



# **Sick Leave Absence Management Policy**

**Version 1.0**

**HUMAN RESOURCES**

**Revision History:**

<b>Date of this revision:</b> December 2023	<b>Date of next review:</b> December 2026
---	---

Version No./ Revision No.	Revision Date	Summary of Changes	Changes marked
1.0		New TUS Policy	

**Consultation History:**

Version Number/ Revision Number	Consultation Date	Names of Parties in Consultation	Summary of Changes
1.0	May – November 2023	Union Representatives, HR Managers, TU Project Integration Manager,	

**Development and Approval Log:**

Responsible for:	Title
Policy Developer:	TUS Human Resources Department
Policy Owner:	VP People, Culture and EDI (Equality Diversity and Inclusion)
Recommended by:	
Approving Authority:	
Reference Documents:	Circular Letters 0062/2015, 12/2023

**Approval:**

Version	Approved By:	Date
1.0		

This Policy was approved in December 2023. It shall be reviewed and, as necessary, amended by the TU 3 years from date of issue or sooner if legislative changes require update. All amendments shall be recorded on the revision history section above.

<b>Date Approved:</b>	<b>Date Policy to take effect:</b>	<b>Date Policy to be Reviewed:</b>
-----------------------	------------------------------------	------------------------------------

**Document Location:**

Website – Policies and Procedures	<b>X</b>
Website – Staff Hub	
Website – Student Hub	
Other: - Internal Use Only	

**TABLE OF CONTENTS**

- 1.0 Introduction..... 1
- 2.0 Purpose..... 1
- 3.0 Definitions ..... 1
- 4.0 Scope ..... 2
- 5.0 Roles and Responsibilities ..... 2
- 6.0 Sick leave & pay entitlements ..... 4
  - 6.1 Ordinary illness ..... 4
  - 6.2 Critical illness ..... 5
  - 6.3 Pro Rata Sick Leave ..... 6
  - 6.4 Dual Look Back..... 6
  - 6.5 Temporary Rehabilitation Remuneration (TRR) ..... 6
    - 6.5.1 Rate and Conditions of Payment..... 7
    - 6.5.2 Interaction of TRR with Illness Benefit ..... 7
  - 6.6 Unpaid Sick leave ..... 7
  - 6.7 Maternity related illness..... 8
  - 6.8 Self-Certified Sick Leave..... 8
  - 6.9 Reasonable Accommodation ..... 8
  - 6.10 Sick Pay Terms ..... 8
  - 6.11 Sickness Absence Reporting ..... 8
  - 6.12 Medical Certificates ..... 9
  - 6.13 Statutory Annual Leave and Sick Leave ..... 11
  - 6.14 Unauthorised Absence..... 11
  - 6.15 Persistent frequent sick leave short-term absences ..... 11
  - 6.16 Keeping in contact during sickness absence..... 11
  - 6.17 Medical Examinations..... 12
  - 6.18 Return to Work ..... 13
  - 6.19 Returning to Work from long-term sickness absence ..... 13
  - 6.20 Social Welfare Benefits ..... 14
  - 6.21 Potential Loss of earnings ..... 15
  - 6.22 Overpayments..... 15
  - 6.23 Confidentiality..... 15
  - 6.24 Employee Assistance Service ..... 15
  - 6.25 Occupational Health Physician ..... 15
  - 6.26 Compliance ..... 16
- 7.0 Medical Appointments..... 16
  - 7.1 Morning Appointments ..... 16

7.2 Afternoon Appointments.....	17
7.3 Full Day Appointments .....	17
8.0 Monitoring, Maintenance and Review.....	17
Appendix 1 - Consultation and Communication Plan detail .....	18

## 1.0 Introduction

This sick leave policy sets out the requirements applicable at the Technological University of the Shannon: Midlands Midwest (the TU) for reporting sickness absence and for the management of sickness absence in a transparent and consistent way. This policy sets out the sick leave entitlements for eligible employees. It is TUS policy to implement all relevant legislation and department circulars.

The TU recognises that, during the course of normal working life, people can have absences due to illness and should be treated in a sympathetic manner. The TU will endeavour to support employees, insofar as is reasonably practicable.

## 2.0 Purpose

The purpose of this policy is to comply with all relevant legislation in relation to sick leave and absence management as set out in Circular Letters 0062/2015, 12/2023.

