



SICKNESS ABSENCE

JUNE 2011

Date	Lead	'Signed off' BOM	Review Date
June 2011	pat.beirne@corkcil.ie	Yes	June 2012

1. Purpose

This policy document outlines the terms of the Cork Centre for Independent Living (Cork CIL) Sick Policy and outlines the responsibilities and procedures that are to be followed by employees and managers.

2. Scope

This policy covers all full-time and part-time contracted employees. Part-time employees shall benefit on a pro-rata basis to their full-time colleagues. This policy does not apply to casual or relief workers.

3. Policy Statement

The following general conditions apply to all grades of employees:

- The Cork CIL Sick Policy is designed as a benefit for employees genuinely absent from work due to illness and/or injury.
- There will be a reasonable expectation that the employee will be able to return to the work for which she/he was employed. Where it is reasonably established that an employee is unable to return to work for which she/he was employed, Cork CIL reserves the right to terminate the employee's contract of employment with one month's notice (or their legal notice if greater).
- Cork CIL reserves the right to discontinue/suspend sick pay benefits if it is not satisfied that the employee is genuinely sick and/or injured e.g. if an employee on certified sickness absence is fit to travel for a holiday then it will be deemed that they are fit enough to return to work
- Cork CIL reserves the right to discontinue/suspend sick pay benefits where an employee does not observe or comply with the procedures and requirements set out in this document.

4. Sickness Absence Reporting

If you are unable to report to work because of illness and/or injury, you must notify your direct Line Manager or appointed designate by telephoning them **as soon as possible but at least 2 hours prior to the start of your shift** outlining the reason for your absence and the likely time you will be out of work. You must endeavour to speak directly with your Line Manager or appointed designate.

Text messages and emails are not an acceptable manner of communicating an absence. A Medical Certificate must be furnished after **two days** of continuous absence.

If sickness absence is either side a rostered leave days a medical certificate must be furnished (e.g. if you are due to be off on Wednesday and Thursday and you are unfit for work on Tuesday and/ or Friday a medical certificate will be required to cover the period of absence from work)

Medical Certificates are to be sent by post or given directly to your Line Manager or appointed designate within one week of the date of issue of the certificate.

A Medical Certificates must be submitted at weekly intervals (i.e. one every week) for as long as the absence continues (regardless of whether an employee is in receipt of Sick Pay from the Organisation or not). For long term sick absences, on a case by case basis, alternative submission intervals may be agreed with your direct Line Manager.

5. Medical Certificate Requirements

All medical certificates must be legible in the English language and contain the following information:

- Name and address of the doctor and patient
- Statement that the patient is/was under doctor's care
- The opinion of the doctor that the patient is incapacitated and unable to work due to illness and/or injury
- The nature of the illness – clear reasons for the absence must be provided
- Expected duration of the absence
- The date of issue
- Doctor's signature (not a rubber stamp)
- Name and address of the doctor and patient
- Statement that the patient is/was under doctor's care
- The opinion of the doctor that the patient is incapacitated and unable to work due to illness and/or injury
- The nature of the illness – clear reasons for the absence must be provided
- Expected duration of the absence
- The date of issue
- Doctor's signature (not a rubber stamp)

Medical Certificates that do not meet the above requirements may be refused and the employee may be asked to provide a new detailed medical certificate at their own expense. Failure to comply with this procedure may result in disciplinary action.

Under no circumstances will back-dated or pre-dated medical certificates be accepted.

If you are out of work on a Medically Certified basis and you choose to return to work before the indicated fit to return to work date, you will be required to provide your direct Line Manager or appointed designate with a Medical Certificate approving your early return to work. You may also be required to attend a Cork CIL OHA.

6. Cork CIL Occupational Health Services

All Employees on Long Term Sick Leave (i.e. a sick occurrence that is greater than 4 consecutive week's absence from work due to illness and/or injury) **will be referred** for an Occupational Health Assessment. On a case by case basis, the Manager may determine that an OHA is not required.

7. Company Sick Policy Rules

The eligibility to receive payment while on sick leave is driven by an employee's start date and length of service. All absences through sickness and/or injury will be considered as part of this allotment.

There is no eligibility for Cork CIL sick pay for the first 52 weeks (12months) of continuous employment unless otherwise stated in your contract of employment

The terms of sick pay scheme, which is offered to employees of Cork CIL have completed their 12 months continuous service period successfully, are as follows:

- Basic pay (less the appropriate deductions for social welfare) for the first 12 weeks of sickness in any 12 month rolling period (or as per your employment contract).
- There is no pay after 12 weeks of sickness in the same rolling 12 month period.

An employee is not permitted to take sick leave on behalf of others such as children, spouses or other persons in their care.

When all sick pay allowance has been exhausted, Cork CIL will pay no further salary until the employee has returned to active work.

Part-time employees accrue sick leave benefits based on the equivalent full-time hours.

