



Enable Ireland

SICK LEAVE POLICY & PROCEDURE

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1.0 Aim of the Policy

The management of sickness absence is an important and sensitive area. The following regulations are designed to ensure clarity regarding staff entitlements and to ensure the management of Enable Ireland services continue to operate effectively during periods of sickness.

2.0 Scope of the Policy

This policy applies to all staff and should be read in conjunction with the Managing Attendance Policy.

2.1 Scope for PDS Setting:

With reference to the application of the HR process in relation to staff employed by other agencies in through the PDS framework, this policy is applied in accordance with the:

- **National Policy on the Lead Agency Model'** (2019:4),
- **Interagency Agreement**, together with any new policy or guideline documents arising from PDS.

3.0 Sick Leave Procedures

3.1 Sick Leave Notification Procedures

Who should I contact when I am absent from work due to illness?

On any day of unavoidable absence due to illness staff are required, within one hour of commencement time of duty, to telephone their line manager directly or if they are not available, a more senior manager. It is not sufficient to leave a message with reception/switchboard. It is also not acceptable for staff to notify their line manager by text message. This notification must indicate whether or not a certificate will be furnished and the likely return to work date.

It is important that during a period of sickness a staff member maintains regular direct contact with their line manager/senior manager as to the situation and expected date of return- to-work. This practice enables the efficient running of the relevant area of the organisation.

What if a staff member has to arrange medical appointments?

Wherever possible, medical appointments must be arranged outside working hours. Alternatively, and with minimum disruption to the working day, the staff member's line manager may agree with the staff member that the hours are worked at another time. Where this is not possible, the staff member must notify their line manager of an appointment at the earliest opportunity. A line manager may request a medical certificate confirming the appointment.

If a staff member attends work and has to leave because of illness, is this regarded as a sick day?

A staff member who attends work for two hours and then due to illness has to leave work will be recorded as being on sick leave for half day. Any attended period under two hours will be recorded as a full sick day.

3.2 Uncertified Sick Leave

What is uncertified sick leave?

Uncertified sick leave is sick leave (max. two continuous days) where a staff member is not required to provide their line manager with a medical certificate. Where persistent or frequent short-term absences occur (whether uncertified or certified), Enable Ireland may make referrals for an occupational health assessment. See Enable Ireland's Managing Attendance Policy and section 3.4 below for further information.

3.3 Certified Sick Leave

When does a staff member have to obtain and submit a medical certificate?

A staff member must obtain and submit a medical certificate on their third continuous day of absence due to illness.

If it is anticipated that a staff member is going to be absent from work for more than one week, then weekly sick certificates will be required.

A staff member who has been absent for an extended period of sick leave will be required to submit a certificate of fitness to return-to-work from their doctor or, in some cases, to undergo a medical examination by doctor/appropriate specialist appointed by Enable Ireland before returning to work.

In a job where a staff member does not work on a Saturday is it regarded as a certifiable sick day?

Yes. For example, if a staff member is out sick on a Friday and Monday, the staff member will be required to obtain a medical certificate. However for record-keeping purposes, absences will only be recorded for actual days of work missed.

Where does a staff member get a sick certificate?

A staff member can obtain a sick certificate from a doctor.

3.4 Occupational Health Assessments

In some cases a staff member will be required to attend an Occupational Health Assessment.

An OHA may be carried out to determine a staff member's fitness to work and, in some cases, to assess fitness to engage with Enable Ireland on a range of matters.

An OHA may also be required to determine appropriate supports for staff.

Once deemed medically fit to work, Enable Ireland will agree a return to work date with the staff member pending completion of any outstanding matters.

3.5 Medical Certificate

What should the medical certificate detail?

The medical certificate should be fully completed, i.e. it should be dated, state the name and address of the certifying doctor and of the staff member, and the nature and expected duration of the illness. It should detail the period which the doctor regards the staff member as being unfit for work and must be signed by the doctor, not stamped.

To whom does a Staff Member give the Medical Certificate to in Work?

