



Attendance Support Program

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Introduction

What the Attendance Support Program is

The Attendance Support Program is designed to assist employees experiencing frequent absences from work due to illness, injury, disability, or other personal circumstances.

As this usage of sick leave is genuine and valid, the program provides opportunities to engage support, accommodation, and access to preventative and responsive resources to improve an employee's ability to attend work successfully. Accordingly, this program shall not influence or compel employees with bona fide illnesses, injuries, or disabilities to work if unable to do so.

What the Attendance Support Program is Not

The Attendance Support Program does not address situations where sick leave is suspected of being used inappropriately or fraudulently.

Inappropriate usage is managed pursuant to the Culpable Absence Protocol and includes individual instances or patterns of utilizing sick leave for purposes not provided by a collective agreement/terms and conditions of employment (e.g., using sick leave to take vacation). Absences like these may result in disciplinary action and will be addressed according to the principles of progressive discipline.

Purpose and Philosophy

In order to provide a high level of service, the Kawartha Pine Ridge District School Board (KPR) depends on the contribution of its employees and recognizes that their regular attendance is essential to the achievement of its mission, vision and values. KPR is obligated to its employees to encourage and assist them in fulfilling their responsibilities. Employees are responsible for fulfilling their duties unless prevented from doing so for legitimate reasons.

The Kawartha Pine Ridge District School Board's Attendance Support Program is built on the following principles:

1. Treat absences consistently and equitably across the organization, while promoting an atmosphere of mutual respect, fairness, support, and concern.
2. Encourage regular, punctual attendance at work through the proactive use of preventative measures.
3. Provide assistance to employees who are frequently absent from work to enable them to attend work regularly and productively.
4. Utilize best practices in disability management, including the use of timely support and return to work procedures and obligations.

5. Apply the application of this program in a manner consistent with the Ontario Human Rights Code and any other applicable legislation in place to accommodate the individual needs of employees and to assist them in performing their duties.

Union Representation

The employee shall be notified of their right to have a union representative present prior to a meeting under the Attendance Support Program taking place (i.e. attendance awareness and attendance support meetings). Inclusion of a union representative should be presumed unless the employee declines representation.

Notwithstanding this, as part of a typical supervisor/employee relationship, a principal/supervisor may conduct general one-to-one informal wellness reach-outs with employees without the need for union representation. Such reach-outs must be conducted with care, sensitivity, and mindfulness in the context of the interpersonal relationship between the parties.

Compliance

This program complies with collective agreements, employment terms and conditions, Board policies, administrative regulations, the Ontario Human Rights Code, and other laws.

Identifying the Need for Support

Overview

The Attendance Support Program is designed to assist employees experiencing frequent absences from work due to illness, injury, disability, or other personal circumstances.

Accessing other types of leave pursuant to a collective agreement/terms and conditions of employment (e.g., vacation, statutory leaves) are recorded, but do not contribute towards the calculation of an employee's frequency of absence under the Attendance Support Program.

Meaning of "Frequent"

There is no singular definition for frequency of absences. Instead, a determination of whether absences are frequent may include the following considerations:

- Being at, or tracking towards, usage of all 11 sick days through sporadic or groupings of absences
- Patterns of sick leave usage (e.g. using sick leave every Friday for consecutive weeks, monthly or annual usage trends)

Reviewing Attendance

Principals/supervisors are responsible for reviewing employee attendance. Review may include observing staff attendance in person, ensuring that absence records are accurate and up-to-date, and reviewing reports in Apply to Education (ATE). Human Resource Services can also assist by gathering individual employee absence information and comparative attendance statistics for the board.

Where an employee is identified as experiencing frequent pattern and/or sporadic absences coded as sick leave, consideration shall be given to how the program may start conversations and offer pathways of support.

Furthermore, employees are required to proactively inform their supervisors regarding any absences.

Considerations for Determining Pathways of Support

Each employee and situation are different and thus must be assessed on a case-by-case basis with consideration and flexibility given to factors including, but not limited to, context and unique individual circumstances. The principal/supervisor, in consultation with Human Resource Services, will review all available information to determine the most appropriate pathways of support.

Considerations may include:

- The frequency of occurrences or incidents of sick leave, including length
- Whether sick leave usage is connected to an illness, injury, or disability already known to the employer (e.g., car accident, COVID)
- Whether an employee has a disability management and/or WSIB file with Employee Health Services
- An employee's historical record of sick leave usage

The Attendance Support Process: Attendance Awareness Meetings

Attendance Awareness Meeting(s) between Principal/Supervisor and the Employee

Attendance awareness meetings are a foundational step in the process as they offer the best opportunity to gain understanding of an employee's circumstances and provide appropriate assistance. Such conversations focus on the topic of attendance and the availability of support. Human Resource Services is available to provide support and guidance as may be required.

