program.

I remain available to provide you with assistance should the need arise. At any time, you may also wish to make use of the University's Employee Family Assistance Program (EFAP), which may be reached at 1-800-387-4765 (service in English) or 1-800-361-5676 (service in French).

Your improved attendance shows your commitment to our shared objectives. I want to commend you for the effort you have made and the resulting improvement in your attendance.

**-or-**

***[D: the employee is moved out of Stage 2 into Stage 1 (improvement)]***

*[Note to Management Supervisor: In order for this letter to reflect the previous attendance history of the employee, since entry into the AMP include the information as follows:*

- *As this is an improvement letter, delete the second paragraph of this letter ("During the review period...")*
- *Delete the table that follows that shows the rate of absenteeism for the employee over the past six months.*
- *In its place add the two table history format that shows the rate of absenteeism for the last 3 months and the previous history from the Stage 2 letter.]*

Given that your attendance record has shown significant and sustained improvement, you will move back one stage to Stage 1 of the Attendance Management Program. Your attendance will be monitored closely and reviewed again for improvement in three months, after which time I will meet with you.

I would like to remind you that in the event that you require any assistance in improving your attendance or managing any difficulties that you are experiencing, you may speak with me or *<insert any other list names of appropriate people e.g. Manager, Employee Well-Being, Administrative Officer/HR Business Partner, etc., otherwise remove>*. You may also wish to make use of the University's Employee Family Assistance Program (EFAP), which may be reached at 1-800-387-4765 (service in English) or 1-800-361-5676 (service in French).

Your improved attendance shows your commitment to our shared objectives. I want to commend you for the effort you have made and the resulting improvement in your attendance.

Yours truly,

<Management Supervisor Name>

<Management Supervisor Title>

Attachment

cc: Union  
Local Human Resources  
Employee Attendance File

*[Note: All those cc'd above must receive a copy of the letter regardless of attendance at the specific meeting.]*

## Stage 2 Meeting - Template B

<Date>

<Name>

<Department/Home Address>

### CONFIDENTIAL

Dear <Name>:

#### Re: Attendance Management Program- Stage 2

This letter will confirm our meeting on <date>, in which we discussed your pattern of attendance, as a follow up to our meeting on <date of last Stage meeting>. Present at this meeting were: [list attendees]. As you were informed in our meeting, it is the University's policy to review the attendance of all employees. This meeting was Stage 2 of the Attendance Management Program and was not a disciplinary meeting.

During the review period your rate of absenteeism exceeded the established benchmark of <insert benchmark average %>. Your absences have a significant impact on the department and on your co-workers. It is important that you make every effort to attend work on a regular basis.

In the past three months, your rate of absenteeism was as follows:

3 Month Review Period	# of Available Working Hours	# of Hours of Absence	% of Working Hours Absent

As I indicated to you in my letter of <insert date of last Stage meeting follow up letter>, your previous rates of absenteeism were as follows:

3 Month Review Period	# of Available Working Hours	# of Hours of Absence	% of Working Hours Absent

#### ***Use the following when:***

#### ***[A: the employee is entered into Stage 2 from Stage 1]***

You advised me in our meeting that there are no special circumstances or underlying medical reasons that are giving rise to these absences. Please note that the EWB will require a completed MAAC to substantiate any request for accommodation. ***[Note to Management Supervisor - Remove this statement if not applicable in the circumstances. Contact your designated AO/HR Business Partner to discuss appropriate language if special circumstances or underlying medical reasons were discussed. In cases where an employee has indicated a medical reason that may require accommodation, a MAAC should be provided to the employee at the meeting. In all cases, EWB will require a completed MAAC to substantiate any request for accommodation.]*** As a result, you will be entered into Stage 2 of the Attendance Management Program and a significant and sustained improvement in your attendance is required. Your attendance record will be monitored closely and reviewed again for improvement in three (3) months after which time I will meet with you.

I would like to remind you that in the event that you require any assistance in improving your attendance or managing any difficulties that you are experiencing, you may speak with me or ***<insert any other list names of appropriate people e.g. Manager, Employee Well-Being, Administrative Officer/HR Business Partner, etc.,***

*otherwise remove*>. You may also wish to make use of the University's Employee Family Assistance Program (EFAP), which may be reached at 1-800-387-4765 (service in English) or 1-800-361-5676 (service in French).

