



**Massachusetts Bay
Transportation Authority**

2017 Employee Attendance Strategic Plan

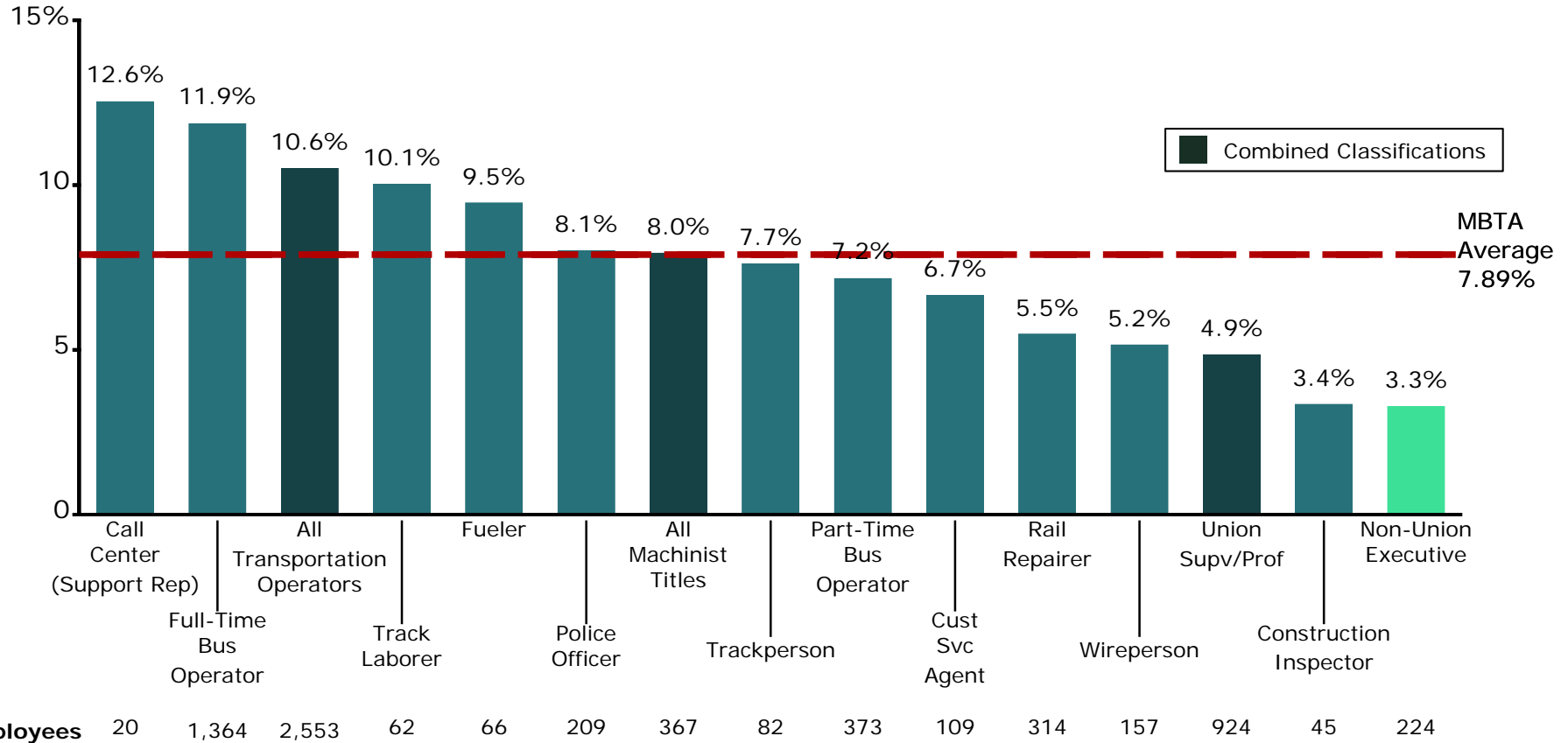
FMCB

January 30, 2017



Calendar year 2016 recap

MBTA Unscheduled Absence %
(Calendar Year 2016)



Source: MBTA Internal Data

Draft for Discussion & Policy Purposes Only



2017 Strategy

2016 Recap

- ✓ Hired new HR executive team with experience in leave management
- ✓ Implemented total of 21 key recommendations on call-in procedures, FMLA certification and concurrency of leaves
- ✓ Initiated pilot with Third Party Administrator (TPA) - UPMC WorkPartners
- ✓ In coordination with TPA, implemented consistent review of leave certification process with an early focus on FMLA

2017 Key Initiatives

- Target full implementation of UPMC WorkPartners TPA (across 45 departments) by April 2017
- New L589 agreement mandates 40-hour work week in order to earn overtime pay
 - Employees cannot earn OT in a week with an unscheduled absence (except for certain protected leaves)
 - Attendance policy grievance settled
- ADA-specialist manager in place (10/1 hire)
- Active monitoring and enforcement of new attendance policy and progressive discipline



