



## **Sick Leave Absence Management Policy**

Revision Date: 16<sup>th</sup> March 2021

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### **1. SCOPE**

All University employees are covered by the provisions of the Sick Leave Absence Management Policy. This policy should be read in conjunction with the University's [Sick Leave Policy](#).

### **2. PURPOSE**

The purpose of the University's Sick Leave Absence Management Policy is to promote and facilitate improved attendance levels amongst University employees by managing sick leave absence in a fair, reasonable, and consistent manner.

### **3. POLICY DETAILS**

Whilst employees have a responsibility to the University as their employer and to their colleagues to attend work and fulfil their contract of employment, the University recognises that employees may suffer ill-health, on occasion, throughout their employment.

The University is committed to meeting its responsibilities to support employees who experience ill-health. The University provides a number of mechanisms to support employees during times of ill-health, such as the provision of a Sick Leave Policy, the Employee Assistance Programme and where necessary, the University's Occupational Health Service.

All absences referred to in this policy are sick leave related absences.



## **4. EMPLOYEES**

### **4.1 Responsibilities of Employees**

- To attend work as per their contract of employment
- To take responsibility for their own health, safety, and welfare
- To advise their Manager of any circumstance that may affect their attendance
- To comply with the notification and certification procedure in accordance with the University's Sick Leave Policy
- To ensure that they are fully aware who to contact, by telephone, to advise of a sick leave absence
- Where eligible, to apply for illness benefit payments from the Department of Social Protection, submit the full value of any payment received to the University when in receipt of sick pay and submit confirmation of payment to their Manager. Failure to comply with this will result in the full value of any illness benefit payment due to the employee being deducted from their salary
- To maintain frequent (weekly) contact with their Manager, by telephone, whilst absent on sick leave. Employees on long term sick leave absence should maintain regular contact with their Manager to keep them updated on their progress
- To attend any occupational health appointment that is arranged by the University and to adhere to any recommendations/outcomes arising from that assessment
- To familiarise themselves with the University's [Sick Leave Policy](#) and the sick pay benefits outlined therein
- To comply with the provisions of the University's Sick Leave Absence Management Policy (i.e. this policy)
- To avail of appropriate support services, as necessary
- To cooperate fully with reasonable rehabilitative measures to facilitate a return to work as quickly as possible
- To minimise absences arising from accidents or ill-health by complying with health & safety requirements



#### **4.2 Procedure for Employees for Reporting Sick Leave Absence and Returning to Work**

All employees are required to inform their Manager if they are unable to attend work due to illness in accordance with the University's Sick Leave Policy, as follows:

- They must notify their Manager, by telephone, at the earliest opportunity on the first day of absence. This notification should indicate whether or not a certificate will be furnished and the likely return to work date. Text or email is only acceptable when the employee attempts to telephone their Manager, are unable to get through and / or are unable to leave a voicemail
- A medical certificate is required from the third day of absence and must be submitted to the Manager as soon as possible thereafter. To be acceptable, a medical certificate must:
  - State the name and address of the employee
  - State fitness to work or otherwise
  - State the dates for which the employee is covered, which is normally for a period of no more than one week
  - Be signed by a duly qualified medical practitioner
- If the illness persists, additional medical certificates must be submitted on a weekly basis, prior to the expiration of the last medical certificate, in accordance with the University's Sick Leave Policy
- In exceptional circumstances, monthly medical certificate may be submitted with the agreement of the Manager in consultation with Absence Management Team
- Employees are expected to cooperate with interventions to assist them to return to work e.g. Employee Assistance Programme, Occupational Health Service etc.

#### **4.3 Unauthorised Absence**

Employees who do not attend work due to illness, or any other reason, and who have not notified their Manager as to the reason for their absence will be deemed to be on unauthorised absence from work, which may result in loss of pay and the matter being dealt with under disciplinary procedures.