This should be forwarded to the staff member's direct line manager on or before the third day of sick leave, this will be filed on your local HR file and your manager will advise the HR Department of the sick leave dates for social welfare purposes. A medical certificate should include:

- The name and address of the staff member
- The general nature of the illness
- The dates for which the staff member is covered by the medical certificate
- The GP's signature

If the illness persists, additional medical certificates must be submitted on a regular and timely basis, prior to the expiration of the last medical certificate, in accordance with the Sick Leave Policy & Procedure. Failure to adhere to this policy will result in Social Welfare Illness Benefit deduction arrears.

Staff are required to co-operate with interventions to assist them to return to work, e.g. occupational health services, etc.

3.6 How does a Staff Member get a Sick Certificate to their Line Manager if the Staff Member is Out Sick?

This can be sent by post to the staff member's line manager. Signed scanned copies will also be accepted if sent by email. If it is anticipated that the staff member will be returning to work before the length of time it takes for the certificate to be posted, they must telephone their line manager **only** and inform them of the date the staff member will be returning to work and advise them that the staff member will have a medical certificate to cover the days of absence and that the staff member will present it on their return. In cases of long- term illness, (2 years or more) the staff member is required to submit quarterly certificates to their Line Manager.

Can a Staff Member Return Early from Certified Sick Leave?

No. If a staff member wishes to return-to-work prior to the date set out in the medical certificate the staff member will be required to submit a new and revised medical certificate stating that the staff member is now fit to resume work.

Can Staff Carry out Other Paid Work while on Sick Leave with Enable Ireland? No, it is not permitted to carry out employment duties while on sick leave with Enable Ireland. This would be considered to be a serious breach of the Enable Ireland sick pay scheme.

4.0 Sick Pay Scheme

You will be entitled to the Enable Ireland sick pay scheme (as outlined below) after six months continuous service with Enable Ireland.

Previous service tenure on a CDNT, which was managed by Enable Ireland as Lead Agency, and/or inwards secondment to Enable Ireland, qualifies for eligibility of Enable Ireland's sick pay benefits as outlined in the Enable Ireland Sick Leave Policy.

4.1 What does the Enable Ireland sick pay scheme entitle staff to?

The terms of the sick pay scheme, which is offered to some staff of Enable Ireland (dependent on terms and conditions of employment) who have completed their six months continuous service period successfully, are as follows:

- Full pay (less the appropriate deductions for social welfare) for the first 13 weeks of sickness in any 12 month rolling period (or as per the employment contract).
- Half pay (less the appropriate deductions for social welfare) for a further 13 weeks of sickness in the same 12 month rolling period (or as per the employment contract).
- There is no pay due after 26 weeks of sickness in the same rolling 12 month period. Staff in this situation however, will, if they are members of the Pension Scheme, be eligible to make an application for Income Continuance under Enable Ireland's Income Continuance Plan. (Further details are available from the Human Resources Department, 32F Rosemount Park Drive, Rosemount Business Park, Ballycoolin Road, Dublin 11).

4.2 Making a Disability Benefit Claim

Why does a staff member have to make the Disability Benefit Claim if Enable Ireland pay the staff member's wages for a certain length of time when they are out sick?

Enable Ireland provides a sick pay scheme on the basis that, as a condition of employment, qualifying staff make Disability Benefit Claims. This assists Enable Ireland in the payment of wages when staff are out on sick leave.

What is a Disability Benefit claim?

This is a short term entitlement from the Department of Social Protection. Payment of this benefit is dependent on PRSI contributions.

When does a Staff Member submit a Disability Benefit Claim to the DSP?

It is necessary to make the claim within four days of becoming ill and the procedure must be followed each and every time a staff member is absent on sick leave for more than three consecutive days.

Where does a Staff Member get a Disability Benefit Claim Form and who completes the form?

The form is available from a doctor. The staff member must get an Illness Benefit Claim Form (IB1 form) and a medical certificate called a 'Certificate of Incapacity to Work' from their doctor. The staff member completes the IB1 form and freepost it to the Dept. of Social Protection (see address below). The staff member should bring their PPS number with them as the doctor will need this to complete the form(s). The staff member must ensure they tick the box under the section 'Payment Method' for payment to be issued directly to the staff member.