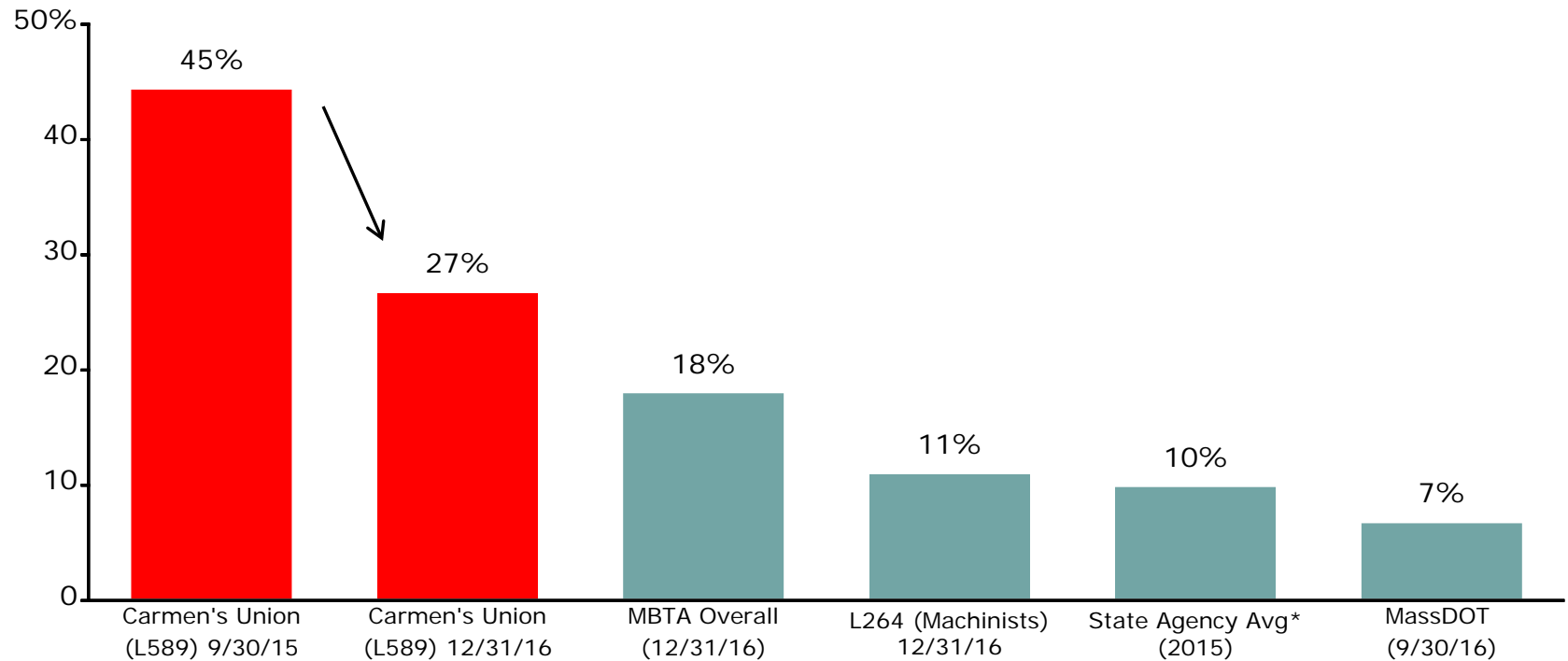
21 attendance policy recommendations implemented in 2016

Focus Area	Recommendations
Training	<ol style="list-style-type: none">1. Require employees to adhere to MBTA call-in procedures2. Use a “call-taker” script when taking calls from employees for unscheduled absences to: a) Gather more accurate information about the basis for the unscheduled employee absence (sick, FMLA-self, FMLA-family), b) Improve the accuracy of coding absences, c) Ensure compliance with leave laws and CBA terms3. Code unscheduled absences correctly, with multiple codes to ensure leaves run concurrently4. Identify Pattern Absenteeism and FMLA absences in excess of approved frequency and duration5. Apply new Attendance Policy (<i>Minor revision scheduled for July 2016</i>)
Immediate Steps	<ol style="list-style-type: none">6. Run leaves concurrently, where appropriate7. Recertify FMLA, where appropriate8. Initiate FMLA process where a possible “serious health condition” is evident from contractual sick pay medical documentation9. Commence leave as a reasonable accommodation under the ADA process promptly
Longer-Term Steps	<ol style="list-style-type: none">10. Move from a minimally-resourced FMLA administrative process to a fully-resourced, compliant, fair, and consistent FMLA process11. Use DOL Forms for FMLA Administration12. Implement FMLA tracking system13. Delay or deny FMLA designations where employee, despite notice, fails to timely provide complete medical certification14. Fully review medical certifications for validity, and seek second opinions, where appropriate15. Ensure chiropractic certifications meet FMLA standards16. Require FMLA recertification every 6 months; more often for pattern absenteeism, and for use beyond approved frequency and duration17. Require employees to use accrued sick pay when taking FMLA or other statutory leave under new Attendance Policy18. Shift from the current, fixed year to a true “rolling year,” after 60 day notice period, under revised FMLA policy
Contract/ Policy/ Procurement	<ol style="list-style-type: none">19. Expand the purposes for which contractual sick time may be used to match up with EST purposes, to care for an injury, illness, or medical condition of the employee and his or her child, spouse, parent, or parent of spouse20. Pay contractual sick time for all “sick” absences before requiring documentation for: Excused and unexcused absences and for the employee or for his or her child, spouse, parent, or parent of spouse21. Issue a Request for Proposals (RFP) for a Third Party Administrator (TPA) to operate a call center and provide case management support of unscheduled employee absences



