
CASE STUDY #2006-02

Title: Attendance Management
Programs in Canadian
Municipalities (Belleville,
Peterborough and Townsville*)

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*"Townsville" is a fictitious name for a municipality
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Attendance Management Programs In Canadian Municipalities

1. The City of Belleville

Old-fashioned leadership and common sense has helped the City of Belleville reduce absenteeism.

In 2000, the City of Belleville implemented an informal attendance management program to reduce absenteeism. Over five years, the program has reduced sick-day use from 12 days approximately, to 6.8 days.

The attendance management program controls employee absenteeism through a series of counselling sessions that take on a more serious tone as the employee progresses through the program. The attendance management program is restricted to 325 full-time employees who are entitled to sick leave benefits.

The program, in accordance with arbitral jurisprudence, deals strictly with innocent absenteeism; culpable absenteeism is dealt with in a disciplinary manner outside of the program. For the purposes of the program, non-culpable absenteeism is defined as sick leave, frequent visits to the doctor or dentist, and absenteeism caused by family problems that seem to have no solution. On the other hand, culpable absenteeism is defined as "... when an employee is absent without a valid or substantiated reason or when giving false reasons for absence."

The program strives to have employees meet the work-unit average for attendance. Typically, when an employee accumulates between 15 and 30 days of absence, they are flagged by their supervisor and reported to the Human Resources Department for inclusion in the attendance management program.

Supervisors track attendance using a manual system and submit their results to the Human Resources Department on a bi-weekly basis. Supervisors are also responsible for monitoring employees, maintaining contact with absent employees, and consulting with the Human Resources Department when an attendance-related problem arises. During telephone interviews, supervisors are expected to offer the employee workplace assistance, and to inquire into the employee's expected date of return.

When the attendance management program was first launched, several employees felt that the organization's use of telephone interviews was harassing. An internal investigation determined that the organization had a right to manage employee absenteeism by contacting employees at home. It is a well-established jurisprudence principle that the quid pro quo for pay and benefits is regular work attendance, and

that an employer has every right to take reasonable steps to procure this benefit (*Re. Purolator Courier Ltd. and Teamsters, Local 31 (2000)*, 89 L.A.C. (4th) 129).

The Human Resources Department has ownership of the attendance management program. The department was deemed to best be able to determine if absences were legitimate, and to evaluate an employee's accommodation needs. Furthermore, it was felt that the department's ownership of the program would contribute to its consistent application.

The City of Belleville is unique in the way it deals with high absenteeism groups such as transit employees. The City has placed transit employees on an independent short-term disability program underwritten by an insurer, which requires transit employees to provide a medical certificate for every episode of absence. It has significantly helped curtail absenteeism.

Belleville has also leveraged the union environment to strengthen its attendance management program, negotiating a collective agreement provision that requires employees to provide a medical certificate after three days of absence. In conjunction with this practice, the City has enforced its right to refuse medical certificates that are obscure (*Re. Dorman and the Ministry of Community and Social Services (1978) Ontario Crown Employees Grievance and Settlement Board*).

The attendance management program at the City of Belleville has performed well since its inception. The City, however, has plans to re-introduce the program in a more formal structure, hoping that this will lead to further improvements in attendance and allow for more consistent enforcement.

2. The City of Peterborough

A strong emphasis on employee wellness has helped the City of Peterborough reduce absenteeism.

In 2003 it implemented a meticulous attendance management program. The program is restricted to 715 full-time employees who receive sick leave benefits, although there have been requests from part-time and seasonal employee groups to be included in the program.

Like the City of Belleville, the program deals strictly with innocent absenteeism; culpable absenteeism is dealt with in a disciplinary manner outside of the program. Under the program, innocent absenteeism “[r]efers to circumstances where an employee has been absent from work through no fault of their own and the absence could not have been anticipated by the employee. In this kind of absenteeism the employee must provide a bona fide reason for the absence and, in some circumstances, sufficient proof to verify the absence.” Innocent absenteeism “does not include lost-time workplace safety and insurance board claims, scheduled vacation time, holidays, jury duty, or union business.” Conversely, culpable absenteeism is defined as lateness/leaving early, failure to notify, absence without leave, abuse of leave, and failure to provide a valid and acceptable explanation for an absence.

The attendance management program at the City of Peterborough is unique in that it addresses three distinct types of attendance: commendable attendance, occasional absenteeism, and chronic absenteeism. Employees who succeed in meeting the organization’s attendance goal are placed in the commendable attendance category and are recognized and rewarded appropriately.

