

Overview

The University is committed to providing a healthy workplace for all staff and to pro-actively managing the return to work of staff who have suffered from illness or injury. It regards the management of Sick Leave in the workplace as an important part of a supervisor's responsibilities.

Work-related illness or injury is handled separately under the University's Workers' Compensation provisions.

Policy

Entitlement

- 13.03.01** Continuing and fixed term staff who have completed more than three (3) months of service and satisfy the University that they are unable to perform their duties by reason of personal illness, injury or incapacity (not arising out of, or in the course of, their employment) will be entitled to sick leave with pay sufficient to permit them to recover from their personal illness, injury or incapacity. There will be no cap on the level of sick leave.
- 13.03.02** Staff who have less than three (3) months of service will be entitled to 3 days paid sick leave. Additional sick leave within that period will be unpaid and will not count as service for any purposes.
- 13.03.03** Casual staff, including students, are not eligible for Sick Leave.
- 13.03.04** Where a public holiday, which would otherwise be a working day, falls during a period of sick leave, the absence on the public holiday will be treated as sick leave.
- 13.03.05** Fixed term contracts will not be extended to accommodate a period, or periods, of Sick Leave.
- 13.03.06** The minimum period of Sick Leave which will be recorded is half of the staff member's ordinary working day. Periods of leave of less than half a day should be managed flexibly within the work area.
- 13.03.07** Where a staff member is not ill but requires treatment from a health practitioner which can be booked in advance (e.g. immunisations, routine dental, eye checks), appointments should be scheduled outside normal working hours or managed flexibly.

Health Certificates

- 13.03.08** Health certificates will be accepted from the following registered health practitioners: medical practitioner, chiropractor, osteopath, optometrist, physiotherapist, psychologist, registered midwife or dentist.

13.03.09 A health certificate will be required where a staff member is absent from duty on grounds of illness for any period

exceeding 3 consecutive days; or
in excess of 20 aggregate working days.

13.03.10 In the absence of such proof, the period of absence from duty will be without pay or, at the request of the staff member, will be deducted from his or her leave credits.

13.03.11 Where a staff member suffers from a chronic illness resulting in regular absences, a health certificate stating the nature of the illness, the anticipated pattern of absence and any special requirements should be provided. Should the health condition change during the period covered by such a certificate, it is incumbent on the staff member to advise the University immediately.

13.03.12 The University will accept certificates which comply with the principles established by the New South Wales Medical Board to ensure quality, accuracy and truthfulness in health certificates, in particular:

- (a)** the certificate should be dated with the date upon which it was written and back dating or post dating is unacceptable, provided that the health practitioner may include reference to the period that the illness would have incapacitated the staff member;
- (b)** a medical assessment of the staff member's condition must be included, based on the health practitioner's own observations (see clause **13.03.22** on confidentiality options) including, where relevant, the degree of incapacity.
- (c)** the date on which the health practitioner considers the staff member is likely to be able to return to work must be provided.
- (d)** the certificate may indicate whether altered duties are required for effective return to work.

13.03.13 The nature of the illness is required on health certificates to ensure that:

- an assessment can be made at any stage where there appears to be a pattern of illness/attendance which needs to be addressed;
- an assessment can be made at an early stage as to whether there is a potential work-related illness;
- a determination can be made whether follow-up or support services are required on the staff member's return to work;
- treatment and/or rehabilitation is provided in a timely manner;
- the University has time to modify the work area, if necessary, before the staff member's return to work.

- 13.03.14** Where the nature of the illness is withheld at a staff member's request, the staff member should be aware that the information provided may not meet the University's requirements for paid Sick Leave. In such cases
1. Staff may inform their supervisors confidentially about the nature of the illness.
 2. Where supervisors are satisfied that the illness complies with the University's guidelines, they will so notate on the leave form and attach to the health certificate, which will then be forwarded to Human Resource Services.
 3. The staff member or supervisor can seek advice confidentially from the Equity & Diversity Office or Return to Work Coordinator as appropriate, who may also certify as appropriate on the health certificate.
- 13.03.15** A health certificate from a registered medical practitioner may be required for Sick Leave absences provided that the staff member is given notice of the requirement. This may include situations where a staff member is receiving ongoing treatments by a non-medical practitioner, or where a supervisor has concerns regarding a pattern of short term (one day or less) illness.
- 13.03.16** Staff must not return to work if they have a health certificate declaring they are unfit for work for that period. A clearance certificate should be obtained if recovery is earlier than expected.
- 13.03.17** If the University believes the certificate provided does not comply with these principles, the staff member will be given a copy of the Sick Leave policy and be advised of the specific concern with the certificate and will be given an opportunity to obtain an amended certificate from their registered health professional.