## **5. MANAGERS**

### **5.1 Responsibilities of Managers**

- To promote and encourage high levels of attendance
- To keep accurate and up to date sick leave records for all employees for whom they are responsible
- To ensure compliance with notification and certification procedures in accordance with the University's Sick Leave Policy
- To notify Absence Management Team of an employee's sick leave absence if it is greater than two weeks or immediately if the medical certificate states 'stress', work related or otherwise
- To ensure an employee's sick leave record is assessed at the start of each sick leave absence. There are many factors for consideration such as sick pay benefits, occupational health assessment, extended paid sick leave assessment under Critical Illness Protocol, Income Continuance claims etc., as applicable
- To inform the Absence Management Team in a timely manner when an employee's full and half sick pay benefit will exhaust
- To inform the Absence Management Team of an employee's anticipated and actual return to work from sick leave
- To seek support and advice from the Absence Management Team regarding the management of sick leave absence
- To ensure that employees are aware who they should contact, by telephone, in the event that they are absent due to illness or injury and that all employees have the necessary contact details
- To advise employees when their sick leave record is a cause for concern (e.g. frequent or persistent short-term sick leave absence, frequent uncertified sick leave etc.) and of the necessary improvements required
- To ensure employees maintain regular contact by telephone, when absent due to illness or injury. The Manager may contact employees during the illness absence if the procedure for reporting/updating on the illness absence is breached



- To take all reasonably practicable steps to accommodate an employee's return to work from sick leave in line with any recommendations from Human Resources and/or the University's Occupational Health Physician
- To make reasonably practicable adjustments to employment arrangements or accommodations for employees with a disability in line with any reasonable accommodation recommendations
- To advise employees of the Employee Assistance Programme and promote its uptake
- To manage health and safety in the workplace in accordance with the University's and Departmental Safety Statements
- To maintain confidentiality in relation to employee's sick leave records
- To discuss each sick leave absence with employees at the earliest opportunity on their return to work and keep a record of each discussion

## **5.2 Procedure for Managers**

Managers play a key role in ensuring all employees are treated equally during their sick leave absence. They:

- Must ensure to keep a record of all employee's sick leave, along with confirmation of illness benefit payments received
- Must hold all medical certificates as they receive them for timely processing of sick pay benefits
- Shall consult with the Absence Management Team on the appropriateness of accepting monthly medical certificates in exceptional circumstances
- Should have a discussion with employees following each absence from work due to illness. This should be done informally, in private, on the day of the employee's return to work or as soon as possible thereafter. The aim of this discussion is to:
  - Welcome the employee back to work
  - Demonstrate concern for the employee's health and wellbeing
  - Offer support as required



- Advise of the Employee Assistance Programme, as appropriate  
Update the employee on any relevant work-related matters
- Identify any possible health & safety issues in the workplace which may be affecting the employee's attendance

A record of these discussions should be retained by the Manager for future reference.

This may be done using the Return to Work Form in this policy.

## **6. PERSISTENT SHORT-TERM SICK LEAVE ABSENCE**

- The procedure for managing frequent short-term sick leave absence is designed to be supportive and aims to help employees achieve regular attendance at work
- Sick Leave absence should be dealt with promptly and consistently. Managers shall discuss all absences with employees as they occur
- Where frequent short-term sick leave absences occur (whether certified or uncertified), employees may be referred to the University's Occupational Health Service and/or Employee Assistance Programme, even if at work
- Where there is no underlying medical reason, the employee should be advised that their sick leave absence levels are unsatisfactory
- Managers should advise such employees that improvement is required and of the consequences if their attendance does not improve
- If there is no satisfactory improvement in attendance over time, the matter may be dealt with under disciplinary procedures

## **7. LONG-TERM SICK LEAVE ABSENCE**

- Long-term sick leave absence shall be defined as any absence of 20 consecutive working days or more
- Regular contact should be maintained between the Manager and the employee during extended periods of sick leave. Weekly medical certificates should be sent by the



employee to their Manager. On occasions, monthly medical certificates may be submitted with the agreement of the Manager in consultation with Employee Relations. The employee is responsible for keeping their Manager informed of their progress and likely return to work date

- During long-term sick leave absence, the employee may be advised of the Employee Assistance Programme and/or be referred to the University's Occupational Health Service
- A fitness to return to work certificate is required after four weeks' continuous absence or greater
- Employees may not return to work unless they are medically fit to do so. In cases of long-term sick leave absence, the employee's own treating medical specialist or General Practitioner (GP) must certify that the employee is fit to return to work