## 3.0 Definitions

<b><u>Self-certified sick leave</u></b>	Sick leave of up to and including two consecutive working days which is not certified by a doctor.
<b><u>Certified sick leave</u></b>	A period of sick leave which has been certified by a doctor. All absences in excess of two consecutive working days must be covered by a doctor's medical certificate.
<b><u>Critical illness Provision (CIP)</u></b>	An employee who becomes incapacitated as a result of a critical illness or serious physical injury may be granted extended paid sick leave in exceptional circumstances.
<b><u>Long-term Absence</u></b>	Any absence lasting more than four consecutive weeks.
<b><u>Occupational health physician (OHP)</u></b>	A provider of independent medical advice.
<b><u>Temporary Rehabilitation Remuneration (TRR)</u></b>	The remuneration an employee may be awarded if they have exhausted their access to paid sick leave.

## 4.0 Scope

This policy applies to all permanent and fixed term staff with the exception of Hourly-Paid Part-time staff. Its provisions and arrangements are in line with the Public Sector Sick Leave Scheme based on those set out in Circular Letters 0062/2015 & 0012/2023 and appropriate circulars and analogous documents as issued by sectoral management across the public service.

## 5.0 Roles and Responsibilities

<b><i>Responsible office/person(s)</i></b>	<b><i>Role</i></b>
<b><i>Employees</i></b>	<ul style="list-style-type: none"><li>● Be familiar and comply with this sick leave policy;</li><li>● Maintain regular contact with the employer during periods of sick leave, either directly or indirectly (e.g. via a family member or a close friend), where appropriate;</li><li>● Co-operate fully with all referrals to the OHP;</li><li>● Co-operate fully with all rehabilitative measures to facilitate a return to work.</li><li>● All employees must adhere to the regulations and procedures set out in this policy. Failure to abide with the regulations and procedures will be dealt with under the agreed TUS disciplinary procedures and may lead to the cessation of salary.</li></ul>
<b><i>Head of department /function</i></b>	<ul style="list-style-type: none"><li>● Maintain contact with individuals on sick leave;</li><li>● Liaise with the Human Resources Department as necessary, to identify progress towards recovery and assist with reintegration into the workplace;</li><li>● May carry out a return-to-work meeting after a period of sick leave;</li><li>● Provide for any supports or adjustments to the workstation/office area necessary to facilitate the employee's return to work:</li><li>● Monitor and measure employee attendance patterns;</li><li>● Identify and address any shortfalls in employee attendance patterns as they arise;</li></ul>

	<ul style="list-style-type: none"> <li>● Conduct a sick leave meeting with an employee who has an attendance pattern which is causing concern (e.g. frequent absence, absences regularly occurring on a Monday or a Friday etc.);</li> <li>● Ensure timely notification of employee absences is communicated to the HR Department.</li> </ul>
<p><b><u>HR Managers Responsibilities</u></b></p>	<ul style="list-style-type: none"> <li>● Make appropriate referrals to the Occupational Health Physician;</li> <li>● Report on sick leave:</li> <li>● Analyse sick leave reports on a regular basis;</li> <li>● Provide an employee with a record of their sick leave if requested,</li> <li>● Provide sick leave pattern analysis/statistical reports to senior management, and line manager on request</li> <li>● Review the TU's referral practices to the OHP/EAS annually;</li> <li>● Keep appropriate records in relation to sick leave;</li> <li>● Comply with all matters regarding confidentiality.</li> </ul>



## 6.0 Sick leave & pay entitlements

The current sick pay entitlements under the public sector sick leave scheme are as follows;

An employee who is absent from duty because of illness or injury, may be granted paid sick leave of;

- a) A maximum of 3 months (92 days) on full pay in a year;
- b) Followed by a maximum of 3 months (91 days) on half pay;
- c) Subject to a maximum of 6 months (183 days) paid sick leave in a rolling four-year period.

A detailed statement of all sick leave absences is available to each employee on request from the Human Resources Department.

### 6.1 Ordinary illness

#### **Dual Look Back Process**

For the purposes of determining access to payment during sick leave, all periods of full pay, half pay and TRR should be included in the look-back.

Where there is a break in service of 6 months or longer and all the eligibility criteria are satisfied, the look-back will be extended accordingly. The break(s) in service must:

- i. Be unpaid
- ii. Not reckon for pension
- iii. Not accrue annual leave

It is important to note that if a break in service meets all these criteria, the entire period will be included in the extension, not just that portion that is 6 months or longer.