-or-

***[B: the employee is maintained at Stage 2]***

You advised me in our meeting that there are no special circumstances or underlying medical reasons that are giving rise to these absences. Please note that the EWB will require a completed MAAC to substantiate any request for accommodation. *[Note to Management Supervisor - Remove this statement if not applicable in the circumstances. Contact your designated AO/HR Business Partner to discuss appropriate language if special circumstances or underlying medical reasons were discussed. In cases where an employee has indicated a medical reason that may require accommodation, a MAAC should be provided to the employee at the meeting. In all cases, EWB will require a completed MAAC to substantiate any request for accommodation.]* Given your attendance has shown some/significant improvement, you will remain at Stage 2 of the Attendance Management Program. Your attendance will be monitored closely and reviewed again for improvement in three months, after which time I will meet with you.

I would like to remind you that in the event that you require any assistance in improving your attendance or managing any difficulties that you are experiencing, you may speak with me or *<insert any other list names of appropriate people e.g. Manager, Employee Well-Being, Administrative Officer/HR Business Partner, etc., otherwise remove>*. You may also wish to make use of the University's Employee Family Assistance Program (EFAP), which may be reached at 1-800-387-4765 (service in English) or 1-800-361-5676 (service in French).

-or-

***[C: the employee is moved out of Stage 3 into Stage 2 (improvement)]***

*[Note to Management Supervisor: Delete second paragraph of this letter above ("During this review period...")]*

Given that your attendance record has shown significant and sustained improvement, you will move back one stage to Stage 2 of the Attendance Management Program. Your attendance will be monitored closely and reviewed again for improvement in three months, after which time I will meet with you.

I would like to remind you that in the event that you require any assistance in improving your attendance or managing any difficulties that you are experiencing, you may speak with me or *<insert any other list names of appropriate people e.g. Manager, Employee Well-Being, Administrative Officer/HR Business Partner, etc., otherwise remove>*. You may also wish to make use of the University's Employee Family Assistance Program (EFAP), which may be reached at 1-800-387-4765 (service in English) or 1-800-361-5676 (service in French). In all cases, EWB will require a completed MAAC to substantiate any request for accommodation.

Your improved attendance shows your commitment to our shared objectives. I want to commend you for the effort you have made and the resulting improvement in your attendance.

Yours truly,

<Management Supervisor Name>

<Management Supervisor Title>

cc:     Manager  
        Union  
        Local Human Resources  
        Employee's Attendance File

*[Note: All those cc'd above must receive a copy of the letter regardless of attendance at the specific meeting.]*

## Stage 3 Meeting - Template C

<Date>

<Name>

<Department/Home Address>

### CONFIDENTIAL

Dear <Name>:

#### Re: Attendance Management Program - Stage 3

This letter will confirm our meeting of <date>, in which we discussed your pattern of attendance, as a follow up to our meeting on <insert date of last Stage meeting>. Present at this meeting were: [list attendees]. As you were informed in our meeting, it is the University's policy to follow up every three months while an employee is in the Attendance Management Program. This meeting was Stage 3 of the Attendance Management Program and was not a disciplinary meeting.

During the review period your rate of absenteeism exceeded the established benchmark of <insert benchmark average %>. Your absences have a significant impact on the department and on your co-workers. It is important that you make every effort to attend work on a regular basis.

In the past three months, your rate of absenteeism was as follows:

3 Month Review Period	# of Available Working Hours	# of Hours of Absence	% of Working Hours Absent

As indicated to you in my letter of [insert date of last Stage meeting follow up letter], your previous rates of absenteeism were as follows:

3 Month Review Period	# of Available Working Hours	# of Hours of Absence	% of Working Hours Absent

#### **Use the following when:**

**[A: the employee is entered into Stage 3 from Stage 2]**

You advised me in our meeting that there are no special circumstances or underlying medical reasons that are giving rise to these absences. Please note Employee Well-Being -(EWB) will require a completed Medical Absence/Accommodation Certificate (MAAC) to substantiate any request for accommodation. *[Note to Management Supervisor - Remove this statement if not applicable in the circumstances. Contact your designated AO/HR Business Partner to discuss appropriate language if special circumstances or underlying medical reasons were discussed. In cases where an employee has indicated a medical reason that may require accommodation, a MAAC should be provided to the employee at the meeting. In all cases, EWB will require a completed MAAC to substantiate any request for accommodation.]* Although you have been given a number of opportunities to improve and despite your commitment to maintain an acceptable level of attendance following the above noted meetings, no significant change has occurred. As a result, you will be entered into Stage 3 of the Attendance Management

Program. I must emphasize that your regular attendance at work is a requirement of your position. We view your absences as a serious matter.

Until further notice, you will be required to bring a medical note, acceptable to the University and signed by a medical practitioner, to validate all future absences, unless this requirement is specifically waived by your Management Supervisor in respect of any particular absence. If your medical documents contain anything of a confidential nature, you may choose to provide them directly to Employee Well-Being, in the Department of Human Resources, Kinsmen Building, 8 The Chimneystack Road, Toronto, ON, M3J 1P3, fax (416) 736-5649, which will maintain the medical information in a confidential manner.

I will continue to monitor your attendance over the next three months and during that review period I expect that you will demonstrate a significant improvement in your attendance. If your attendance during the next review period demonstrates a significant improvement, you will remain at Stage 3 of the Attendance Management Program, after which we will again review your attendance. If your attendance during the review period does not demonstrate a significant improvement, you will move to Stage 4 of the Attendance Management Program. Please be advised that if your attendance does not show a significant and sustained improvement, your employment with York University may be in jeopardy.

I would like to remind you that in the event that you require any assistance in improving your attendance or managing any difficulties that you are experiencing, you may speak with me or *<insert any other list names of appropriate people e.g. Manager, Employee Well-Being, Administrative Officer/HR Business Partner, etc., otherwise remove>*. You may also wish to make use of the University's Employee Family Assistance Program (EFAP), which may be reached at 1-800-387-4765 (service in English) or 1-800-361-5676 (service in French).

-or-

***[B: the employee is maintained at Stage 3]***

You advised me in our meeting that there are no special circumstances or underlying medical reasons that are giving rise to these absences. Please note that the EWB will require a completed Medical Absence/Accommodation Certificate (MAAC) to substantiate any request for accommodation. *[Note to Management Supervisor - Remove this statement if not applicable in the circumstances. Contact your designated AO/HR Business Partner to discuss appropriate language if special circumstances or underlying medical reasons were discussed. In cases where an employee has indicated a medical reason that may require accommodation, a MAAC should be provided to the employee at the meeting. In all cases, EWB will require a completed MAAC to substantiate any request for accommodation.]* Given your attendance has shown significant improvement you will remain at Stage 3 of the Attendance Management Program. Your attendance will be monitored closely and reviewed again for improvement in three months, at which time I will meet with you.

You will continue to be required to bring a medical note, acceptable to the University and signed by a medical practitioner, to validate all future absences, unless this requirement is specifically waived by your Management Supervisor in respect of any particular absence. If your medical documents contain anything of a confidential nature, you may choose to provide them directly to Employee Well-Being, in the Department of Human Resources, Kinsmen Building, 8 The Chimneystack Road, Toronto, ON, M3J 1P3, fax (416) 736-5649, which will maintain the medical information in a confidential manner.

I would like to remind you that in the event that you require any assistance in improving your attendance or managing any difficulties that you are experiencing, you may speak with me or *<insert any other list names of appropriate people e.g. Manager, Employee Well-Being, Administrative Officer/HR Business Partner, etc., otherwise remove>*. You may also wish to make use of the University's Employee Family Assistance Program (EFAP), which may be reached at 1-800-387-4765 (service in English) or 1-800-361-5676 (service in French).

-or-

***[C: the employee is moved out of Stage 4 into Stage 3 (improvement)]***

***[Note to Management Supervisor: Delete second paragraph of this letter above ("During this review period...")]***

Given that your attendance record has shown significant and sustained improvement, you will move back one stage to Stage 3 of the Attendance Management Program. Your attendance will be monitored closely and reviewed again for improvement in three months, after which time I will meet with you.