#### **8. PHASED RETURN TO WORK FOLLOWING SICK LEAVE ABSENCE**

- A phased return to work may be recommended for employees who have been absent due to a long-term illness, an injury or following surgery. Any such recommendations by a treating specialist/GP will be assessed and confirmed by the University's Occupational Health Physician
- A phased return to work is considered a reasonable accommodation under the Disability and Equality Acts. A phased return to work is not suitable in every situation and is assessed on a case by case basis
- In the event that a phased return to work is recommended, before the employee returns to work, the Manager should meet with them to discuss:
  - When the phased return to work is to start
  - What attendance pattern the employee will work in terms of days/hours (if not advised by the University's Occupational Health Physician)
  - Location of where the employee will work
  - If there are any other changes to working arrangements required (e.g. if a special chair was needed or computer equipment)



- The Manager should liaise with and notify the Absence Management Team of the final agreed arrangements.
- Employees on a phased return to work are considered to be on certified sick leave for the duration of time they are not fit to work. They will receive salary for the time that they are at work and sick pay for the time that they are unfit for work, in accordance with their sick pay benefits

## **9. ROLE OF HUMAN RESOURCES**

The Absence Management Team section in Human Resources advises Managers and staff on the operation of the University's Sick Leave and Sick Leave Absence Management policies. The contact details for the team is [absencemanagement@tcd.ie](mailto:absencemanagement@tcd.ie) , the role of the Absence Management Team is:

- To provide information to employees in relation to the University's Sick Leave Policy and the University's Sick Leave Absence Management Policy (i.e. this policy)
- To provide information, guidance, training and support for Managers in relation to the University's Sick Leave Policy and the University's Sick Leave Absence Management Policy (i.e. this policy)
- To provide advice and support to Managers in monitoring and managing sick leave absence and to ensure that the University's Sick Leave Policy and this policy are consistently applied
- On request from Managers, refer employees to the University's Occupational Health Physician, as appropriate
- To notify employees in writing of occupational health appointments, outcomes, recommendations and sick pay benefits
- To liaise with Managers, as required, on the implementation of recommendations arising from occupational health assessments
- To advise employees on the availability of the Employee Assistance Programme
- To ensure that any salary adjustments arising from a reduction of sick pay benefits are processed in a timely manner on receipt of sick leave records from Managers





## **10. ROLE OF UNIVERSITY'S OCCUPATIONAL HEALTH PHYSICIAN**

To provide a confidential specialist occupational health service for all employees referred. The Occupational Health Physician shall:

- Assess the employee's current fitness for work
- Liaise with the employee's own medical practitioner (with consent), if necessary
- Advise on the likely duration of absence
- Make recommendations, as appropriate and necessary, to assist an employee's recovery and return to work
- Advise on reasonable accommodations to facilitate the employee's return to work as required

## **11. ROLE OF UNIVERSITY'S EMPLOYEE ASSISTANCE PROGRAMME PROVIDER**

To provide a confidential counselling service to University employees and their immediate families (those living at home with them) who are experiencing personal or work-related difficulties that could impact on their health, well-being, relationships, or employment. Details can be found [HERE](#).



### Return to Work Form

(to be completed by Manager for employees returning from sick leave)

<b>Employee's Name:</b>	<b>Date of conversation:</b>
First Day of Absence: (indicate leaving time if at work)	Date Returned to Work:
Uncertified <input type="checkbox"/> (no more than 2 consecutive days)  Certified <input type="checkbox"/> (required on 3 <sup>rd</sup> day of absence to include the first 2 days)	Number of Working Days absent:
State briefly reason provided by employee for sick leave absence:	
Absence reported by telephone to:	On (date / time):
Was the absence due to an accident/injury which occurred while at work:	<b>Y / N</b>
If yes, has the employee completed the necessary Accident Report Form?	<b>Y / N / NA</b>

### Return to Work Discussion

The employee followed the notification requirements for this absence:	<b>Y / N</b>
The employee applied for Illness Benefit (payable after 3 days):	<b>Y / N / NA</b>
If not, did you discuss why?	<b>Y / N / NA</b>
If appropriate, did you discuss the employee's patterns of sick leave if they are of concern?	<b>Y / N / NA</b>
The employee was updated on any work matters that they may have missed:	<b>Y / N / NA</b>
Did you discuss recommendations of Occupational Health Physician, if applicable?	<b>Y / N / NA</b>

#### MANAGER

#### EMPLOYEE (optional)

<b>Name</b>		
<b>Signature</b>		
<b>Date</b>		

Please retain this form for local records and provide a copy to the employee.

