

<b>Policy</b>	<b><u>SICK LEAVE POLICY &amp; PROCEDURES</u></b>	
<b>Issued by:</b>	<i>(Name)</i>	
<b>Issue Number:</b>	[     ]	<b>Rev: [ 1 ]</b>

**SICK LEAVE POLICY & PROCEDURES**

**Contents**

Purpose ..... 2

Sickness Procedures..... 2

Medical Certificate..... 2

Sick Pay..... 3

Sickness During Annual Leave..... 3

Management of Absences ..... 3

Contact/Visits..... 3

Long Term Absences ..... 4

Return to Work ..... 4

Medical Assessment..... 4

Monitoring Absence..... 5

Data Protection..... 5

Disciplinary Action ..... 5

Medical Question..... 6

## **Purpose**

The purpose of this policy is to set out the Company's procedures for reporting, recording and management of Sickness Absence. This policy applies to all employees of the Company; full-time, part-time, and fixed term employees.

Where an employee is unable to perform their duties due to illness or injury, this period of time will be deemed as sick leave.

Sick leave is intended to provide an adequate opportunity for an employee to recover from an illness and its effects so that he/she may make an early return to duty without a likelihood of a relapse into illness.

## **Sickness Procedures**

On the first day of absence due to illness, the employee must notify their Manager or the Director of the Company, or if working off site for a third party the clients HR, of their absence and when they believe they will be in a position to return to work. This must be done by [8.00]am on the first morning of illness and must do so by a telephone call, text messages in this regard are considered to be insufficient. Where, due to circumstances prohibiting such ability to call, a full explanation will be required before returning to work but no later than 3 working days.

For absences of up to 2 days, the employee will be required to complete a Self-Certification form with their Manager/HR upon their return to work.

On the third day of absence, the employee is required to provide a medical certificate from their Doctor, wherein it must confirm the illness/condition/injury, period of absence and when they will be fit to return to work.

Where absences are of a prolonged nature, the employee must provide medical certificates on a weekly basis or monthly with management approval.

Upon return to work the employee must report to their Manager/HR, who will notify the payroll administrator accordingly.

Depending on the nature of the illness, the employee may be required to provide a Certificate of Fitness upon their return to work. The Company further reserves the right to have the employee assessed by a Company Doctor.

Where you are involved in the food sector, you will be required to provide a fitness to return to work, if your absence is a result of a virus, bug, or communicable disease.

## **Medical Certificate**

In the circumstance of an absence exceeding two days, the employee must provide a medical certificate to a Manager/HR.

The medical certificate must confirm the date of the employee's visit to the Doctor, the reason for their absence, (**certain medical reasons may not be relevant or relevant are listed below**) the duration of their absence and their expected return to work date.

The Company requires the medical certificate to be signed duly by a qualified medical practitioner registered in the Republic of Ireland. Only in exceptional circumstances the Company may accept medical certificates from overseas. Where an employee fails to provide a medical certificate to their Manager/HR or the Director for absences exceeding 2 days, their absence will be treated as unauthorised leave. (Please see unauthorised leave section)

### **Sick Pay**

Employees who have provided a minimum of 13 weeks service with the Company will be entitled to Statutory Sick Pay.

The Company will pay an employee for up to three days of medically certified sick leave per year. This will be paid at a rate of 70% of the employee's wage, but no more than €110 per day.

This entitlement is subject to the employee providing a medical certificate to the Company.

Employees may claim illness benefit from the Department of Social and Affairs following the qualifying period as determined by the Department. A claim for illness benefit must be made to the Department within 7 days of becoming ill. Employees are advised to contact their local social welfare office in this regard for further details. Please note that it is the employee's responsibility to submit their claim to the Department.

### **Sickness During Annual Leave**

Should an employee fall ill during a period of annual leave, the employee is required to notify the Company of this fact and provide a medical certificate to support this fact within the first day of absence. The employee's annual leave will be treated as sick leave upon receipt of a medical certificate.

Failure to provide a medical certificate will result in the absence during annual leave being ignored and will be deemed as annual leave.

### **Management of Absences**

The purpose of managing absenteeism is to improve the overall welfare of employees and ensure that during the employee's absence the employee is kept informed of any relevant developments in the workplace.

### **Contact/Visits**

Where an employee has been absent due to illness for a continuous period of 7 days the employee will be contacted by telephone or letter/email. Contact will be made by a member of management/HR.

The employee in such circumstances will be informed of the services available for them such as the Employee Assistance Program (EAP), Company Doctor). The employee will also be informed of any developments and any matters that need to be brought to their attention (i.e. redundancies, promotions, expansion, Transfer of Employment (TUPE)).