Confidentiality

- 13.03.18** The University acknowledges the staff member's right to privacy and will not provide any material or information obtained in relation to Sick Leave to any person who does not have a lawful purpose for requiring the material or information.

MANAGEMENT OF SICK LEAVE

- 13.03.19** The University will manage sick leave in a fair and equitable way, which takes account of the circumstances and results of individual absences.
- 13.03.20** Return to work will be encouraged by the supervisor, within the limits of medical advice from the relevant health practitioner or rehabilitation co-ordinator.
- 13.03.21** Measures which may be appropriate to assist return to work include, but not limited to, mutual agreement to temporary or permanent:

- reduction in hours of work
- changes to duties or position
- retraining
- support for rehabilitation
- ergonomic or other aids or equipment
- a formal return to work or rehabilitation programme
- other reasonable accommodations for disability, incapacity, or illness.

13.03.22 The authorised supervisor approves all applications for sick leave, with the exception of sick leave without pay, which must be approved by the Head of Cost Centre.

13.03.23 It is the responsibility of the supervisor to monitor sick leave absences and provide required documentation and advise absences to Human Resource Services.

13.03.24 When notified of a staff member's serious/significant illness, or absence from work for more than 10 working days in one episode, the supervisor will immediately inform Human Resource Services which will provide advice as necessary on any processes to facilitate the staff member's return to work.

Procedures for absences unsupported by certificates

13.03.25 A staff member who has a recent pattern of absences unsupported by health certificates may be interviewed by her or his supervisor about the sick leave within the context of the person's overall attendance patterns and work performance. More than fifteen (15) one or two day absences or a regular pattern of five (5) absences unsupported by health certificates, in any twelve month period, may be sufficient to initiate an interview.

13.03.26 Following this interview it may be decided that:

- (a) no further action need be taken; or
- (b) The staff member may be placed on a health certificate requirement by the Head of Cost Centre for future absences during that period. The staff member will also be advised in writing of this and of the possible consequences of maintaining the pattern. (This will be done in conjunction with Human Resource Services and a record will be kept on the staff member's file.)

13.03.27 If the staff member's absences continue to cause concern during the further review period, he or she may be required with reasonable notice, to attend an examination by a medical practitioner nominated and paid for by the University, so that an assessment may be made as to whether the staff member's health

is consistent with the staff member's frequency and duration of absences from work.

- 13.03.28** The staff member will be
- provided with a copy of the letter of referral
 - entitled to provide details from their own registered health practitioner to the medical practitioner nominated by the university prior to the assessment.
 - provided with a copy of the medical report.
- 13.03.29** If the medical practitioner's assessment is that the staff member's health is consistent with the frequency and duration of absences from work, the University will need to consider whether reasonable accommodation can be made within the work area.
- 13.03.30** Where a return to work within a reasonable timeframe is not deemed possible, the option of medical retirement may be considered.
- 13.03.31** If the medical practitioner's assessment is that the staff member's health is inconsistent with the frequency and duration of absences from work, a further period will be specified for improvement and the staff member will be advised of the possible consequences of continuing with absences of a frequency and duration which are inconsistent with the health assessment.
- 13.03.32** If there is still no improvement within the period specified in clause **13.03.26**, the University may take disciplinary action in relation to the staff member. Misconduct Procedures will apply only where sick leave is not used for genuine purposes.

Procedures

- 13.03.33** A staff member unable to attend work due to illness will inform the supervisor or other senior person as soon as is practicable, stating the estimated duration of the absence, and stating the nature of the illness and the expected duration of the leave.
- 13.03.34** If leaving work due to illness, a staff member will inform his or her supervisor before doing so, unless there are circumstances rendering this impossible.
- 13.03.35** Applications must be made as soon as possible after the staff member's return to work either
- on the Multipurpose Leave Form (13.01a), or
 - applied for on-line through the HR WebKiosk (where available).

All sick leave applications must be submitted, through the supervisor, to the Head of School/Unit for approval and forwarded,

with a medical certificate where required, to Human Resource Services for recording.

- 13.03.36** If it is clear that a staff member is to have a prolonged Sick Leave absence, the staff member should complete and return any forms, along with medical certificates, progressively during the period of Sick Leave.

Further Information

HR Client Services	Arts & Sciences	ext. 3319 or 3947
	EBL & EHPS	ext. 3824 or 3433
	Support Services	ext. 2511

References

Sickness Certificate Policy - New South Wales Medical Board

Approved Vice-Chancellor:	27 May 2007
RMO Document No.:	D03/368
Policy Review Date:	30 June 2008
Responsibility for review:	Human Resource Services