



Polasaí agus Nósanna Imeachta/Policies and Procedures

Code	QA105
Title	Sick Leave Policy
Date	01 February 2021, Revised 19 October 2022, 20 October 2023; 15 July 2025
Approved By	University Management Team

1.0 Purpose

The purpose of this policy is to outline employee sick leave entitlements and provide a consistent and fair process for the approval, recording and reporting of all absences from work due to sickness.

2.0 Scope

This policy applies to all employees of the University, including full-time, part-time, temporary or those on fixed-term contracts of employment. It also applies to workers such as agency staff, and casual staff.

3.0 Description

Sick leave forms an integral part of each employee's contract of employment with the University. The granting of sick leave to an employee who is ill is intended to provide an adequate opportunity for that employee to recover from the illness.

This policy, together with the Provisions of the Public Service Management (Sick Leave) Regulations, SI 124 of 2014 and Public Service Management (Sick Leave) (Amendment) Regulations 2015 SI 384 of 2015 determine the terms and conditions for all absences due to illness. All limits and definitions are as specified in the circular except where additional items are stated in this policy.

4.0 Glossary

CIP – (Critical Illness Protocol) – 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.

DSP – (Department of Social Protection) - oversees the provision of income support and other social services. It is responsible for the delivery of a range of social insurance and social assistance schemes including provision for illness benefit, maternity, partial capacity benefit, retirement, and many more services.

EAS – [Employee Assistance Service - University of Galway](#) – Professional Counselling and Information Services. This service is free and confidential.

Employee Relations team – administrators of leave schemes and Occupational Health.

HR – Human Resources.

HR Sick Leave – Human Resources Sick Leave – hrsickleave@universityofgalway.ie



OHP – Occupational Health Physician – a provider of independent medical advice.

Ordinary Illness – means an illness which is not regarded as a critical illness.

Return to Work Post Sick Leave (SL1 Form) – [Forms - University of Galway](#) – This must be submitted to HR Sick Leave after every absence due to illness.

Rolling Period – The rolling period commences from the start date of the absence. When calculating the entitlement to uncertified sick leave the look back is two years from the start date of the sick leave absence. When calculating the entitlement to paid sick leave, the look back 4 years from the start date of the absence.

Sick Pay – refers to the pay that an employee may be awarded while they are absent on sick leave.

TRR – (Temporary Rehabilitation Remuneration) – This is the remuneration an employee may be awarded when they are absent on sick leave and their entitlement to paid sick leave has been exhausted.

Note – If an employee is unwell and has been certified as being unfit for work, the expectation is that they do not work for the period of the sick leave absence as per the medical cert.

5.0 Outline of Sick Leave process for Employees

1. Notify Line Manager of sick leave absence
2. Forward medical cert to Line Manager copying [HR Sick Leave](#). A medical cert is required if sick leave absence exceeds 2 days (or if uncertified sick leave allowance has been exhausted).
3. Apply for Illness Benefit from the Department of Social Protection if absence is more than 5 days in the first instance of sick leave, and 3 days thereafter (or 5 consecutive calendar days if sick with Covid-19). This is not required if on D Stamp PRSI.
4. Complete and return the SL1 form to HR Sick Leave upon return to work – this must be signed by the employee and Line Manager and is required for every sick leave absence.
5. If employee is NOT in receipt of Illness Benefit, forward confirmation that they are not eligible to receive same to HR Sick Leave.
6. If in receipt of Illness Benefit, inform the Department of Social Protection of your return-to-work date in order that your claim may be closed. Please also forward the Payment Statement available at [MyWelfare](#) to HR Sick Leave upon return to work to ensure that any Illness Benefit deductions are correct.

6.0 Entitlement to Ordinary Illness Leave Provisions

- 6.1 An employee who is absent from duty because of personal illness or injury, may be granted paid sick leave of:
 - A maximum of 3 months (92 calendar days) on full pay in a year
 - Followed by a maximum of 3 months (91 calendar days) on half pay
 - Subject to a maximum of 6 months (183 calendar days) paid sick leave in a rolling four-year period
- 6.2 All sick leave is recorded in full calendar days.

7.0 Entitlement to Critical Illness Protocol (CIP)

- 7.1 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 of:
 - A maximum of 6 months (183 calendar days) on full pay in a year



- Followed by a maximum of 6 months (182 calendar days) on half pay
- Subject to a maximum of 12 months (365 calendar days) paid sick leave in a rolling four-year period

7.2 In order to determine an employee's eligibility for Critical Illness Protocol, the employee must apply for CIP using the application form. HR will request that they forward a report from their consultant in relation to their illness outlining details of diagnosis, treatment, prognosis, dates of hospitalisations and expected return to work date to our Occupational Health Physician. The recommendation by the OHP on the eligibility for CIP will be based on the information received by the OHP.

7.3 It is the responsibility of the employee to ensure that the required documentation has been forwarded to the OHP in order to make a decision on a CIP application. When the required documentation has been forwarded to the OHP, please inform the Employee Relations team.

7.4 The award of extended sick leave for critical illness or serious physical injury is a decision for the Director of Human Resources following receipt of medical advice from the Occupational Health Physician (OHP). Thus, while an employee may not meet the medical criteria outlined in the protocol, the Director of Human Resources has the discretion to award extended pay in exceptional circumstances.

7.5 If an employee has an ordinary illness within a 12-month period of returning to work after a critical illness, the critical illness provisions will apply.