You will continue to be required to bring a medical note, acceptable to the University and signed by a medical practitioner, to validate all future absences, unless this requirement is specifically waived by your Management Supervisor in respect of any particular absence. If your medical documents contain anything of a confidential nature, you may choose to provide them directly to Employee Well-Being, in the Department of Human Resources, Kinsmen Building, 8 The Chimneystack Road, Toronto, ON, M3J 1P3, fax (416) 736-5649, which will maintain the medical information in a confidential manner.

I would like to remind you that in the event that you require any assistance in improving your attendance or managing any difficulties that you are experiencing, you may speak with me or *<insert any other list names of appropriate people e.g. Manager, Employee Well-Being, Administrative Officer/HR Business Partner, etc., otherwise remove>*. You may also wish to make use of the University's Employee Family Assistance Program (EFAP), which may be reached at 1-800-387-4765 (service in English) or 1-800-361-5676 (service in French).

Your improved attendance shows your commitment to our shared objectives. I want to commend you for the effort you have made and the resulting improvement in your attendance.

Yours truly,

<Management Supervisor Name>

<Management Supervisor Title>

cc.     Manager  
           Union  
           Local Human Resources  
           Employee Attendance File  
           Employee Well-Being

***[Note: All those cc'd above must receive a copy of the letter regardless of attendance at the specific meeting.]***

## Stage 4 (a) Meeting (No Medical Issue Raised) - Template D

<Date>

<Name>

<Department/Home Address>

Dear <Name>:

### Re: Attendance Management Program – Stage 4

This letter will confirm our meeting of <date of Stage 4 meeting>, in which we discussed your attendance, as a follow up to your meeting on <date of last Stage meeting>. Present at this meeting were <insert names of attendees>. As you were informed in our meeting, it is the University's policy to follow up every three months while an employee is in the Attendance Management Program. This meeting was Stage 4 of the Attendance Management Program and was not a disciplinary meeting.

During the review period your rate of absenteeism exceeded the established benchmark of <insert benchmark average %>. Your absences have a significant impact on the department and on your co-workers. It is important that you make every effort to attend work on a regular basis.

In the past three months, your rate of absenteeism was as follows:

3 Month Review Period	# of Available Working Hours	# of Hours of Absence	% of Working Hours Absent

As indicated to you in my letter of [insert date of last Stage meeting follow up letter], your previous rates of absenteeism were as follows:

3 Month Review Period	# of Available Working Hours	# of Hours of Absence	% of Working Hours Absent

### ***Use the following when:***

#### ***[A: the employee is entered into Stage 4 from Stage 3]***

You advised me in our meeting that there are no special circumstances or underlying medical reasons that are giving rise to these absences. Please note that Employee Well-Being (EWB) will require a completed Medical Absence/Accommodation Certificate to substantiate any request for accommodation. ***[Note to Management Supervisor – If a medical issue is raised, please utilize Template E– Stage 4 (b) Meeting (Medical Issue Raised). Contact your designated AO/HR Business Partner to discuss appropriate language if special circumstances were discussed.]*** Although you have been given a number of opportunities to improve and despite your commitment to maintain an acceptable level of attendance following the above-noted meetings, no significant change has occurred. As a result, you will be entered into Stage 4 of the Attendance Management Program. I must emphasize that your regular attendance at work is a requirement of your position. We view your absences as a serious matter.

Your attendance will continue to be monitored closely and reviewed again for improvement in three months. I expect that you will demonstrate a significant improvement in your attendance. If your attendance during the next

review period demonstrates a significant improvement, you will remain at Stage 4 of the Attendance Management Program, after which we will again review your attendance. However, please be advised that if your attendance over the next three months does not demonstrate a significant improvement, and if there is no reasonable basis upon which to believe that your attendance will improve in the foreseeable future, your employment may be terminated at Stage 5 of the Program, due to frustration of employment.