Enable Ireland will only be required to complete sections of the form where the illness originates from a workplace accident.

Where does a Staff Member send the claim form upon completion?

Completed certificates may be handed into the staff member's local Social Welfare Office or alternatively, post it to:

**Department of Social Protection,
Illness Benefit
PO Box 1650
Dublin 1
Telephone: 01 7043300**

As a part-time staff member who works two days one week and three days the next week and cannot attend work during this two week period, when do they make a claim for Disability Benefit?

From an attendance point of view this is regarded as five days continuous sick leave, therefore, the staff member will be required to make a Disability Benefit Claim on the fourth continuous day of absence. When completing the claim form, the staff member must claim from the first day of illness to the last day of their illness.

If the Staff Member lives in Northern Ireland, works in the Republic of Ireland and attends a doctor in Northern Ireland, from which state does the staff member make a disability benefit claim?

The staff member may attend their doctor in Northern Ireland, use the claim form obtained from their doctor and then should submit it to Department of Social Protection in the Republic of Ireland at the address above (p.5).

Is Disability Benefit liable for tax?

The Department of Social Protection has advised that, from 1 January 2018, it ceased issuing lines and Occupational Injury/Benefit notifications to employers. These notifications were issued in the past to employers to assist them in calculating staff member's tax.

However, from 1 January 2018, Revenue will incorporate the taxable element of Illness or Occupational Injury Benefit into staff tax credit certificates. This has the effect of reducing staff member's available tax credits/rate bands. Staff member's USC rate bands are not affected.

How is Disability Benefit paid?

All Disability Benefit Claims being submitted to the Department of Social Protection for processing must specify that the payment is to be made out to the staff member and not to Enable Ireland. This is achieved by ticking the box requesting that the cheque be sent to the staff member's home address or lodged to their own bank account. Please do not request that payment is made out to Enable Ireland.

If you are employed by another organisation as well as Enable Ireland, you should contact both the HR & Payroll departments for social welfare deduction purposes.

If a staff member is entitled to sick pay under the Enable Ireland scheme, how does Enable Ireland recoup the Disability Benefit paid to the staff member?

It is imperative that the staff member completes part 4 of the claim form for Disability Benefit in full with the following employer information:

Address:

Enable Ireland

32F Rosemount Park Drive Rosemount Business Park
Ballycoolin Road
Dublin 11

Phone Number: 01 8727155

Type of Business: Disability Service Provider

Employer's Reg. No. 0070809W

Disability Benefit deductions will be made by the Payroll Department on the standard daily rate amount advised by the Department of Social Protection. These deductions will be based on the [Monthly Sickness Record Form](#) submitted to the HR Department. Staff who fail to make a Disability Benefit Claim will be deducted at the standard rate and the onus will be on them to make the claim with the Department Social Protection to recoup these amounts.

If a staff member is not entitled to sick pay under the Enable Ireland scheme what do I do with my Disability Benefit Payments?

The staff member should retain the Disability Benefit payment received from the Social Welfare Services Office for their own purposes. There is no requirement to forward details of this payment to the Accounts Department as the staff member will not have received a wage payment from Enable Ireland.

Where can staff get further information on Disability Benefit?

Disability Benefit is fully explained on the Department of Social Protection website at www.welfare.ie.

(For staff eligible for payment under the Enable Ireland sick pay scheme)

5.0 Non-Compliance

Staff who fail to comply with the Sick Leave Regulations above with regard to notification and certification may result in the loss of entitlement under the Enable Ireland Sick Pay Scheme and/or may incur other disciplinary action. Staff who fail to make a claim for disability benefit where appropriate, or to submit details or copies of social welfare disability benefit cheques promptly, without good reason, will also result in the loss of entitlement under the Enable Ireland Sick Pay Scheme and/or may incur other disciplinary action.