FMLA certification among L589 members has dropped 40% since the new policies went into effect

% of Employees with Active FMLA Certification



Source: Internal MBTA data

*Note: This State Agency Average represents the average for four state agencies and authorities contacted by the MBTA in Sep 2015



TPA brings professional management to leave programs



Timeline	Coverage
Pilot: 9/1/2016	6 Departments (~1,500 employees)
Full Implementation: 3/31/2017	All 45 Departments (~6,300 employees)

- MBTA formed partnership with UPMC WorkPartners to enhance absence management capabilities and ensure compliance with both governmental and labor requirements
- Pilot began in September 2016 and will be fully implemented by April 2017
- TPA requires employees to call in to report absences and answer mandatory questions



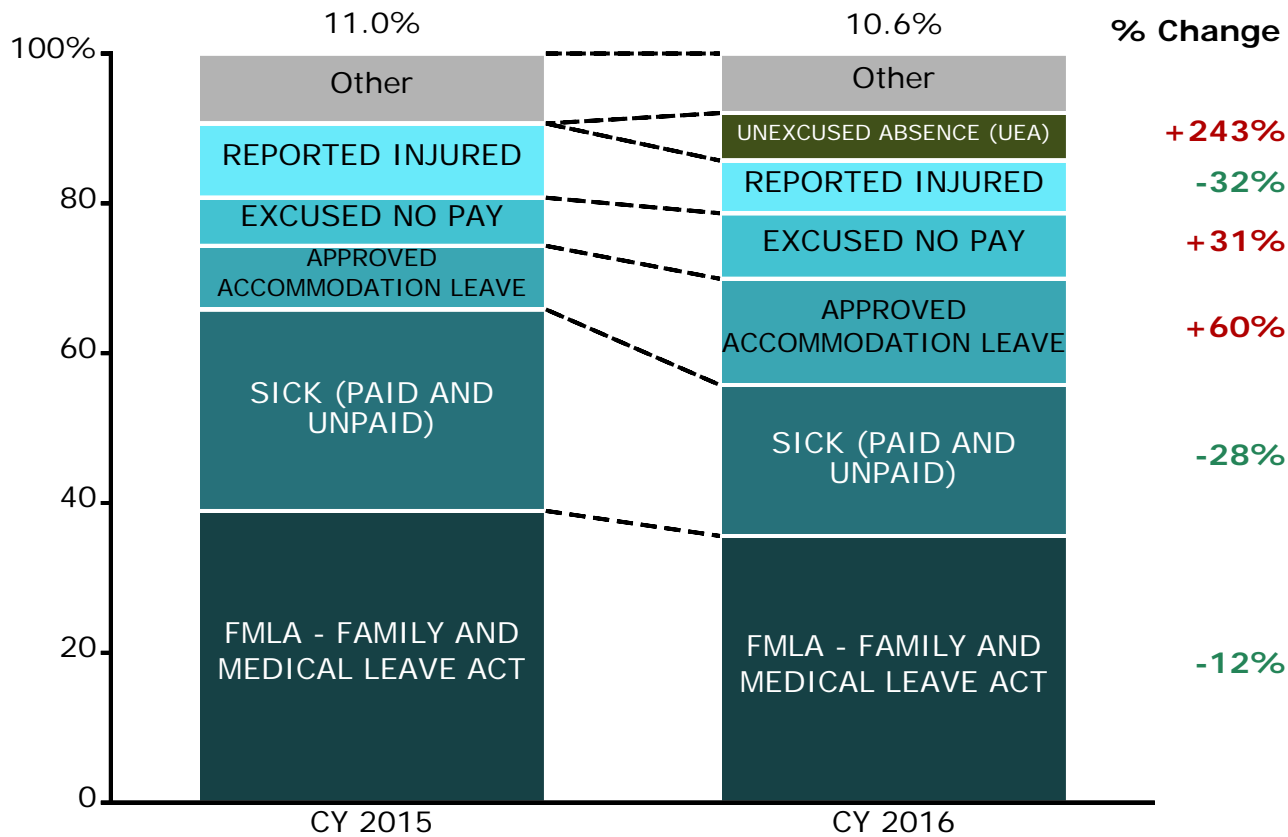
EXAMPLE: Employee calls in sick

- Would you provide a detailed reason for your sickness?
- What medical treatment have you received for it?
- Were you hospitalized overnight?
- Do you have an open intermittent FMLA for this reason?
- If you don't, do you need an intermittent FMLA leave for this reason?
- What is the best telephone number for reaching you and the best time of day for contacting you?