#### ***Step 1: Determine whether the employee has access to paid sick leave.***

The employee's sick leave is reviewed over the 4-year period prior to the current date of absence. If 6 months (183 days) paid sick leave has not been exhausted over that 4-year period access may be granted to paid sick leave.

#### ***Step 2: Determine whether full pay, half pay or TRR applies.***

If step 1 indicates that the employee has access to paid sick leave, their sick leave record is then reviewed over the 1-year period prior to the current date of absence to determine the rate at which sick leave may be paid. If the initial 3 months (92 days) limit at full pay has not been exhausted

within the 1 year look back period, full pay may be awarded until the limit of 3 months (92 days) has been reached. Thereafter, the amount paid will be calculated based on half pay or TRR, as appropriate.

## 6.2 Critical illness

The sick pay entitlements, for Critical illness, under the public sector sick leave scheme are as follows;

- a) A maximum of 6 months (183 days) on full pay in a year;
- b) Followed by a maximum of 6 months (182 days) on half pay;
- c) Subject to a maximum of 12 months (365 days) paid sick leave in a rolling four-year period.

The CIP protective year is the date of return to work from the CIP absence. If an employee has an ordinary illness (an illness which is not regarded as critical illness) within a 12-month period of the date of return to work following the critical illness, critical illness provisions will apply. The criteria for granting extended paid sick leave for a critical physical, serious injury or serious medical condition are set out in circular letter 0062/2015, appendix B section 2.

The decision on whether to award extended paid sick leave is a management decision having consulted with the relevant line manager. Whilst management must primarily consider the Occupational Health Physician advice, management should consider all the circumstances of the case.

Applications for extended sick leave for critical illness or serious physical injury must be made by the employee to Human Resources. In doing so it will be necessary to provide the OHP with the relevant medical report(s) supporting the application. This may be done through Human Resources or directly by the employee to the OHP.

The advice of the OHP may be appealed by the employee to a single appeal specialist OHP. This appeal will ordinarily be a file review only; however, the employee may arrange through Human Resources to meet with the specialist OHP.

Award of extended sick leave for critical illness or serious physical injury is a decision for the TU following receipt of medical advice from the TU's OHP or on appeal from the specialist OHP. The employee may appeal the award decision as set out in section 4 + 5 of Circular letter 0062/2015.

Further information on the Critical Illness Protocol is available from the Human Resource Departments and from the [TUS HR Webpage](#).

### 6.3 Pro Rata Sick Leave

The sick leave provisions for an employee participating in a work-sharing scheme or working on a part-time basis will be adjusted pro-rata to the employee's agreed attendance pattern and are subject to the normal provisions governing the granting of sick leave as set out in Section 6 of this Policy. Further information is available from the HR Department.

### 6.4 Dual Look Back

To calculate an employee's appropriate rate of pay when absent as a result of illness or injury there will be a dual look back system, (as outlined in section 6.1), to determine whether the employee has access to paid sick leave and to then determine whether full pay, half pay or TRR applies.

### 6.5 Temporary Rehabilitation Remuneration (TRR)

TRR is a payment to support the rehabilitation of employees who are absent on extended sick leave and who have exceeded the threshold of 183 days in a rolling 4-year period. Management has the discretion to approve or refuse TRR on a case-by-case basis.

The conditions to be met before TRR can be paid are:

- i. The employee concerned must have accrued two years' service, **and**
- ii. There must be a reasonable prospect that the employee will return to work and deliver regular and effective service. Management will take on board the medical advice of the OHP when making such a determination.

If the OHP advises that an employee is medically incapable of regular and effective service, an application for Ill Health Retirement should be made without delay.

TRR will not exceed 18 months (548 days) in the case of ordinary illness. In the case of an employee who has been granted extended sick pay under the critical illness provisions, they may have access to 12 months (365 days) TRR followed by a further period of TRR not exceeding 24 months (730 days). This further period of TRR is subject to regular reviews by an OHP.

### 6.5.1 Rate and Conditions of Payment

The rate of TRR is 37.5% of the remuneration that would otherwise accrue to the employee were they not on sick leave.

