

# Sick Leave Procedures

## Section 1 - Preamble

(1) These procedures apply where employment is governed by the University's current [Enterprise Agreement](#). The provisions under other industrial instruments may differ.

## Section 2 - Approval Authority

(2) The Head of Work Unit has the authority to approve sick leave, up to a cumulative total of six weeks in a calendar year, within the provisions of the Enterprise Agreement or appropriate industrial instrument, University Policies and Procedures.

(3) The Head of Work Unit may transfer their approval authority for sick leave to a manager/supervisor (at HEW5 level and above) within their work unit using a Transfer of approval authority. The transfer will enable the manager/supervisor to approve sick leave within MyHR for employees reporting to them.

(4) The Vice Chancellor has the authority to approve sick leave applications:

- a. in excess of six weeks in a calendar year and up to a maximum of thirteen weeks (where exceptional circumstances exist).
- b. beyond thirteen weeks where employees have more than five years continuous service (determined on a case by case basis).

## Section 3 - Eligibility and Conditions

### Eligibility

(5) An employee who satisfies the University that they are unable to perform their duties by reason of illness may be granted paid sick leave at the ordinary rate of pay for absences of up to a cumulative 6 weeks in a calendar year.

(6) In exceptional circumstances, as determined by the Vice Chancellor, paid leave may be granted for a period up to a maximum of 13 weeks. For employees with more than five years continuous service, any further period of paid sick leave beyond 13 weeks may be determined by the Vice Chancellor on a case by case basis.

(7) An employee appointed for short periods of six months or less may be restricted to one week of paid sick leave.

(8) Part-time employees are eligible for sick leave on a pro-rata basis.

(9) Casual employees are not eligible for sick leave. Where illness prevents a casual employee from attending work, they should notify their supervisor of their absence within one hour of their normal commencement time.

### Conditions

(10) The requirements relating to the provision of medical certificates must be met (see clause 14) for each absence.

(11) The granting of paid sick leave cannot be assumed until approval for the leave has been given by the authorising officer.

### **Reasons for sick leave**

(12) Paid sick leave may be approved when an employee:

- a. is unable to work on account of illness, or
- b. requires urgent dental treatment, or urgent treatment by a recognised medical para-professional, or
- c. requires non-urgent medical, remedial or dental treatment where it is not possible to obtain an appointment outside normal working hours.

### **Notification requirements**

(13) As far as practicable, an employee absent due to illness or incapacity will advise their supervisor within one hour of the commencement of the first working day of the absence, advising the estimated duration of the absence. The employee must communicate directly with their supervisor or nominated officer, not by way of voice mail or email.

### **Medical certificates**

(14) Where a sick leave absence is in excess of three consecutive working days, applications for sick leave under conditions specified in clause 12 above must be supported by a medical certificate from a medical practitioner (medical doctor or medical specialist), rather than a dentist or medical paraprofessional.

(15) The medical certificate provided by the employee must specify the period or approximate period of absence. For example, if an employee provides a medical certificate covering four working days and a fifth day of sick leave is required, a further medical certificate is not required.

(16) An employee may be required to provide a medical certificate for any sick leave absence where the employee is unable to attend for duty in respect of the day or days applied for as sick leave.

### **Sick leave without pay**

(17) Where paid sick leave has not been approved for an absence, the absence may be debited as leave without pay. If each day of the absence is covered by an appropriate medical certificate, periods of sick leave without pay of up to a maximum of one month per calendar year will count as service for the accrual of annual leave.

(18) Employee superannuation contributions may be required during a period of sick leave without pay. Further information can be obtained from HR Services.

(19) An employee on sick leave without pay may be entitled to receive a Commonwealth sickness benefit. It is the employee's responsibility to contact [Centrelink](#) to ascertain their entitlement for assistance.

### **Use of other forms of leave**

(20) Where leave is not approved as paid sick leave, the absence will be without pay. Alternatively, the employee may elect to have the absence deducted from available annual leave or long service leave (LSL). (The minimum requirements for the taking of LSL do not apply in this case.)

### **Re-credit of other forms of leave**

(21) Where an employee, who is eligible for sick leave, produces a satisfactory medical certificate confirming that they were incapacitated for a period of one working week or more whilst on annual leave or long service leave (LSL), the University will re-credit the employee with an equivalent period of leave providing:

- a. the period of annual leave or LSL to be re-credited is at least one working week; and
- b. the employee applies for the sick leave within one week of becoming ill.

(22) No such re-credit will be granted to an employee on annual leave or LSL immediately prior to retirement, resignation or termination of employment.

