

**Appendix E**  
**Attendance Support and Management Pilot Program (ASMPP)**  
**Questions and Answers for Employees Updated**

**1. What is the Attendance Support and Management Pilot Program?**

The Attendance Support and Management Pilot Program (ASMPP) replaces the Attendance Support Program for employees in the Correctional Bargaining Unit. The purpose of the program is to reduce and manage absenteeism through a consistent and fair process. The ASMPP applies to non-culpable absenteeism. The program has four levels that the Employee may move through, which is triggered if the Employee exceeds four occurrences of absence or seven days of absence in the 12 month period following the previous level.

**2. What is the implementation date for the ASMPP?**

The implementation date for the ASMPP will be August 10, 2009.

**3. Who does the ASMPP apply to?**

The ASMPP applies to all Managers in Youth Justice Services of MCYS and all Managers within the Correctional Services Division of MCSCS as well as all Employees in the Correctional Bargaining Unit, which includes classifications such as Correctional Officers, Youth Workers, Probation Officers, Probation and Parole Officers and Grounds / Maintenance Workers.

**Updated 4. How is this program different from the former Attendance Support Program (ASP)?**

There are a number of substantive and procedural differences between the ASMPP and the former Attendance Support Program including:

- Entry into the ASMPP is based on an Employee triggering their entry through a set period of absenteeism;
- No 24 month maintenance under the ASMPP;
- Four levels rather than three levels;
- Central Support for implementation through the Attendance Support and Management Office (ASMO);
- WSIB absences can be counted for the purposes of calculating the Employee's absence count (with the exception of Level 4). **The Employer**



shall preclude the consideration of WSIB absences in making any determination at Level 4 of the ASMPP;

- Interim Review of ASMPP two years following implementation for report back to Central Employee Relations Committee.

**5. What activates a formal attendance review under the ASMPP?**

The formal review process begins when either the Employee exceeds four occurrences of absence or seven days of absence in a 12 month period either initially or following a previous Level **OR** the Employee voluntarily asks to enter the ASMPP. For the purposes of the ASMPP both sick days and WSIB absences are counted in terms of the triggering absence (with the exception of Level Four, in which WSIB absences are not counted when making a determination).

**6. For the purposes of the ASMPP, how is a day calculated — as an occurrence or the ratio of hours?**

A day is a day whether it is an eight hour shift or a 12 hour shift.

**7. Is the ASMPP part of a disciplinary process?**


No. This program helps to manage innocent absenteeism and is not a disciplinary action.

**8. If an Employee was in the ASP as of August 10, 2009, what is their status in the ASMPP?**

The ASMPP will be implemented on August 10, 2009. If an Employee's absences after this implementation date trigger their entry into the ASMPP, the Employee will begin at Level One of the ASMPP. However, the Employee's history of non-culpable absenteeism will be relevant for the purposes of the ASMPP.

**9. What happens to an Employee's previous attendance record as of August 10, 2009?**

An employee's attendance prior to August 10, 2009 will not be considered for the purpose of moving through the four levels of the ASMPP. However, the Employee's history of non-culpable absenteeism will be considered when



developing their Attendance Improvement Plan or required accommodation as well as when the Employer is making a determination at Level Four of the ASMPP.

**10. Can a Representative attend meetings with the Employee under the ASMPP?**

Yes, if the employee chooses. For Levels One and Two, the Employee can invite their own Union Representative (for Managers, they are also entitled to bring a Representative). At Level Three and Four, the Employer will invite the Union Representative. If at any Level the Employee chooses not to have a Representative present at an ASMPP meeting, the Employee must sign a Waiver of Representation.

**11. What happens if an Employee refuses to attend an ASMPP interview?**


An Employee cannot refuse to attend a meeting with their Manager without a reasonable justification. This refusal may amount to insubordination and be subject to progressive discipline.

**12. What happens if the Employee attends the ASMPP meeting but refuses to participate?**

The Employee's Manager will advise the Employee and their Representative (as applicable) at the meeting that their failure to participate will mean that the ASMPP process will go forward without their participation. Following the meeting, the Employee's Manager will confirm this discussion in writing to the Employee and their Representative (as applicable).

**13. What is an Attendance Improvement Plan?**

An Attendance Improvement Plan is a plan to improve an Employee's attendance. This Plan will be one of the subjects of discussion between the Employee, their Representative and the Employer Representative(s) at the applicable Level meetings. An Attendance Improvement Plan should be suited to the Employee's specific situation including work history, attendance record, prognosis and current medical information related to any restrictions and limitations.



**14. What type of medical information is the Employee required to provide to their Employer under the ASMPP?**


The required medical information relates to accommodation and prognosis (not diagnosis). Initially, the Employee may be required to provide a medical certificate as per Article 44.10 of the Collective Agreement (or as per the Compensation Directive of Management Board of Cabinet as revised May 29, 2008). The Employee may be asked to provide additional health information through obtaining the completion of the Health Professional's Statement. Depending on the sufficiency of the medical information provided, the Employee may be required to undergo an independent medical examination.

**15. How do I exit a Level from the ASMPP and/or exit the ASMPP?**

If an Employee is in a Level of the ASMPP and their non-culpable absenteeism remains within four occurrences or seven days for 12 months from the date the last Level was triggered, the Employee will drop down one Level in the program. (If the Employee is in Level One and their non-culpable absenteeism remains within four occurrences or seven days from 12 months from the date Level One was triggered, the Employee will exit Level One).

In the 12 months following the drop in Level (i.e., in the period from the 13th to the 24th month following initial trigger date), if the Employee's non-culpable absenteeism exceeds four occurrences or seven days, the Employee will return to their former level. However in the 12 months following the drop in Level (i.e., in the period from the 13th to the 24th month), if the Employee's non-culpable absenteeism remains within four occurrences or seven days, the Employee will be removed from all Levels of the ASMPP.

If the Employee is removed from all Levels of the ASMPP (as above) and subsequently their non-culpable absenteeism exceeds 4 occurrences or 7 days, the Employee will trigger a Level 1 meeting.



**New 16. If I have a Disability under the Ontario Human Rights Code will I continue to re-enter a level or the Program?**

The Employer shall give proper consideration of implications arising under the Ontario Human Rights Code and preclude the consideration of absences that flow from a Disability as defined by the Code

**New 17. Is there discretion in the ASMPP?**

The Attendance Support and Management Office of the Ministry of Government Services shall exercise reasonable discretion to deal with non-culpable absenteeism on a case-by-case basis at progression through levels of the program.

**New 18. What happens to the ASMPP if a Pandemic is declared?**

In the event of a declared Pandemic by the World Health Organization or the Ontario Chief Medical Officer of Health, the Employer will consider whether to suspend the ASMPP, and notify OPSEU of their decision.