A waiting period of 3 days shall apply to each instance of absence to which TRR applies before payment can be made. This 3-day wait restarts with each new absence and is not cumulative. Saturdays, Sundays and days on which the place of employment is closed are included in the 3-day wait, as are days on which the employee was due to be present.

The 3-day wait does not apply in the following instances:

- Where the employee transitions from full pay or half pay to TRR during an ongoing absence, or
- Where the absence occurs under the provisions of the Critical Illness Protocol (CIP)

The limit for payment of TRR is 547 days in a rolling 4-year period, counting back from the day preceding the first day of the employees' current absence.

### 6.5.2 Interaction of TRR with Illness Benefit

The flat rate of 37.5% is inclusive of any Illness Benefit (IB) that may be payable to an employee. Where an employee is eligible for IB, they must apply to the Department of Social Protection with the appropriate documentation.

### 6.6 Unpaid Sick leave

An employee who remains medically unfit to resume duty but has exhausted the maximum period of sick leave and does not qualify for TRR, must notify the Human Resources Department if they intend to retain their position. The employee may be able to avail of a period of unpaid sick leave within which they may resume working if certified as fit to do so. This period of unpaid sick leave shall not normally exceed the TRR limits as set out in paragraph 4 of CL 0062/2015.

An employee must exhaust their period of paid sick leave before they can apply for unpaid sick leave. The granting of a period of unpaid sick leave is subject to continued submission on a regular basis (max 3 months) of acceptable medical certification, (as set out in section 6.12).

Prior to the expiration of unpaid sick leave, employers must seek the advice of an OHP on the employee's prospect of recovery and return to work. Where a return to duty is not deemed viable, the employer shall take such timely action as it deems appropriate, including but not limited to termination of the contract of employment.

### 6.7 Maternity related illness

Where an employee is medically unfit for work due to a pregnancy related illness, they will not receive less than half pay for the duration of their pregnancy-related illness, prior to going on maternity leave.

### 6.8 Self-Certified Sick Leave

An employee who is absent from duty because of illness or injury, may avail of a maximum of 7 self-certified paid sick days within a 24-month period (calculated from first day of self-certified sick leave taken). No more than 2 consecutive self-certified sick leave days can be taken at any given time. Where an employee exceeds 7 days' self-certified sick leave in a rolling 24-month period, the employee will be notified that their pay will be reduced accordingly, and the appropriate sum recouped. Unpaid absences are not pensionable service.

### 6.9 Reasonable Accommodation

The TU is aware that sickness absence may require that particular consideration be given to whether there are reasonable adjustments that could be made to the requirements of a job or other aspects of working arrangements that will provide supports at work and/or assist a return to work on the recommendation of the OHP.

### 6.10 Sick Pay Terms

Sick pay will be calculated with reference to the employee's basic rate of pay. For the avoidance of doubt, sick pay will not include payment in respect of any overtime which the employee may normally work.

In order to receive sick pay, all employees must submit medical certificates as required by this policy.

### 6.11 Sickness Absence Reporting

If an employee is ill or injured during a period of pre-approved leave, they may request that the days of incapacity be treated as sickness absence instead of annual leave. The employee must inform their line Manager of their incapacity and its likely duration as soon as possible even if they are abroad. The requirements for medical certificates stated in this policy will apply in this case.

In the case of an employee sustaining an injury at work, the line Manager should contact Health & Safety and make a full report on the incident.

If the employee cannot attend work because they are injured or ill, they must report this to their Line Manager before normal starting time on the first morning of the absence, where reasonably practical. The employee should continue to update the line Manager on a daily basis until medical certification is provided where applicable.

The relevant line Manager or their nominee must notify the Human Resources Department of the employee's absence.

### 6.12 Medical Certificates

Where an employee is absent on continuous sick leave of more than 2 days, a medical certificate must be provided.

Employees are required to submit a medical certificate covering the full period of illness, where;

- The sick leave period extends beyond a second consecutive day;
- The sick leave period spans a weekend in that it includes a Friday and the following Monday (such absence will be counted as four days as it includes Saturday and Sunday); or
- More than seven self-certified sick days have been taken in a 24-month period (calculated from first day of self-certified sick leave taken).