(23) Sick leave will not be granted where flexi leave has been approved for a professional employee and they do not provide advice that they are sick until the day the flexi leave is taken.

### **Workers' compensation**

(24) If an employee's absence results from a work related illness or injury, the supervisor and the WHS team must be notified as soon as possible after the injury occurs and the appropriate workers' compensation documents completed (see [Workers' Compensation Procedures](#) for further information).

### **Health risks**

(25) Where a supervisor is aware that an employee is suffering from a condition that may affect others, they should liaise with the employee and have them obtain a medical certificate indicating whether the condition is likely to pose a health risk to themselves and others.

### **Notification of major illness**

(26) If an employee suffers a major illness requiring a lengthy absence from work, the supervisor should advise HR Services as soon as possible. HR Services will co-ordinate further action to assist the employee and keep the Head of Work Unit informed.

### **Lengthy or frequent periods of sick leave**

(27) To enable appropriate support to be offered to employees who have taken lengthy or frequent periods of sick leave and to enable the University to address any workplace issues that may exist, it is important for supervisors to establish the reason for the leave as soon as possible. It may be necessary for the supervisor to visit or meet with the employee to establish the circumstances surrounding their absence.

(28) At this meeting supervisors may need to take some or all of the following steps:

- a. provide the employee with details of their sick leave record and the opportunity to explain their reasons for taking leave;
- b. where problems exist and further information is required, inform the employee that they will need to provide more information so that suitable arrangements can be considered;
- c. if there is concern about the employee's fitness to return to duty, consider and discuss with the employee options such as applying for permanent/temporary disablement benefits where they are available through their superannuation scheme;
- d. if necessary, take steps detailed in clauses 40 to 48 regarding absenteeism relating to sick leave.

### **Return to work**

(29) The University is committed to assisting its employees return to work as soon as is safely possible after a period of temporary disability caused by injury or illness. Through processes such as a gradual return to duty and temporary modification of duties, a return to work plan can be introduced. Employees and supervisors should discuss the possible options, and if necessary, seek the assistance of the HR Manager (Workplace Health & Safety).

(30) If an employee has provided a medical certificate which indicates they are unfit for a specified period and they

wish to return to work before the expiration of the period covered by the certificate, a clearance medical certificate indicating their fitness to resume duty may be required.

### **Fitness to continue employment**

(31) If an employee is suffering an illness which is likely to be long term and doubt exists about the employee's capacity to return to work, the employee's supervisor should contact HR Services about the procedure for medical retirement.

### **Rates of pay for sick leave**

(32) When paid sick leave has been approved for an absence, salary for the period will be paid at the employee's ordinary rate of pay.

(33) Relieving allowance and additional responsibilities allowance will continue to be paid during periods of paid sick leave if the employee is in the higher position for a total continuous period of six months or more. Relieving allowance will not be paid when the total continuous period in the higher position is less than six months. In such cases, should the period in the higher position subsequently be extended beyond six months, the allowance will only be paid during periods of paid sick leave taken after an extension beyond six months has been approved and six months in the higher position has been served.

(34) First aid allowance will be paid during periods of paid sick leave.

(35) Shift allowances are not payable for any sick leave absences.

### **Reimbursement of loss of earnings**

(36) Where paid sick leave is approved and the employee subsequently receives reimbursement for loss of earnings from a source other than the University (e.g. third party workers' compensation or insurance claim), payments made to the employee must be reimbursed to the University.

### **Suspension of committee and administrative duties**

(37) During an extended absence due to illness, an employee is to suspend membership on all SCU committees and relinquish all activities of an administrative nature. The employee should notify the chairperson of each committee as soon as practicable.

### **Confidentiality**

(38) Information relating to an employee's health is treated confidentially.

### **Employee records**

(39) Employees may access a record of their approved sick leave using [MyHR](#). If information concerning medical certificates or records predating MyHR is required, enquiries should be directed to HR Services.

### **Absenteeism related to sick leave**

(40) It is the role of supervisors and authorising officers to monitor the attendance of their employees and manage sick leave provisions in a fair and equitable manner.

### **Definition**

(41) Absenteeism related to sick leave can appear in different situations and may require attention where there has been:

- a. a pattern of repeated absences from work for short periods of time; or
- b. misuses of sick leave (e.g. combining sick leave with weekends or other types of leave to have extended absences from work).