Employees who suffer a medical condition that causes them to be temporarily and/or occasionally absent are placed in the occasional absenteeism category; they receive support and assistance from their manager. Employees who fail to meet the organization’s attendance goal due to sporadic and/or chronic absenteeism are placed in the chronic absenteeism category; they are guided through a series of steps, designed to improve their attendance.

The first such step is a letter that informs the employee that he or she has been excessively absent, and that attendance will be monitored for the next three months. If the employee fails to improve his or her attendance, an interview is requested and an additional letter is sent. During the interview, the employee is expected to establish attendance goals for the subsequent three-month monitoring period. The third step resembles the second step, but more urgency is communicated to the employee, and the employee is requested to provide medical information which may involve completing a functional abilities evaluation form. The employee then continues to be monitored. The fourth step is quarterly meetings with the Manager and

Wellness/Safety Coordinator. During this step an employee may be requested to attend a medical examination.

The City has made a significant effort to provide employees with a reasonable attendance goal. The attendance goal is based on the attendance records of previous years, sample organizational standards from other municipalities, and national absenteeism averages. The attendance goal established under the program is “[n]o more than 8 days absent per calendar year,” and “no more than 5 absenteeism occurrences per calendar year.”

Attendance is entered by departmental clerks into Payroll, downloaded into Crystal Reports, and tracked by managers. This software product allows the Human Resources Department to analyze individual and departmental attendance records. The City has also developed an in-house program that helps managers understand an employee’s attendance pattern. The program codes a calendar based on an employee’s attendance – gray is used for work days, red is used for work absences and short-term sick leave, yellow is used for vacation, green is used for statutory holidays, and blue is used for WSIB-related absences.

Within the attendance management framework, supervisors are responsible for maintaining contact with absent employees, offering workplace assistance to employees, devising appropriate return to work strategies, and documenting notification of absences such as established reasons and expected date of return.

The attendance management program is heavily dependent on the Human Resources Department. The department is responsible for providing supervisors with attendance reports, reviewing attendance records, processing letters and interviews, providing guidance to supervisors, and requesting medical notes from employees who are chronically absent. The involvement of the Human Resources Department in all aspects of the program is considered critical to the program’s consistent enforcement.

The City of Peterborough makes a special effort to recognize and reward employees who demonstrate good attendance. Employees who obtain perfect attendance during the first six months of the year are provided with a letter of commendation from their manager. Employees who do not use all their sick days exceed the City’s attendance standards and therefore receive wellness credits which consist of \$25 per day for the unused portion of 8 days, towards the purchase of any health or professional development item.

The program improved attendance within its first year of operation and also provided the City with valuable insight into employees’ attendance. The period from mid July to late August 2004 yielded the highest attendance for the City of Peterborough. This period was marked by the Peterborough flood, which created a strong sense of community among Peterborough residents and City employees.

3. The City of Townsville¹

Vision and a strong union-management partnership have helped the City of Townsville establish two exceptional attendance management programs.

The attendance management programs were implemented back-to-back, in 2003 and 2004. Previously, they had existed in a more informal state. The program that was implemented in 2003 covers 300 employees belonging to the Firefighter Association, and the program that was implemented in 2004 covers 1,500 employees that are CUPE members.

The programs were established in consultation with senior management, employees, and unions. The Firefighter Association was very receptive to the idea of union-management consultation. A joint committee was formed to discuss the policy, and the Firefighter Association quickly signed on to the policy. This can be attributed in significant part to the structure of the sick leave program — the employer is responsible for an employee's first sick day, and the Firefighter Association is responsible for the next six sick days. The City of Townsville attempted to gain a similar level of partnership with the Canadian Union of Public Employees (CUPE), but talks stalled and the City decided to implement the program alone.

Like the two previous cities, the City of Townsville's attendance management programs are designed to deal exclusively with innocent absenteeism; culpable absenteeism is dealt with in a disciplinary manner outside of the attendance management programs. The attendance goal for the Firefighter Association bargaining unit is based on the City's historic attendance records. It encourages no more than five occurrences of absenteeism, or no more than three occurrences that amount to more than seven missed shifts per calendar year.

Meanwhile, the attendance goal for the the CUPE bargaining unit requires that an employee's absenteeism should not exceed the City's average hours, or an identifiable work unit's average hours.