I would like to remind you that in the event that you require any assistance in improving your attendance or managing any difficulties that you are experiencing, you may speak with me or *<insert any other list names of appropriate people e.g. Manager, Employee Well-Being, Administrative Officer/HR Business Partner, etc., otherwise remove>*. You may also wish to make use of the University's Employee Family Assistance Program (EFAP), which may be reached at 1-800-387-4765 (service in English) or 1-800-361-5676 (service in French). In all cases, EWB will require a completed MAAC to substantiate any request for accommodation.

-or-

**[B: the employee is maintained at Stage 4]**

*[Note to Management Supervisor: If the employee had previously raised medical issues and is being accommodated, then add the following sentence to the beginning of this section. Previously, we confirmed with your medical practitioner that there is an existing medical condition which prevented your past attendance at work. An accommodation need was identified and the Work Accommodation Plan was implemented.]*

You advised me in our meeting that there are no special circumstances or underlying medical reasons that are giving rise to these absences. Please note that Employee Well-Being (EWB) will require a completed Medical Absence/Accommodation Certificate (MAAC) to substantiate any request for accommodation. Given your attendance has shown some/significant improvement you will remain at Stage 4 of the Attendance Management Program. Your attendance will be monitored closely and reviewed again for improvement in three months, at which time I will meet with you.

I expect that you will demonstrate significant and sustained improvement in your attendance. If your attendance during the next review period demonstrates a significant and sustained improvement you may move back to Stage 3 or be maintained at Stage 4. However, please be advised that if your attendance over the next three months does not demonstrate a significant improvement, and if there is no reasonable basis upon which to believe that your attendance will improve in the foreseeable future, your employment may be terminated at Stage 5 of the Program, due to frustration of employment.

I would like to remind you that in the event that you require any assistance in improving your attendance or managing any difficulties that you are experiencing, you may speak with me or *<insert any other list names of appropriate people e.g. Manager, Employee Well-Being, Administrative Officer/HR Business Partner, etc., otherwise remove>*. You may also wish to make use of the University's Employee Family Assistance Program (EFAP), which may be reached at 1-800-387-4765 (service in English) or 1-800-361-5676 (service in French). In all cases, EWB will require a completed MAAC to substantiate any request for accommodation.

-or-

**[C: the employee is moved out of Stage 5 into Stage 4 (improvement)]**

*[Note to Management Supervisor: Delete second paragraph of this letter above ("During this review period...")]*

Given that your attendance record has shown significant and sustained improvement, you will move back one stage to Stage 4 of the Attendance Management Program. Your attendance will be monitored closely and reviewed again for improvement in three months, after which time I will meet with you.

If your attendance during the next review period demonstrates a significant improvement, you will remain at Stage 4 of the Attendance Management Program, after which we will again review your attendance. However, please be advised that if your attendance over the next three months does not demonstrate a significant improvement, and if

there is no reasonable basis upon which to believe that your attendance will improve in the foreseeable future, your employment may be terminated at Stage 5 of the Program, due to frustration of employment.

I would like to remind you that in the event that you require any assistance in improving your attendance or managing any difficulties that you are experiencing, you may speak with me or *<insert any other list names of appropriate people e.g. Manager, Employee Well-Being, Administrative Officer/HR Business Partner, etc., otherwise remove>*. You may also wish to make use of the University's Employee Family Assistance Program (EFAP), which may be reached at 1-800-387-4765 (service in English) or 1-800-361-5676 (service in French). In all cases, EWB will require a completed MAAC to substantiate any request for accommodation.

Your improved attendance shows your commitment to our shared objectives. I want to commend you for the effort you have made and the resulting improvement in your attendance. I look forward to continued and sustained improvement.