Components of an Attendance Awareness Meeting

Attendance awareness meetings include the following components:

1. The principal/supervisor shall advise the employee of the

meeting's purpose, and that it is not a disciplinary meeting.

2. The principal/supervisor and the employee shall review the employee's attendance record together. Human Resource Services can assist with the collection and presentation of detailed information.
3. The principal/supervisor and the employee shall discuss whether there are any underlying reasons contributing to the employees' absences, which may include concerns with the following:
 - Workplace environment
 - Interpersonal relationships in the workplace
 - Workload management/meeting expectations
 - Health & safety in the workplace
 - Lack of needed workplace accommodations
 - Personal/family circumstances
4. Based on the information shared, the principal/supervisor shall explore pathways for providing assistance, alleviating concerns, and supporting the improvement of the employee's attendance. These pathways include, but are not limited to:
 - Connecting the employee with Employee Health Services, where attendance difficulties are the direct result of an identified illness or disability and thus workplace medical accommodation may be required
 - Connecting the employee with Human Resource Services regarding any non-medical accommodation that may be required (i.e. family caregiving leave, childcare issues)
 - Providing information in respect of the Employee & Family Assistance Program (EAP), including how to access EAP and the breadth of services offered
 - Engagement with Facilities and/or Health & Safety to address concerns with the workplace environment
 - Co-developing strategies and setting attainable goals for workload management and meeting expectations
 - Discussing how medical/dental and other appointments may be scheduled or accommodated to minimize impact on the workday
 - Discuss professional development, training, coaching, or mentorship that may support the employee's confidence at work and alleviate contributing stressors, if any
5. The principal/supervisor shall advise the employee that they will follow-up within the next 4-6 weeks, or sooner if needed. The principal/supervisor shall

send the employee an email following the meeting to summarize the details that were discussed and next steps.

6. If there is significant improvement in the 4–6-week period after the attendance awareness meeting, the principal/supervisor will have a one-to-one conversation with the employee to acknowledge the improvement and will send an email to summarize the details of their discussion with their union representative included, if applicable.
7. If there is no significant improvement, the employee will enter into the attendance support process (see below).

Attendance awareness meetings can occur as often as may be needed, with any or all the above steps repeated.

The Attendance Support Process (5 Stages)

Entry into the attendance support process occurs after at least one (1) attendance awareness meeting, where significant improvement has not been observed, and where the employee has not communicated that their frequency of sick leave usage is the direct result of an identified illness or disability (i.e., does not have a file or other engagement with the Employee Health Services team).

The attendance support process typically consists of five stages where each stage consists of a meeting and a subsequent follow up meeting. Stage meetings typically occur between 4-6 weeks from each other to allow for pathways to be actioned and changes in frequency and patterns to be assessed. The superintendent/executive officer should be informed when a third stage meeting has taken place or is in progress.

The decision to conduct a stage meeting is at the discretion of the principal/supervisor in consultation with Human Resource Services and is subject to the known details of an employee's circumstances.

The principal/supervisor will receive guidance and support from a labour relations consultant throughout the stages of the process.

Components of a Stage Meeting

In addition to all the components of an attendance awareness meeting, the stage meetings include the following additional components:

- Communication of attendance expectations
- The principal/supervisor will provide the employee with the follow-up meeting date which will include a formal attendance letter (non-disciplinary). This letter confirms details of the meeting, and the expectations discussed. Copies of the letter will be given to the employee and forwarded to the employee's personnel file.
- If there is significant improvement in the 4–6-week monitoring period after the stage meeting, the principal/supervisor will notify the employee, and the

attendance support process will be paused (as outlined below).

- If there is no significant improvement during the 4–6-week monitoring period, the employee will enter the next stage of the process.

Pausing the Attendance Support Process

Where an employee demonstrates an improvement in their attendance, stage meetings may be paused.

The attendance support process may also be paused in circumstances where:

- An employee engages with Employee Health Services, and the absence record is confirmed as being the direct result of an identified illness or disability.
- There are reasonable grounds to believe that the absence record is due to situations where sick leave is being used inappropriately or fraudulently. In such cases, the file will be transferred out of the program and into the Culpable Absences Protocol for investigation.
- At the discretion of the principal/supervisor, and with consultation with the labour relations consultant, information (e.g., personal circumstances) shared by the employee provides reasonable explanations for the frequency and pattern of sick leave usage.

In circumstances where the attendance support process has been paused and attendance concerns resume prior to twelve (12) consecutive working months, the employee will return to the stage in which they were paused.

Exiting the Attendance Support Process

When an employee demonstrates a significant and sustained improvement in their attendance over twelve (12) consecutive working months, they will exit the attendance support process. If concerns arise following their exit from the process, the employee will restart at the beginning of the program.

Potential Employment Impact

Prior to the fourth stage meeting, the board and the Union shall consult on establishing an appropriate point in the attendance support process, as determined on a case-by-case basis, to inform an employee of any potential consequences to their employment that may arise from the continuation of excessive absenteeism. This includes an explanation of the legal concepts of innocent absenteeism and frustration of contract.

