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As an employer, what should I keep in mind when dealing with absenteeism?

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Employers should be guided by at least the following:

1. absenteeism can result in reduced productivity and poor employee morale; it is worth the time and effort to develop appropriate management techniques and strategies to address it;
2. effective management of absenteeism requires rational, respectful and measured approaches; "one size fits all" does not work;
3. absences for legitimate reasons (e.g., illness) generally are "innocent" and therefore not disciplinable; to reduce such absences, employers must use non-punitive techniques tailored to the particular circumstances (e.g., counselling, effective accommodations, etc.);
4. an employee who is legitimately absent might still be subject to discipline for failing to follow reasonable workplace rules (e.g., calling in, reporting to the supervisor before leaving early, etc.); in such a case, it is crucial to be clear that the discipline is due to the failure to follow the workplace rule as opposed to the absence;
5. employees have a duty to cooperate in the search for, and the implementation of, appropriate accommodations; this includes providing meaningful medical information regarding restrictions and limitations; an employer need not be satisfied with an "under my care, will be re-assessed in four weeks" medical note;
6. it is essential to consider the potential implications of the Human Rights Code and/or the Employment Standards Act before deciding how to address a particular absenteeism issue; failure to do so may lead to costly litigation and substantial liability.

These matters can be complex but are far from insurmountable. An employer who is guided by the above principles is likely to be successful in effectively managing absenteeism issues.



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Brent is an experienced litigator whose focus is upon providing advice and advocacy in all facets of workplace law, acting primarily for employers, both public and private sector. His extensive experience includes providing representation in the areas of labour relations, collective bargaining, grievance arbitrations, employment law, wrongful dismissal, human rights, disability management and occupational health and safety.



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