The attendance management program covering CUPE employees consists almost entirely of counselling sessions. During the first counselling session, the employee's attendance record is reviewed, and the non-disciplinary nature of the session is emphasized. The employee is asked about the reasons for his or her absenteeism, offered assistance programs, informed that medical notes are required in the future, asked for his or her commitment in improving attendance, and then advised that a record of the session will be made. The second and third counselling sessions are similar to the first one, but more urgency is communicated to the employee. The fourth step in attendance management is a final warning — attended by the Human Resources Manager and Supervisor. Lastly, the fifth step is termination.

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The process for managing employee attendance for the Firefighter Association bargaining unit is slightly different. Instead of a counselling session, the first step involves a letter that informs the employee that he or she has been enrolled in the attendance management program — he or she is encouraged to seek help. The second step is an interview with the Assistant Chief, where the employee is alerted to the fact that his or her absenteeism is a concern. The employee is asked about the reasons for the absences, offered assistance programs, and expected to commit to improving attendance. The employee reviews the policy with the manager and a letter confirming the events of the interview is sent to various parties in the organization. The third step is similar to the second, except that more urgency is conveyed to the employee. The fourth — similar to the third — acts as a final warning, and the Human Resources Manager is invited to attend. The final step is termination.

Furthermore, in both programs, union representatives are invited to attend all steps. The City of Townsville has found this level of transparency beneficial for preventing misunderstandings, and needless grievances.

In Townsville, attendance is tracked and coded by time keepers, and reported to payroll. Then it is entered into People-Soft, where it becomes available for a variety of tasks including attendance management. The City also uses People-Soft to track absences that are unconnected to payroll or sick leave, feeling that it is important to track these absences because they still affect the employer's business.

Within Townsville's attendance management programs, supervisors are responsible for analyzing the collected data. Meanwhile, the Human Resources Department is responsible for the following: designing the attendance management program, ensuring program roll-out is effective, ensuring the program is consistently enforced, and providing assistance and support to supervisors and managers.

The City of Townsville has always been concerned with attendance; and as a result, the City has always been able to maintain relatively low absenteeism. The introduction of attendance management, therefore, did not produce a significant change in the rate of absenteeism; it did, however, improve the consistency with which attendance was managed.

A COMPARISON OF ATTENDANCE MANAGEMENT PRACTICES

1. Innocent and Culpable Absenteeism

All three municipalities have chosen not to address culpable absenteeism through attendance management. Instead, there is a policy statement that delegates culpable absenteeism to be dealt with in a disciplinary manner outside of the program.

Additionally, all three municipalities encourage employees to discuss the reasons for their absenteeism during the first or second stage of attendance management — typically an interview or counselling session.

2. Establishing an Attendance Goal

The attendance goals of the three municipalities vary highly. Some attendance goals are based on a target number of absences, some are based on a target number of occurrences of absence, and some are based on attendance averages. Moreover, attendance goals are sometimes calculated in days, shifts, or hours.

3. Communicating Undesirable Absenteeism

Consistent with the attendance management literature, all of the municipalities utilize non-disciplinary methods such as written letters, interviews, and counselling to manage innocent absenteeism. Interviews and counselling are used most often, and letters are used more rarely. Furthermore, where letters are used, they typically form the first step in attendance management; counselling and interviews typically form the latter steps.

The line between interviews and counselling is blurry. The City of Townsville uses the terms “counselling” and “interviews” interchangeably. Furthermore, the interview process for the City of Peterborough is similar to the counselling process for the City of Townsville: the employee is alerted to the fact that his or her absenteeism has reached a level of concern; the attendance management policy is reviewed with the employee; an inquiry is made into the reasons for the employee’s absenteeism; the employee is offered an employee assistance program, if appropriate; the employee is asked for a commitment in improving attendance; and a note of the discussion is made.

4. Identifying Stakeholder Responsibilities

With respect to stakeholder responsibilities, there are several observed consistencies. They are as follows: employees should be responsible for notifying their supervisor of an intention to be absent and for managing their absenteeism; supervisors should be

responsible for maintaining contact with absent employees; and Human Resources Managers should be responsible for providing assistance and guidance to supervisors.

5. Medical Notes

Between and within municipalities there are distinctions in terms of when medical notes are requested from employees. Medical notes are sometimes requested when an employee demonstrates chronic absenteeism, becomes enrolled in attendance management, enters the second stage of attendance management, or when they are absent for more than three days, regardless of their attendance pattern.