To be acceptable, a medical certificate must;

- Be signed by a duly qualified medical practitioner registered with the Irish or UK Medical Council or Dental Council of Ireland. In exceptional circumstances medical certificates may be accepted from overseas medical practitioners. The advice of an OHP must be sought in such circumstances.
- Normally cover a period of no more than one week. Certification for periods of up to one month may be permitted at the discretion of Human Resources/TU Management. Medical certificates covering a three-month period may also be accepted in exceptional circumstances. Medical certificates cannot be submitted retrospectively for periods of absence greater than one month.
- Medical Certificates must state fitness to work or otherwise and, while it is not obligatory to state the nature of the illness on the medical certificate, a failure to include this information may lead to difficulties if seeking to have the absence discounted, e.g., discounting of a university closure period.

For absences occurring in the days immediately before and after a weekend, bank holiday, annual or other types of leave, a medical certificate must be submitted to cover the whole period of absence including the weekend, bank holiday, days of annual or other types of leave as the case may be.

Where an employee who was on sick leave reports for work immediately prior to the commencement of a TU holiday period, the University reserves the right to refer the employee to its Occupational Health Physician.

Where an employee is absent on sick leave and has not returned to duty for a reasonable period before and after a period of TU closure, they will be deemed to be on sick leave for the whole duration unless:

- a) The employee provides a medical certificate of fitness to resume full duties prior to or during a period of TU closure, and
- b) The advice of an OHP as to the employee's fitness for full duties has been obtained and to whether the TU closure period or any part thereof might be discounted, and
- c) An OHP has deemed the period of return to duty to be reasonable, taking into account the medical circumstances in the individual cases.

Should an employee fail to provide a medical certificate in respect of an absence or sick leave as required, the TU will contact them to advise that if they fail to submit the required medical certification, the TU shall record the leave as a period of unapproved sick leave and payments will be withdrawn pending a return to duty or compliance and may be dealt with under the TU's disciplinary procedure.

Where an employee is no longer entitled to sick pay under the terms detailed in this policy but remains on the TU payroll, they must continue to supply a medical certificate.

Where there is a concern about the level of, or reason for absence, the employee may be required to provide a medical certificate for each absence regardless of the duration.

### 6.13 Statutory Annual Leave and Sick Leave

In general, full-time employees are entitled to 20 days statutory annual leave. Employees who work less than full hours are entitled to statutory annual leave on a pro-rata basis. If an employee becomes ill whilst on annual leave, they may apply for annual leave to be cancelled and reinstated on the production of a medical certificate.

An amendment to the legislation was made by way of section 86(1) of Workplace Relations Act 2015. It will have the following effects;

- a) Periods of sick leave at full and half pay will retain full annual leave entitlements and/or zero rate of pay due to certified sick leave. No annual leave will be accrued where an employee is absent from duty on pension rate of pay.
- b) An annual leave carryover period of 15 months will apply to those employees who could not, due to illness, take annual leave in line with current legislative provisions. Further information is available from Human Resources Department.
- c) On termination of employment, in lieu of untaken accrued annual leave will apply to leave which was untaken as a result of illness, in circumstances where the employee leaves the employment within a period of 15 months following the end of the leave year during which the statutory leave entitlements accrued.

### 6.14 Unauthorised Absence

Cases of unauthorised absence will be dealt with under the TU's disciplinary procedures and may lead to action up to and including dismissal.

An employee who has not reported for work and has not contacted their line Manager to explain the reason for their absence, their absence may be treated as an unauthorised absence and the absence will be deducted from pay.

### 6.15 Persistent frequent sick leave short-term absences

Where there is a concern about the level and frequency of an employee's absence, a confidential meeting will be convened to review their sick leave absences. This meeting may be held with the employee's line Manager in the first instance.

### 6.16 Keeping in contact during sickness absence

If an employee is absent on sick leave, they should expect to be contacted from time to time by the TU in order to discuss their wellbeing, expected length of continued absence from work and



any of their work that requires urgent attention. Such contact is intended to provide reassurance and will be kept to a reasonable minimum.

Where the TU is required to provide an employee with a written notice under this policy, it shall do so by ordinary post. If the TU does not receive an acknowledgement of receipt, from the employee within such period as may be specified in the written notice, it will re-issue it by registered post and any relevant timeframe associated with the notice shall be reset to the date on which the notice was sent by registered post.

If the employee has any concerns while absent on sick leave, whether about the reason for their absence or their ability to return to work, they should contact their line Manager or the Human Resources Department.