Active management has reduced sick and FMLA usage, but usage of other leave types has increased over the course of the year

Unscheduled Absence Rate -- All Transportation Operators



Approved accommodation leave and other leave types have increased despite decreases in FMLA and sick usage

Source: MBTA Internal Data

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2017 key initiatives

- Full implementation of TPA across all 45 departments
- Enforce new “40 hour rule” for OT (12/19 L589 agreement)
- Use data-science and advanced analytics tools to identify pattern absenteeism
 - Project will be managed under MBTA360 (Collaborative); we currently have \$1.1M budgeted in FY CIP (for all MBTA360 technology)
- Actively manage ADA program (ADA lead hired on 10/1)
- Enforce progressive discipline for attendance policy violations



40 Hour Rule overview (L589 12/19 agreement)

If an employee works overtime **during a week in which the employee was absent** (except qualified absences), **the employee will only be paid overtime for work performed in excess of 40 hours per week**

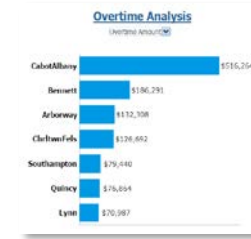
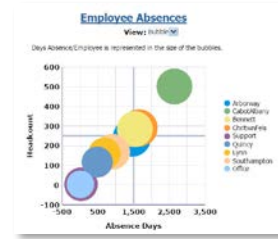
- › Under status quo contract, L589 employees could earn overtime without working their entire scheduled work for the week

Benefit: Will help to **control absenteeism, reduce dropped trips,** and **reduce unnecessary overtime** incurred by the MBTA

- › Creates a disincentive for workers to skip regular shifts and replace those shifts with shifts for which they earn overtime



Data-science and advanced analytics



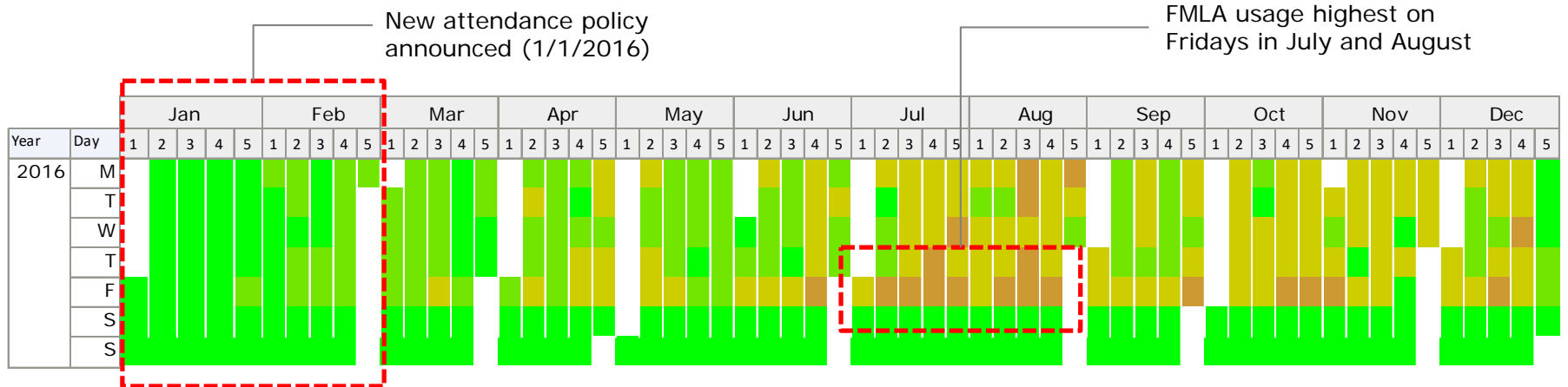
- Collaborative has developed a cloud-based data warehouse that integrates data from multiple MBTA business systems including: time-keeping (TKS), financial reporting (Oracle), maintenance mgmt. (MCRS2), fare box systems, lost service and safety
 - Outputs include: On-time performance, ridership, employee availability, lost trips, overtime analysis, HR position control, support for DBE reporting and more to come
- Collaborative runs the MBTA360 Data Warehouse and Business Intelligence platform
 - Centralized reporting tool and public-facing dashboard that facilitates analysis of key data cross multiple business areas
- MBTA360 Warehouse enables pattern analysis of absenteeism trends:
 - Goal is to use advanced analytics to monitor leave usage trends
 - FMLA “Heat Map” to identify patterns of high usage and potential misuse
 - Technology can identify patterns and enable early detection



Advanced analytics: Example

FMLA usage spikes on Fridays in July and August

Heat Map of FMLA Usage - ALL MBTA EMPLOYEES

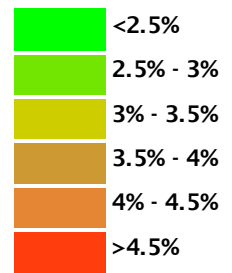


Department: All

Union: All & Non-Union Affiliated

FMLA Ratio: Total # of FMLA days used/Total number of working days . FMLA ratio on each day was color coded with the red being the highest and green being the lowest ratio.