Final Stage Meeting

If no significant improvement has occurred following the exhaustion of the attendance support process, the superintendent will meet with the principal/supervisor and Human Resource Services representative(s) to discuss the next steps.

If it is determined that the employee is unable to consistently attend work, an evaluation will be conducted to assess whether the employment contract has been frustrated as defined and established by law. Next steps will proceed accordingly, as determined on a case-by-case basis.

Roles and Responsibilities

Employee

It is expected that an employee who is hired to perform a job will:

- Attend work as scheduled, be on time, and remain at work for the duration of their normal workday
- Report their absence/lateness in accordance with the protocols using the proper reason code for communicating and reporting absences established by their principal/supervisor
- Take an active role in their own wellness so as to be able to fulfill the responsibilities of their position
- Attend meetings regarding absences and be an active participant in improving their overall attendance
- Attend to personal affairs and obligations (including medical and other appointments) during their own personal time, and not during work hours, where possible
- Report work-related illness or injury immediately
- Provide reasons for all absences or incidences of lateness, including providing medical certificates in accordance with this guide or as directed, or in accordance with any obligations under a collective agreement
- Maintain contact with their principal/supervisor regarding progress and potential return to work
- Discuss planned absences with their principal/supervisor prior to planning such absences

Principals and Direct Supervisors

The principal and/or direct supervisor play a critical role in attendance management and awareness. Aside from setting a good personal example by providing employees with a positive role model, the principal/supervisor's responsibilities include:

- Promote a positive work environment and provide support
- Ensure all employees are advised of their responsibilities as set out under this

guide

- Communicate attendance expectations for attendance at work
- Maintain attendance records through accurate and timely records and verification in ATE
- Review attendance records regularly
- Monitor attendance of all employees within their area of supervision and provide timely assistance to employees experiencing frequent absences from work due to illness, injury, or other personal circumstances
- Treat employees fairly and equitably in monitoring attendance, and execute responsibilities in a consistent manner
- Maintain supportive communication with absent employees
- Notify the Employee Health Services team as early as possible if the absence is attributed to a disability so that options for accommodation can be pursued
- In consultation with the Employee Health Services team, accommodate employees with disabilities within their work restrictions, subject to the board's return to work guidelines
- Perform duties and responsibilities as may be required pursuant to the Attendance Support Program
- Perform duties and responsibilities as may be required pursuant to the Culpable Absence Protocol

Senior Administration and Management

Senior administration and senior managers are accountable for the attendance levels within their areas. They can act as positive role models for employees and offer support to principals and supervisors in the consistent application of attendance support within their teams. The senior management team will:

- Ensure all direct reports are familiar with the Attendance Support Program
- Establish attendance standards to be used to identify those employees with attendance concerns
- Demonstrate a commitment to an attendance support program by ensuring that:
 - All supervisors act consistently in dealing with attendance issues at all levels of the organization; and,
 - There is a fair and equitable application of the attendance support program.

- Communicate expectations for attendance at work
- Promote and maintain a work environment which protects the overall health, safety, and wellness of all employees
- Assist principals and supervisors with managing issues under this guide

Human Resource Services Department

The Human Resource Services Department plays a significant role in attendance support. Labour relations consultants are available to provide principals and supervisors with support and guidance in the various stages of the attendance support process.

Principals/supervisors can also receive advice and assistance from Human Resource Services representatives on other attendance-related issues including, but not limited to, interpretation of collective agreements, services available through EAP, wellness programs, absences due to workplace injuries or long-term disability claims arising from lengthy continuous absences.

The services of the department, which are available to principals/supervisors and employees, include:

- Provide absence information reports on a regular and/or as-requested basis
- Assist principals/supervisors with analysis of absence statistics
- Provide guidance to principals/supervisors through all stages of the Attendance Support Program
- Interpret policies and procedures, collective agreements, applicable legislation, and benefit plan documents
- Co-ordinate occupational injury reporting to appropriate agencies
- Maintain appropriate contact with employees absent from work due to disability through the Return-to-Work Program
- Liaise with benefit plan service providers, the Workplace Safety and Insurance Board and other outside agencies
- Develop, in consultation with supervisors, return-to-work plans for disabled employees, in consultation with supervisors
- Provide advice to principals/supervisors in situations where the Culpable Absence Protocol needs to be enacted
- Consult with unions
- Promote wellness initiatives and provide health and wellness information

Unions

Unions retain an important role in assisting their members by:

- Providing bargaining unit employees with advice and support
- Ensuring that the absence provisions negotiated are used for their intended purposes by bargaining unit employees in good faith
- Encouraging employees to cooperate with the employer in ensuring a timely and successful return to work.
- Ensuring that bargaining unit employees understand their responsibilities pursuant to the collective agreement