The Cork CIL Sick Policy will not apply to employees who are absent from work due to any of the following circumstances:

- Injuries or illnesses, arising from the use of drugs other than those prescribed by a Doctor as part of treatment for an illness.
- Illnesses while on strikes or lock out.
- Injury at work resulting from the deliberate failure to observe safety practices, procedures or customs in practice in Cork CIL including failure to use properly prescribed safety equipment.- Refusal to undergo examination by an approved medical practitioner or appointed Occupational Health Assessor
- Employees may not work elsewhere whilst in receipt of Cork CIL Sick Pay
- Staff who have dual employment may not be absent through sickness from one employee and continue to work for Cork CIL.
- Failure to notify Cork CIL of an Illness Benefit Claim and continued work with Cork CIL may result in disciplinary action being taken

7.1 Sickness and Holiday Leave

In accordance with the Organisation of Working Time Act, 1997 certified sick absences occurring during a period of annual leave will cancel the authorised annual leave **from** the date of certification provided the employee's Line Manager or approved designate is notified In this event the annual leave may be taken at a later date to be approved by the employee's Line Manager or approved designate. There is no guarantee that an employee may be allowed to resume annual leave immediately following sick leave. If staff are unwell prior to taking annual leave and will not be returning to work before taking annual leave must contact the CIL manager to advise them of this. If staff continue with holiday arrangements and are fit to travel Cork CIL must consider that this is as annual leave.

7.2 Sick Pay & Social Welfare Benefit

Employees who are on sick leave will receive their basic salary less any Social Welfare Illness Benefit payment they may be eligible for. The Social Welfare payment will be deducted at source as follows :

Day 1-3	no deduction
Day 4 onward	based on prevailing Personal Rate (see appendix 2)

8.0 Applying for Social Welfare Illness Benefit

All staff must a make claim for Social Welfare Illness Benefit.

You should apply for Illness Benefit within 7 days of becoming ill. A delay of more than 7 days may cause you to lose some of your payment. If there is a good reason for a delay in applying, your payment may be backdated.

You can get an application form for Illness Benefit from your family doctor (GP) or hospital doctor. You can only get this form from a doctor because a doctor must fill in part of the form. It is not available online.

You must send in a medical certificate (known as MC 2) to department of Social Protection each week for as long as you are ill, unless you are told otherwise and you must get a final medical certificate from your doctor before you go back to work.

If you have any difficulties completing the forms, contact the staff in your local social welfare office. Any questions you have about Illness Benefit should be made directly to your Social Welfare Local Office or to Illness Benefit enquiries telephone line: (01) 704 3300.

It is the responsibility of each employee to apply for Social Welfare Illness Benefit payment directly from their own local Social Welfare Office. The benefit awarded should be retained by the employee. Cork CIL will make the deductions at source on receipt of notification that the claim has been processed by the Departments of Social Welfare. These will be back dated. If a claim has not been made the deductions will be made after 2 weeks and back dated.

Employees must notify the CIL Administration Office of any changes to their personal circumstances that may affect their Illness Benefit payments. Deductions

9.0 Occupational Health Assessment (OHA)

Cork CIL reserves the right to request the employee to undergo an independent Occupational Health Assessment (OHA). Continual payment of sick pay is conditional on the employee authorising the release of their medical records from their own treating medical practitioner or dentist to a nominated Cork CIL occupational health physician. Cork CIL will incur the cost of the OHA. Travel to the OHA is at the employees own expense.

10.0 Return to Work Certificates

Employees who are absent from work due to illness and/or injury are not to attend work until they are medically certified fit to return to work. This includes attendance at any work related meetings (such as Trade Union meetings etc.). Return to Work

As soon as you are fit to return to work please notify your manager. Your manager will request to meet you on your return to work to discuss what supports if any you may need

Appendix 1

Definitions

The Cork CIL Sick Policy the following terms are referred to:

Medical Certificate :

A certificate signed by a registered medical practitioner or dentist. The certificate must be written in the English language.

Sick Leave :

Leave taken when an employee is ill and/or injured and is unavailable for work.

Sick Episode

A singular period of time where an employee is absent from work due to illness and/or injury

Long Term Sick

Long Term Sick (LTS) refers to a sick occurrence that is greater than 4 consecutive week's absence from work due to illness and/or injury

A rolling 12-month period

A period of 12 months reckoned by calculating backward from the commencement of the most recent period of sick leave.

Basic Pay

The agreed contracted working hours per week at the basic hourly rate. This rate is exclusive of all premiums

Continuous Employment

39 weeks continuous service in the previous 12 months.

Return to Work Interview

A Return to Work Interview (RTWI) is a meeting where a supervisor/manager will talk to an employee on their first day back to work following an absence due to illness and/or injury.

Appendix 2

Current Rates of Social Welfare Illness Benefit

Average weekly earnings	Personal rate	Qualified adult rate
€300 or more	€188	€124.80
€220 - €299.99	€147.30	€80.90
€150 - €219.99	€121.40	€80.90
less than €150	€84.50	€80.90

For eligibility for Welfare Benefit please contact your local welfare office or visit the web site www.socialwelfare.ie

If you do not have an entitlement you should contact you Community Welfare Officer