Yours truly,

<Management Supervisor Name>

<Management Supervisor Title>

cc.      Unit Senior Manager  
          Manager  
          Union  
          Employee Relations  
          Local Human Resources  
          Employee Attendance File  
          Employee Well-Being

*[Note: Employee Well-Being should only be copied on the letter if the employee has an ongoing accommodation, otherwise all those cc'd above must receive a copy of the letter regardless of attendance at the specific meeting.]*

## Stage 4 (b) Meeting (Medical Issue Raised) - Template E

<Date>

<Name>

<Department/Home Address>

Dear <Name>:

### Re: Attendance Management Program – Stage 4

This letter will confirm our meeting of <date of Stage 4 meeting>, in which we discussed your attendance, as a follow up to your meeting on <date of last Stage meeting>. Present at this meeting were <insert names of attendees>. As you were informed in our meeting, it is the University's policy to follow up every three months while an employee is in the Attendance Management Program. This meeting was Stage 4 of the Attendance Management Program and was not a disciplinary meeting. During the review period your rate of absenteeism exceeded the established benchmark of <insert benchmark average %>. Your absences have a significant impact on the department and on your co-workers. It is important that you make every effort to attend work on a regular basis.

In the past three months, your rate of absenteeism was as follows:

3 Month Review Period	# of Available Working Hours	# of Hours of Absence	% of Working Hours Absent

As indicated to you in my letter of [insert date of last Stage meeting follow up letter], your previous rates of absenteeism were as follows:

3 Month Review Period	# of Available Working Hours	# of Hours of Absence	% of Working Hours Absent

You advised me in our meeting that there are underlying medical issues that have been giving rise to these absences. Please note that Employee Well-Being (EWB) will require a completed Medical Absence/Accommodation Certificate (MAAC) to substantiate any request for accommodation. **[Note to Management Supervisor - Contact your designated AO/HR Business Partner to discuss appropriate language.]**

You were provided a MAAC at the meeting which we require you to have completed and returned back to our Employee Well-Being by <date>.

After they have received and reviewed the medical documentation, we will convene a follow-up meeting to discuss the findings. A union representative should be present at this meeting. **[Note: Remove if this is a non-unionized employee]**

I would like to remind you that in the event that you require any assistance in improving your attendance level or managing any difficulties that you are experiencing, you may speak with me or **<insert any other list names of appropriate people e.g. Manager, Employee Well-Being, Administrative Officer/HR Business Partner, etc., otherwise remove>**. You may also wish to make use of the University's Employee Family Assistance Program (EFAP), which may be reached at 1-800-387-4765 (service in English) or 1-800-361-5676 (service in French).

Yours truly,

<Management Supervisor Name>

<Management Supervisor Title>

cc.      Unit Senior Manager  
          Manager  
          Union  
          Employee Well-Being  
          Employee Relations  
          Local Human Resources  
          Employee Attendance File

*[Note: All those cc'd above must receive a copy of the letter regardless of attendance at the specific meeting.]*

## **Stage 4 (b) Meeting (Medical Issue Raised Follow-up) - Template F**

<Date>

<Name>

<Department/Home Address>

Dear <Name>:

### **Re: Attendance Management Program – Stage 4**

This letter will confirm our meeting of <date of Stage 4 Medical Issue Raised Follow-up meeting>, in which we discussed your attendance. Present at this meeting were <insert names of attendees>. This meeting was a follow-up to the meeting held on, <date of Stage 4 Medical Issue Raised meeting>, whereby you had raised an underlying medical reason that was preventing your ability to attend work on a regular and consistent basis.

#### ***Use the following when:***

##### ***[A: the medical condition does not prevent regular attendance]***

The required medical information has been received and reviewed by Employee Well-Being(EWB).

The review has indicated that the nature of your underlying medical condition does not prevent you from attending work on a regular and consistent basis.

As a result, you will be entered into Stage 4 of the Attendance Management Program and your attendance will continue to be monitored over the next three months. During that review period, I expect that you will demonstrate a significant improvement in your attendance. I will be meeting with you at the end of the review period and if your attendance has demonstrated a significant improvement, you will remain at Stage 4 of the Attendance Management Program, after which we will again review your attendance. However, please be advised that if your attendance over the next three months does not demonstrate a significant improvement, and if there is no reasonable basis upon which to believe that your attendance will improve in the foreseeable future, your employment may be terminated at Stage 5 of the Program due to frustration of employment.

I would like to remind you that in the event that you require any assistance in improving your attendance level or managing any difficulties that you are experiencing, you may speak with me or <insert any other list names of appropriate people e.g. Manager, Employee Well-Being, Administrative Officer/HR Business Partner, etc., otherwise remove>. You may also wish to make use of the University's Employee Family Assistance Program (EFAP), which may be reached at 1-800-387-4765 (service in English) or 1-800-361-5676 (service in French). In all cases, EWB will require a completed Practitioner's Report on Abilities and Limitations to substantiate any request for accommodation.