Furthermore, two municipalities have formally addressed the issue of medical notes: the City of Belleville has negotiated a collective agreement provision that requires employees to provide medical notes for all absences that are longer than three days, and the City of Peterborough has passed a Sick Leave Bylaw that includes a provision granting the city the authority to request medical notes from employees.

Lastly, two municipalities — the City of Belleville and the City of Townsville — have stressed the fact that they have the right to refuse medical notes that appear obscure.

6. Stakeholder Consultation

All of the municipalities had consulted stakeholders prior to the implementation of their attendance management policies; some of the stakeholders consulted include unions, senior management, employees, managers and/or supervisors, senior administrators, government council, and the medical community.

Different levels of union-management consultation were achieved between and within municipalities. For instance, the City of Townsville was able to partner effectively with the Firefighter Association, but talks with CUPE stalled. The City of Peterborough took a more traditional approach to consultation: it requested union input on its policy, and made changes to the policy based on the feedback received.

7. Supervisory Training

Supervisory training varies from municipality to municipality. Lecture is the most popular method, likely owing to its efficient and informative nature.

Hands-on, skills-based training also plays an important role in supervisory training. The City of Peterborough has supervisors role-play using case studies based on anonymous attendance records. The City of Townsville presents employees with examples or mini-case studies. One case study presented involved an employee who

demonstrated what initially appeared to be random chronic absenteeism, but was in fact habitual absenteeism related to hockey night.

8. Program Roll-Out

All of the municipalities used a combination of communication methods for program roll-out. The most common communication method was meetings; the interviewees regarded meetings as the most effective method because it allowed for the exchange of dialogue. Other methods of communication include brochures, notice boards, e-mail, intranet, information binders, and newsletter articles. The City of Townsville has also chosen to distribute its attendance management policy along with employee pay cheques, which is excellent for the enforceability of the policy – because it almost certainly guarantees that all employees are made aware of the policy.

CONCLUSION

Attendance management programs are a new phenomenon among Canadian municipalities. As a result, much of what is known about creating an effective attendance management program at the municipal level comes from arbitral jurisprudence. Arbitral jurisprudence provides human resources practitioners with an excellent skeletal framework for creating an enforceable attendance management program; however, few operational details related to creating an effective one.

This study utilizes research interviews conducted with the senior administrators responsible for attendance management in several municipalities in order to provide more information regarding the creation of an effective attendance management program.

The results of this study indicate that a core set of best practices for attendance management are emerging in municipalities, and that attendance management may not be the black hole it once was. Firstly, municipalities are choosing to distinguish between innocent and culpable absenteeism early in the attendance management process – during a counselling or interview session – by directly asking the employee about the reasons for his or her absenteeism.

Secondly, municipalities are showing a distinct preference for counselling and interviews over more passive forms of communication, such as letters, when communicating undesirable absenteeism to employees.

Thirdly, union-management consultation appears to be important to human resources practitioners with respect to the implementation of attendance management and other programs.

Lastly, municipalities are providing consistent enforcement and discretionary application of attendance management by either involving the Human Resources

Department in all steps of the attendance management program, or by providing rigorous training to supervisors.

A significant conclusion of this research is that the implementation and operation of an attendance management program is a major undertaking that requires an on-going organizational commitment. Considering the fact that many organizations are moving towards self-serve options for employees, attendance management is anything but self-serve. Instead, it is heavily dependent on supervisors and human resources staff for program administration.

This research study also points to the importance of doing a thorough review of arbitral jurisprudence prior to the implementation of an attendance management program. In fact, all of the participating municipalities indicated that they used some legal expertise when creating or administrating their respective attendance management programs. Attendance management is a management right, but arbitratral jurisprudence demands that this right be executed in a fair manner. An organization must distinguish between innocent and non-culpable absenteeism, present employees with a reasonable attendance goal, communicate dissatisfaction with innocent absenteeism in a non-disciplinary manner, and ensure the program is consistently enforced and sensitive to employees circumstances.

There are also two methodological caveats which should be discussed. First of all, two of the interviews were conducted in-person, and one was conducted over the telephone, which contributes to the variability of the study. Furthermore, the interviewees' preparation for the interview was a variable that affected the quality of interviewees' answers.

For future research, it would be worthwhile to investigate the effectiveness of letters, interviews, and counselling sessions for communicating undesirable absenteeism. Currently, not enough is known about how to structure an attendance management program to achieve predictable results.

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