#### 6.17 Medical Examinations

An employer has a duty under section 8 of the safety, Health and Welfare at Work Act 2005 to ensure, so far as is reasonably practicable, the safety, health and welfare at work of his or her employees.

The TU must, therefore, refer an employee to an OHP, for the purpose of an independent assessment where reasonable concerns exist as to their capacity to undertake their duties in a manner that is safe for both the employee and employer.

The employee is required to co-operate and engage with an OHP. While many assessments will not require attendance, it is a matter for an OHP to decide in what circumstances an employee may be required to attend a medical assessment and/or arrange for the transmission to the OHP (by the employee`s attending doctor`s) of a comprehensive doctor-to doctor report.

The employee will be asked to agree that any report produced in connection with any such examination may be disclosed in confidence to the Human Resources Department and that the Human Resources Department may discuss the contents of the report with its appropriate advisers and the relevant medical professional. This is at all times without prejudice to their right of confidentiality referred to in this policy.

### 6.18 Return to Work

As stated above, an employer has a duty under section 8 of the safety, health and welfare at work act 2005 to “ensure, so far as is reasonably practicable, the safety, health and welfare at work of his or her employees”. A fit to return to work certificate must be submitted to the HR Department prior to a return to work.

The TU reserves the right to refer the employee for an independent medical assessment prior to allowing them to return to work and at the expense of the TU.

An employee intending to resume duty prior to the date specified on their medical certificate, must provide a medical certificate of fitness from their attending doctor before the date of resumption. In the absence of such a certificate the full period as recorded on the medical certificate(s) will be counted as sick leave. Certificates of fitness furnished at a later date will not be accepted as evidence of fitness for duty.

If the employee has been absent on sick leave, the TU may require and arrange for them to have a return-to-work interview with their line Manager. A return-to-work interview enables the TU to confirm the details of their absence. It also gives the employee the opportunity to raise any concerns or questions they may have, and to bring any relevant matters to the TU's attention.

The TU will consider applications under any approved schemes in relation to partial resumption of work duties following illness/incapacity such as that provided by circular Letter or other source.

### 6.19 Returning to Work from long-term sickness absence

The TU is committed to helping employees return to work from long-term sickness absence (normally 4 weeks) and will, where appropriate and possible, support a return to work by:

- a) Specifically obtaining medical advice from OHP;
- b) Making reasonable adjustments to the workplace, working practices and working hours;
- c) Considering redeployment; and/or
- d) Agreeing a return-to-work programme with everyone affected.

If at any time, the TU considers that the staff member has taken or is taking sickness absence and not complying with this policy, the TU may refer matters to be dealt with under its disciplinary procedures.

## 6.20 Social Welfare Benefits

### Claiming Illness/Injury Benefit-Requirements for Staff covered By PRSI Category A, E, H, Or P

Employees who pay PRSI category A, E, H, or P (PRSI categories can be found on a payslip) should make a claim to the Department of Employment and Social Protection (DSP) for illness/injury benefit payment when sick leave absence exceeds three consecutive days (including Saturday). Employees must complete and submit as required the appropriate DSP forms making sure to indicate the TU as their employer and authorising direct payment of benefits to the employee.

Benefits payable are retained by the employee and salary due will be deducted by the standard rate of illness/injury benefit pro-rata according to the number of days of absence.

Employees who pay category D PRSI are not eligible for illness/injury benefit from the DSP and therefore there is no adjustment to salary in respect of benefits due.

When employees are entitled to claim illness benefit, they will also usually be provided with a letter from the DSP stating their level of entitlement and the dates for which they are eligible for the benefit. Employees are required to provide Human Resources with a copy of this letter.

In cases where an employee is due to have a significant decrease in the salary or benefits paid to them, the TU will endeavour to inform them of the reduction one month in advance. Failure to inform the employee does not entitle a person to any additional payment or to any delay of the deduction in payments.

For the purpose of clarification employees are entitled to retain social welfare benefits if their pay will have been reduced in accordance with regulations to less than the weekly illness benefit rate.

Illness benefit deductions will commence the month following the first day of the period of sick leave where applicable.

#### 6.21 Potential Loss of earnings

Where, prior to resumption of duty, salary has been exhausted, it will be restored only from the date that the TU's OHP deems the employee fit to resume full duties. This is also conditional on the employee actually resuming duties on the first day following an OHP's certification.