FMLA Ratio:



Source: MBTA Internal Data

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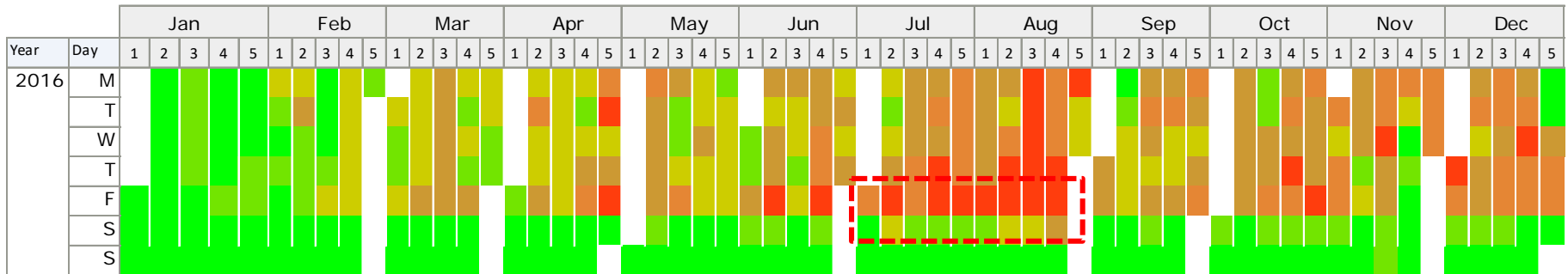


Advanced analytics: Example

Operators' FMLA usage 50% higher on Fridays in July/August

Heat Map of FMLA Usage - ALL TRANSPORTATION OPERATORS

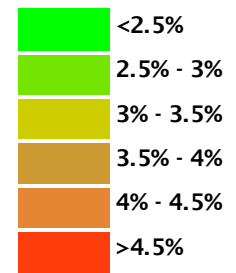
Operators – FMLA usage
50% higher on Fridays in
July/August than rest of year



Job Title: Motorperson,P-T;Motorperson,P-T Streetcar;Motorperson,Rapid Transit;Motorperson,Streetcar;Operator,P-T Surface;Operator,Surface

FMLA Ratio: Total # of FMLA days used/Total number of working days . FMLA ratio on each day was color coded with the red being the highest and green being the lowest ratio.

FMLA Ratio:



Source: MBTA Internal Data

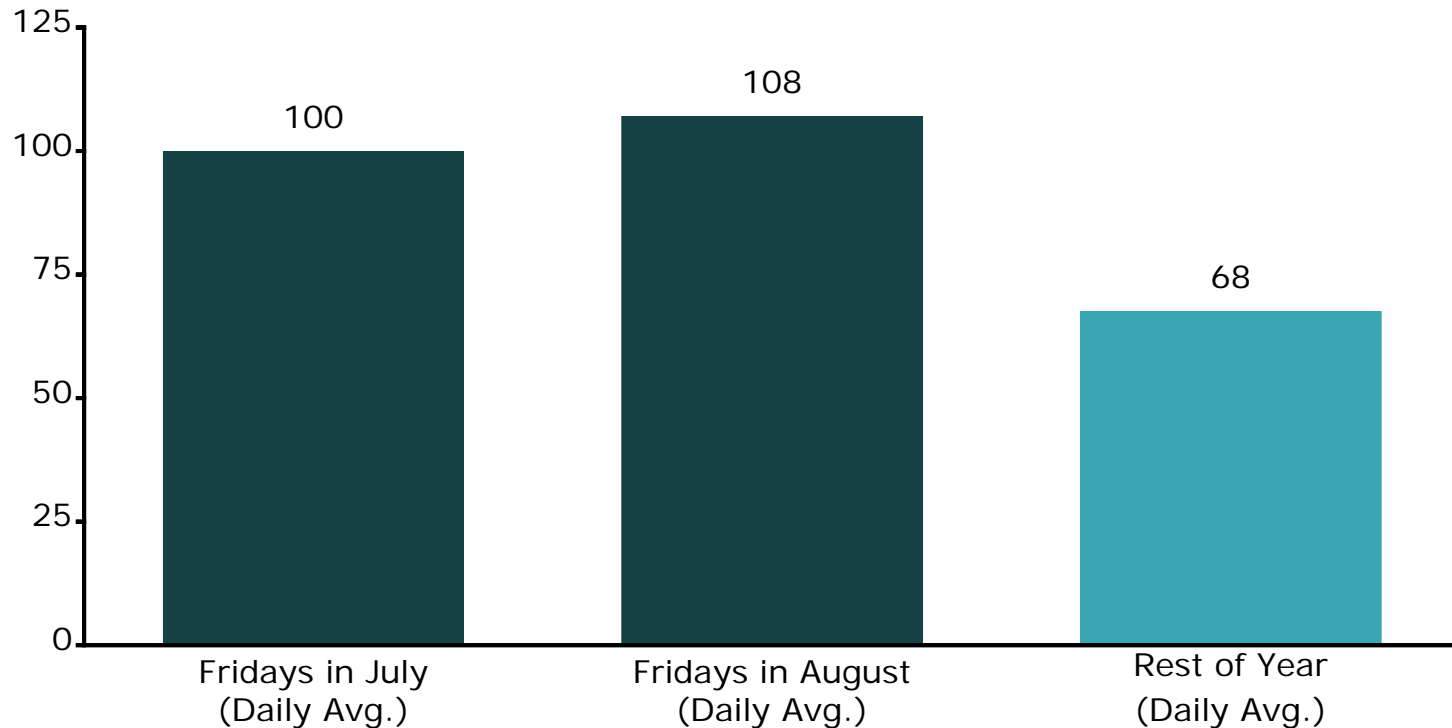
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Advanced analytics: Example