(42) While absenteeism is not solely related to abuse of sick leave, these guidelines relate specifically to absenteeism due to alleged illness. References to 'repeated absences' in this section should not be confused with repeated absences due to legitimate illness. In cases where legitimate repeated absences are having a severe detrimental effect on the workplace, and there is some doubt about recovery, the supervisor should consider the person's fitness to continue in employment (see [Termination on the Grounds of Ill-health](#)).

### **Identifying the underlying cause of the problem**

(43) Repeated absences on sick leave may become a problem when the absences affect the efficient and effective operation of the workplace, including the morale of the absentee's colleagues. In some cases, absenteeism may be just one aspect of performance related issues. When misuse of the sick leave conditions is suspected or an employee is taking excessive amounts of sick leave, the supervisor should meet with the employee to discover the reason for the excessive amount of leave taken and any underlying causes for the absences, e.g. problems with the organisation of work, occupational hazards, or other problems that may affect work performance. Attempts should then be made to resolve any identified problems. Advice on matters such as work redesign, identification of occupational hazards, counselling or referral under the [Employee Assistance Program](#) is available from HR Services.

(44) Once the cause of the problem has been identified and a solution agreed upon, the supervisor should allow appropriate time for the proposed resolution to be trialled and evaluated.

(45) At each discussion with the employee, the supervisor should give a clear indication of the standards considered acceptable, and outline any subsequent steps which may be taken to monitor compliance with these standards. In accordance with University procedure, the supervisor should:

- a. document the discussion.
- b. provide the employee with a copy of the document. The employee should either:
  - i. acknowledge receipt of the copy on the original document, and indicate that it is a fair and accurate record of the discussions; or
  - ii. if the employee believes the document is not a fair record, the areas of agreement and disagreement should be recorded and forwarded to the supervisor's manager through the supervisor.

(46) All documentation will be forwarded to the supervisor's manager for review and then placed on the employee's personnel file.

### **Requesting medical evidence for absence**

(47) If, following discussions with the employee and attempts to address the cause of the absenteeism, the employee's sick leave record continues at an unsatisfactory level, the supervisor should consult with a representative from HR Services. If appropriate, the employee should then be warned that, if the absences continue, a medical certificate will be required for each future absence attributed to sick leave.

(48) Written instructions issued by the supervisor to an employee about the provision of medical certificates will also specify the process and time frames in which this requirement will be reviewed. A copy of the instructions will be placed on the employee's file.

## Section 4 - Application and Approval Process

(49) As far as practicable, an employee absent due to illness or incapacity will advise their supervisor within one hour of the commencement of the first working day of the absence, advising the estimated duration of the absence. The employee must communicate directly with their supervisor or nominated officer, not by way of voice mail or email.

(50) Where the absence is for two weeks or less, the employee is required to complete a leave request in [MyHR](#) (the University's Human Resource Information System) as soon as they return to work.

(51) Where a supporting medical certificate/s is required, employees should scan the original of the medical certificate/s and email a scanned copy to [hr@scu.edu.au](mailto:hr@scu.edu.au), also copying the email to their supervisor so the leave can be approved.

(52) Where the continuous absence exceeds two weeks, the employee's supervisor should:

- a. seek a decision concerning the granting of paid leave from the authorising officer;
- b. discuss the arrangements for further leave with a member of the [Client Services Team](#) in HR Services;
- c. ask the employee to email a scanned copy of the medical certificate/s covering their absence as soon as possible to [hr@scu.edu.au](mailto:hr@scu.edu.au) and copying the email to them (the supervisor); and
- d. if necessary, complete a leave request in MyHR on the employee's behalf and forward the scanned copy of the medical certificates supplied to the authorising officer.

(53) When the sick leave has been approved, the employee will receive an automatically generated confirmation email.

(54) Where paid sick leave is not approved, the supervisor will:

- a. advise the employee accordingly;
- b. establish with the employee the type of leave that is to apply for the absence (e.g. leave without pay, annual leave etc.); and
- c. if necessary, complete a leave request in MyHR on the employee's behalf.

(55) Professional employees are required to reflect the period of their leave on their fortnightly attendance record in MyHR.

(56) Where applicable, payment of allowances will cease during the period of leave.

## Section 5 - Links and Forms

[SCU Enterprise Agreement](#)

[NSW statutory declaration](#)

[Qld statutory declaration](#)

[Apply for leave - My HR](#)

[MyHR leave](#)

[Employee assistance program](#)

[Termination on the grounds of ill-health](#)

[Centrelink](#)

[MyHR for supervisors](#)

[Supervisor's guide to leave](#)

[Transfer of approval authority](#)

## Status and Details

|                           |                                        |
|---------------------------|----------------------------------------|
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