**-or-**

##### ***[B: the medical condition requires an accommodation]***

We have been able to confirm with your medical practitioner that there is an existing medical condition and a Work Accommodation Plan is required to be put into place to support your regular attendance at work (attachment: Work Accommodation Plan). Management has arranged to implement these accommodations. Please be advised that with these accommodations in place, you are expected to demonstrate a significant and sustained improvement in your attendance. You will be placed in Stage 4 of the Attendance Management Program and I will be meeting with you at the end of the review period. If your attendance has demonstrated a significant improvement, you will remain at Stage 4 of the Attendance Management Program, after which time we will again review your attendance. However, please be advised that if your attendance over the next three months does not demonstrate a significant

improvement, and if there is no reasonable basis upon which to believe that your attendance will improve in the foreseeable future, your employment may be terminated at Stage 5 of the Program due to frustration of employment.

I would like to remind you that in the event that you require any assistance in improving your attendance level or managing any difficulties that you are experiencing, you may speak with me or *<insert any other list names of appropriate people e.g. Manager, Employee Well-Being, Administrative Officer/HR Business Partner, etc., otherwise remove>*. You may also wish to make use of the University's Employee Family Assistance Program (EFAP), which may be reached at 1-800-387-4765 (service in English) or 1-800-361-5676 (service in French). In all cases, EWB will require a completed Practitioner's Report on Abilities and Limitations to substantiate any request for accommodation.

Yours truly,

<Management Supervisor Name>

<Management Supervisor Title>

Attachment

cc. Unit Senior Manager  
Manager  
Union  
Employee Well-Being  
Employee Relations  
Local Human Resources  
Employee Attendance Program

*[Note: All those cc'd above must receive a copy of the letter regardless of attendance at the specific meeting.]*

## **Stage 5 Meeting Follow-up (Termination Letter) - Template G**

[Insert date]

### **HAND DELIVERED**

### **PERSONAL & CONFIDENTIAL**

[Employee Name]

[Address]

[Address]

Dear [Mr. Employee Name]:

#### **Re: Frustration of Employment**

This letter will confirm our meeting of <insert date of Stage 5 meeting> at which time you were advised that your employment with York University (“York”) is deemed frustrated and as a consequence terminated effective immediately.

As you are aware, you have been through all of the stages of the Attendance Management Program and despite our repeated offers of assistance, your attendance has failed to demonstrate a significant and sustained improvement. In addition, York has previously advised you of the consequences related to your on-going failure to demonstrate significant and sustained improvement to your attendance.

York has requested, but has not received, any information indicating there are any special circumstances or underlying medical reasons giving rise to these absences.

You will be provided with statutory pay in lieu of notice equal to \$<>, severance pay equal to \$<> and vacation pay equal to <> days. These payments will be less all applicable deductions and are inclusive and in full satisfaction of your entitlements under the Ontario Employment Standards Act, 2000 in relation to your employment with York, and the termination thereof as a result of frustration.

You may, however, seek your Union’s advice and representation regarding this matter and you have the right to file a grievance challenging this decision if you wish. In that case we would discuss your rights, including termination and severance pay entitlement, with your Union.

If you have any questions about the foregoing, please contact <ER Representative>. We wish you all the best in your future endeavours.

Sincerely,

<Management Supervisor Name>

<Management Supervisor Title>

cc: Unit Senior Manager  
 Union  
 Employee Relations  
 Local Human Resources  
 Personnel File

***[Please Note: The Follow-up to Stage 5 Termination letter is only drafted as a last resort to the Attendance Management Program, as the goal of the program is to inform employees of attendance problems and to work towards a resolution.***

*Reaching this stage means that it has been determined that the employment relationship has broken down and there is no reasonable prospect for acceptable attendance in the foreseeable future.*

*If an employee reaches this stage, the Management Supervisor works closely with Employee Relations to review the employee's progress through the program and to discuss the termination process.]*