Operators' FMLA usage 50% higher on Fridays in July/August

FMLA Days Used - Transportation Operators □
(CY 2016)



Source: MBTA Internal Data

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MBTA's Progressive Discipline policy

DEFINITION:

- Progressive discipline is the process of using increasingly severe steps or measures when an employee fails to correct a problem after being given a reasonable opportunity to do so.
- It is not specific to any particular subject. There exists multiple tracks of progressive discipline depending on the category of violation – i.e. Attendance, Safety, General work rules, etc.
- The underlying principle of progressive discipline is to use the least severe action that the organization believes is necessary to correct the action or conduct not in harmony with or resulting in a failure of compliance to the coinciding policy or directive. Increase the severity of the action only if the condition is not corrected.

APPLICATION:

- Regarding the Attendance Policy, there are several identifiable triggers that notify supervision of a violation of the policy within set parameters and date ranges. Certain qualifiable violations are then addressed with the employee. If no prior violations exist, discipline is typically administered at the first step of the progressive discipline track.
- If and when there is a next violation, it is assessed. After noting the last step (if existing) of discipline enacted, the next step is enacted and so forth. However, in harmony with the principle, a sufficient amount of time should pass to allow the employee to demonstrate corrective behavior or not.

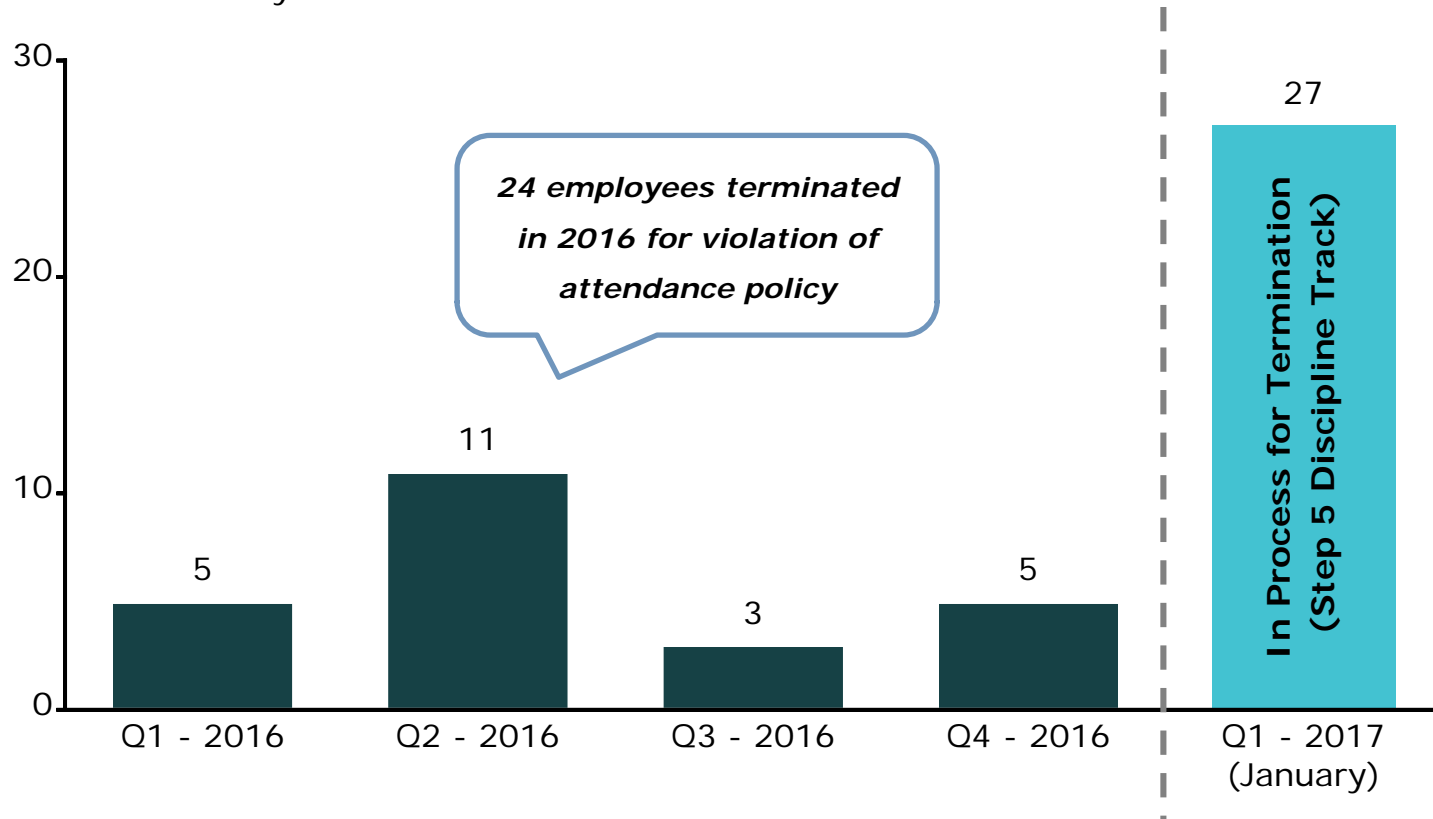
PROGRESSION:

- The MBTA has a 5-step progression of escalating severity for discipline which can end in a recommendation for discharge.
- Violations are due to excessive lateness, unexcused absences and more severe AWOL (absent without leave)
- There are reset provisions in the Attendance Policy for discipline-free conduct over a specified number of months depending on the step the employee has reached.



Enforcing attendance policy: 27 employees currently in process for termination

Quarterly Terminations for
Violation of Attendance Policy



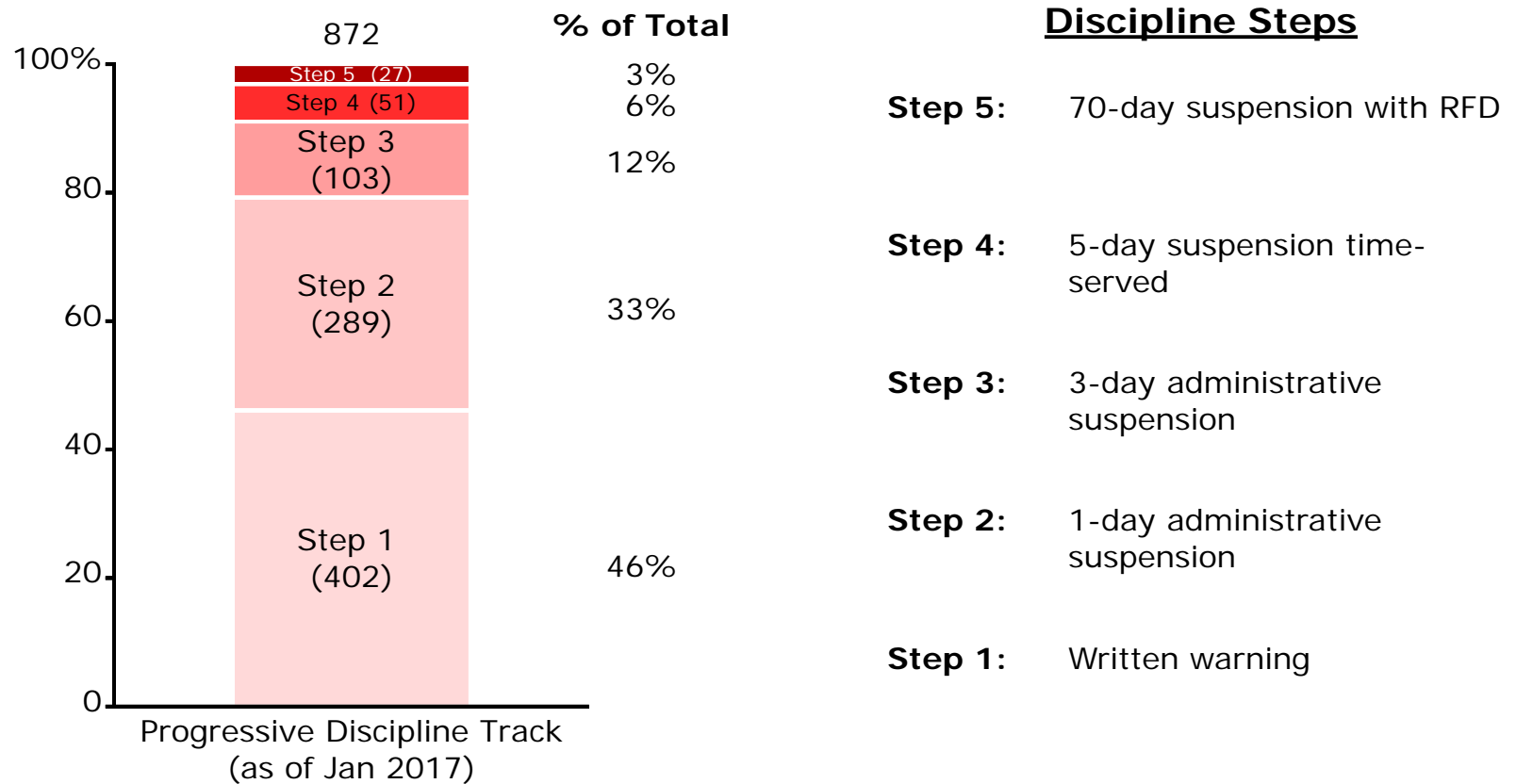
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Enforcing attendance policy: 150 employees are beyond step 2 of progressive discipline