In cases where illness continues, regular monthly contact will be maintained with the employee to ensure that every support is offered to the employee and that they are kept informed of all work-related issues that may affect them.

Where the absence is ascribed to harassment, bullying, penalisation, resulting in a certified medical note from your doctor a person/company will be appointed by Management/HR to liaise with the employee. The purpose of this appointment is to afford the employee access to the Company process and to engage in a program that will assist the employees speed recovery and return to work. Failure to cooperate could result in any process to assist the employee being delayed or rejected.

### **Long Term Absences**

Any absence more than 30 days will be deemed long term absence which will result in management intervention.

Any employee that is on long term sick leave must continue to engage with the Company as best they can. The employee in conjunction with their GP must advise or indicate when they estimate their return to work.

The Company reserves the right to have the employee assessed by a Company Doctor to establish their fitness to return to work and how best to accommodate the employee upon their return to work.

The management reserve the right to visit the employee at the home, and to engage with the employee regarding a structured program for returning to work.

The Company as part of its EAP program, will always invite the employee who is absent by way of certified illness/injury to attend functions such as award ceremonies/Christmas functions and other events. This in no way should undermine the illness/injury and is designed to keep the employee up to date and involved in the Company's operation.

### **Return to Work**

Upon return to work after long term absence, the employee's manager will conduct an informal return to work meeting to discuss the reasons for the absence, any treatment the employee may be receiving, that they are fit to return to work and any accommodation that has been implemented for the employee.

Returning to work from a long-term absence is not easy and may involve a program in cooperation with the employee's Doctor or the Company doctor. This could result in gradual return over a number of weeks, a change to the employee's former duties, or location, a reduction in days or hours where possible and could be affected by any other benefits the employee is in receipt of. A full consultation will be conducted with the employee.

### **Medical Assessment**

The Company may at any stage request an employee to undergo a medical assessment by a Company appointed Doctor. At all times, employees must engage with the Company and co-operate with the Company Doctor and act on recommendations.

The role of the Company Doctor is to inform the Company of the employee's medical fitness to work. In forming a medical opinion, the Company Doctor will take into account all medical information available at the time of the assessment. When the Company Doctor advises the employee that they are fit to return to work, whether it being full/light or restricted, the employee will be required to return to work.

Where the Company Doctor establishes the employee is fit to return to work, and the employee fails to return to work on the basis of a medical certificate contradicting the Company Doctor's advice, the employee will be required to furnish an updated medical report from their own GP within 7 days to management. This report must set out in detail the illness/injury that caused a different prognosis to the Company Doctor's recommendation. The Company reserves the right to have the Company Doctor review the updated medical report and issue advice which will be final.

In the event the Company Doctor's advice does not alter, the employee will be instructed to return to work. Failure to return to work will result in disciplinary action where a sanction could be issued. The Company further reserves the right to remove the employee from payroll.

### **Monitoring Absence**

Where an employee's absences are in excess of \_\_\_ days in a leave year or where absences frequently occur on Monday's and Fridays, or if the absence is a series of different unrelated issues the Company reserves the right to investigate these absences. In such cases, the employee will be invited to attend an investigation meeting to establish the reasons for their absences.

The purpose of the investigation meeting is to discuss the absence record, establish the cause of the absences, the level of improvement required over a specified period, when the attendance will be reviewed and the consequences that may occur if improvement is not reached.

Where there is evidence of no improvement to absenteeism, the Company reserves the right to instigate disciplinary action which may lead to termination of employment on the grounds of capability.

### **Data Protection**

The Company processes sensitive personal data collected during sick leave and procedures in accordance with the Data Protection and General Data Protection Regulations (**GDPR**). Data collected is held securely and accessed by and disclosed to individuals only for the purposes of conducting this process. Inappropriate access or disclosure of colleague data constitutes a data breach and should be reported in accordance with the Data Protection policy immediately. Employees established to have breached the policy will be subject to disciplinary action.

### **Disciplinary Action**

Where there is an abuse of sick leave or the Sick Leave Policy, the Company reserves the right to investigate disciplinary action against the employee.

## Medical Question

No	Medical Question Not Relevant/Relevant
1	Sensitive, regarding person lifestyles including such as maternity
2	Medical question not related to your absence
3	Medical Question that could reveals other illness not disclosed or relevant
4	Medical Question related to previous injuries are relevant
5	Medical Question related the actual claim for employee current absence
6	Medical Question related being sent to our OH doctors.