In such cases, there is an onus both on the TU to refer the employee to the OHP and the employee to attend the OHP in a timely manner.

#### 6.22 Overpayments

Where an overpayment of salary arises, such an overpayment will be recouped from the employee's future salary.

#### 6.23 Confidentiality

Information pertaining to an employee will be treated by the TU and Occupational Health Practitioners with the upmost respect and confidentiality including medical certificates, in accordance with the general data protection regulations (GDPR).

#### 6.24 Employee Assistance Service

The Employee Assistance Service (EAS), provided by Spectrum Life, is designed to support employees with personal or work-related concerns through telephone support, specialist information and face-to-face counselling. Information on the service and the associated wellbeing platform is available on the Spectrum Life app.

#### 6.25 Occupational Health Physician

Confidential information will not be disclosed to the TU without the employee's consent. However, with permission, the assessor may provide limited medical information which may extend to naming the employee's condition in circumstances where the diagnosis has already been disclosed to the TU or where some understanding of the nature of the condition may assist in managing the employee's situation at work. The assessor is allowed to express an opinion as to whether an employee is fit or unfit to attend work or meetings, and to advise on any restrictions or modifications that should be placed in the workplace.

## 6.26 Compliance

All employees/employers must adhere to the regulations and procedures set out in this scheme. Failure to abide with the regulations and procedures will be dealt with under the agreed disciplinary procedures and may lead to the cessation of salary.

## 7.0 Medical Appointments

Medical appointments must ideally be arranged outside of working hours in the first instance unless in emergency circumstances.

In the event that the employee must attend a medical appointment during the working day, the following procedure applies:

- a) The employee must apply via the Employee Self Service (ESS) system for the relevant absence i.e. full day/less than full day medical appointment.
- b) The employee must submit evidence of attendance from the relevant hospital, clinic, medical practitioner etc. and must forward same to their line manager and the HR Department by email to the relevant HR Medical team; [hrmedical.midlands@tus.ie](mailto:hrmedical.midlands@tus.ie) or [hrmedical.midwest@tus.ie](mailto:hrmedical.midwest@tus.ie).

To be acceptable, evidence of medical appointment must:

- o State the name and address of the employee
- o State time & date of appointment
- o Be signed by a duly qualified medical practitioner or authorised person as appropriate

Where appointment confirmation is received by the employee by way of text message, acceptable evidence of medical appointment must be requested at the appointment and submitted to HR on return to work.

## 7.1 Morning Appointments

If an employee is due to attend a medical appointment in the morning, a reasonable period of attendance in advance and after the appointment is required. (e.g. no medical appointment to begin for one hour after their official start time and employee must return to work after the appointment). This can be requested as less than a full day appointment. If a morning appointment continues through the official lunch break from 1.00 – 2.00p.m., time off is not granted during this period.

### 7.2 Afternoon Appointments

If an employee must attend an appointment in the afternoon they must be in attendance until at least 12 noon. Time off will not be granted during the official lunch break from 1.00 – 2.00p.m.

### 7.3 Full Day Appointments

These absences will be deducted from an employee's overall sick leave balance in accordance with CL 0062/2015.

## 8.0 Monitoring, Maintenance and Review

This policy on Sick Leave Absence Management will be reviewed three years after the effective date.

## 9.0 Queries

For enquiries on this policy please contact the relevant HR Department:

TUS Midlands: [hrmedical.midlands@tus.ie](mailto:hrmedical.midlands@tus.ie)

TUS Midwest: [hrmedical.midwest@tus.ie](mailto:hrmedical.midwest@tus.ie)

## Appendix 1 - Consultation and Communication Plan detail

**IDENTIFIED NEED:**

AIT/LIT merge to new TU and to comply with legislation

**STAKEHOLDERS:**

Employees of the TU

**PROPOSED TIMELINE FOR CONSULTATION:**

May – June 2023

**CONSULTATION GROUP COMPOSITION (IF NECESSARY)****PROPOSED TIMELINE FROM DRAFT TO IMPLEMENTATION:**

October 2022 – June 2023

**BEST PRACTICE REFERENCES:****LEGISLATIVE REQUIREMENTS / REFERENCES:****APPROVING COMMITTEE/S:****PUBLICATION AND INFORMATION PLAN:****MONITOR AND REVIEW PROPOSAL:**