Number of Employees on Progressive Discipline Track for Attendance Violations



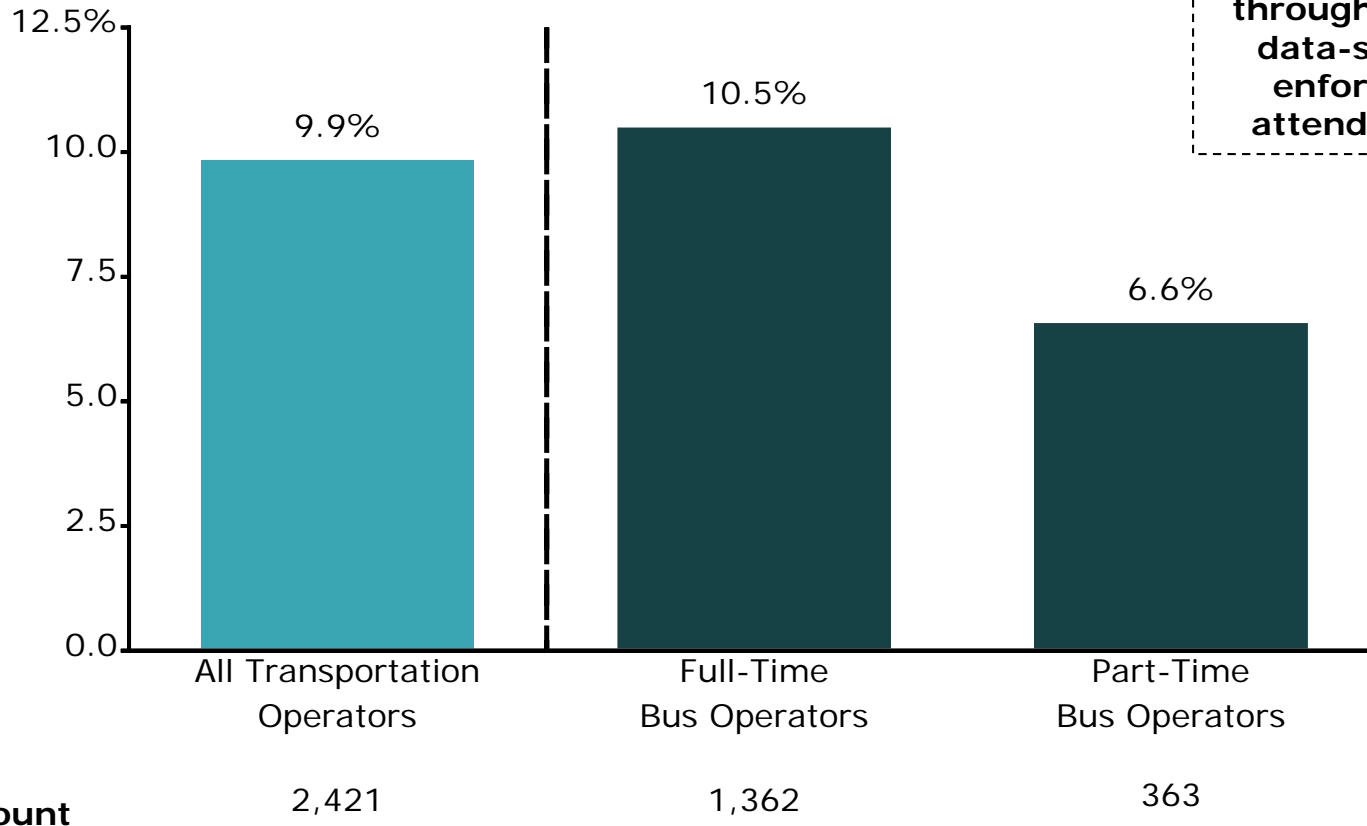
Source: MBTA Internal Data

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Looking forward: Goal in 2017 is to improve over the 2016 baseline

Unscheduled Absence Rate
(CY 2016 - Q1)



**Avg.
Headcount**

Source: MBTA Internal Data

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