7.6 A copy of the Critical Illness Protocol [form](#) is included.

8.0 Entitlement to Temporary Rehabilitation Remuneration (TRR)

8.1 Where the relevant period of paid sick leave has been exhausted, the employee may be granted TRR subject to certain conditions:

- A minimum of 2 years' service (in a pensionable position either in a whole- time or part-time capacity) at the end of the period of paid sick leave.
- Confirmation from the OHP that there is a reasonable prospect of recovery and return to work.
- Completion of the Payment of Temporary Rehabilitation Remuneration (TRR) form during sick leave.

8.2 TRR will be calculated on a rate of 37.5% of remuneration; this is based on an employee's gross rate of remuneration at the time the TRR comes into effect.

8.3 The waiting period of payment of TRR after full and half rates of sick pay have been exhausted is 3 calendar days.

8.4 All periods of sick leave on full pay and on half pay include any periods of TRR in the 4 year look back calculation. The 4 year look back calculation will be extended should an employee have a break in service of 6 months or more.

8.5 TRR is calculated at a rate of 37.5% minus any Illness Benefit that may be payable to an employee. Where an employee is eligible for Illness Benefit, they must apply to the Department of Social Protection with the appropriate documentation.

8.6 TRR will not exceed 18 months (548 calendar days) in the case of ordinary illness.

8.7 In the case of an employee who has been granted extended sick pay under the critical illness protocol, they may have access to 12 months (365 calendar days) TRR. In addition, further periods of TRR may



be awarded up to and not exceeding 24 months (730 calendar days). This further period of TRR is subject to regular reviews by an OHP.

- 8.8 The period during which TRR is paid is not pensionable. The employee should contact the [Pension Schemes - University of Galway](#) if they wish to discuss their pension options.
- 8.9 TRR is not reckonable for increment purposes.
- 8.10 A copy of the Temporary Rehabilitation Remuneration (TRR) [form](#) is included.

9.0 Pro-rata Calculations during first year of employment

- 9.1 Where an employee is in their first year of employment with the University, access to certified and uncertified sick leave will be pro-rated to the equivalent of one quarter of the overall limits, i.e.:
- Paid sick leave of up to 23 calendar days on full pay in the one year period; followed by
 - Paid sick leave of up to 23 calendar days on half pay in the one year period,
 - Subject to a maximum of 46 calendar days in the year period.
- 9.2 After the first the first year of employment with the University is complete the employee has access to the normal sick leave limits.
- 9.3 Sick leave entitlements for employees with contracts of employment with the University for a duration of less than one year will be subject to pro-rata calculations based on the duration of their contract of employment.

10.0 Unpaid Sick Leave

- 10.1 An employee who is not entitled to TRR and who is still medically unfit to return to work may remain on unpaid sick leave.
- 10.2 An employee must exhaust their period of paid sick leave before commencing unpaid sick leave. The granting of a period of unpaid sick leave is subject to continued submission of medical certs on a regular basis (for a maximum of 3 months at a time).
- 10.3 The University 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 University shall take such timely action as it deems appropriate, such as ill health retirement or termination of contract.
- 10.4 Unpaid sick leave is not reckonable for increment purposes.

11.0 Maternity Related Provisions

- 11.1 Where an employee is medically unfit for work due to a pregnancy-related illness, she will not receive less than half pay for the duration of her pregnancy related illness prior to going on maternity leave. This is regardless of whether she has reached the maximum limit for half pay due to prior sick leave taken in the previous 4 years and is subject to the overall non-pregnancy related sick leave limits.
- 11.2 In order to avail of pregnancy-related sick leave, the medical cert provided must state 'pregnancy-related' condition/illness. An employee may have a medical cert retrospectively amended by their GP to state that they were absent due to a pregnancy-related condition/illness; this may occur where an employee availed of sick leave due to a pregnancy-related condition/illness but did not feel comfortable informing their Line Manager of the reason for the sick leave absence at the time.



11.3 For information purposes: An employee is entitled, under employment law, to take time off to attend ante natal appointments. The employee should notify their Line Manager in writing providing medical evidence of the pregnancy informing their Line Manager that they will need time off to attend ante natal appointments. The employee should give at least 2 weeks' written notice of the date and time of their appointments.

11.4 Further information relating to Critical Illness Provisions for Maternity Leave is available [here](#).

12.0 Notification of Sick Leave

12.1 Any employee who is absent due to illness must notify their Line Manager at the earliest possible opportunity on the first day of the absence, copying [HR SickLeave](#).

12.2 The employee should, where possible, indicate the likely duration of the absence and their intention to attend their GP or not, as the case may be.

12.3 If the employee has not copied [HR Sick Leave](#) in their email notifying their Line Manager of their sick leave absence, the Line Manager should notify HR Sick Leave of same as soon as possible. It is the responsibility of the Line Manager to ensure that HR Sick Leave have received the employee's medical cert.

12.4 HR Sick Leave should be notified of all sick leave absences; any absences relating to sick leave will be input on Core Time by HR Sick Leave. Line Managers should not input any information relating to sick leave absences on Core Time.

12.5 Sick leave is not subject to Line Manager approval.

12.6 Sick leave is recorded in full calendar days.

12.7 If an employee works for part of the day and the remainder is taken as sick leave, it is regarded as a full day on sick leave and is recorded as such. However, any hours worked by the employee on this day could be recouped through a TOIL (Time Off In Lieu) arrangement. This is arranged at a local level and in agreement with the employee's Line Manager.

12.8 Medical appointments are managed on a local level; a TOIL arrangement (see Section 12.7) may be put in place. Alternatively, the employee can submit a medical cert for the absence to be recorded as a certified sick leave.

12.9 If an employee does not provide a certificate for an appointment and is absent from work due to sick leave for a full day, this will be recorded as uncertified sick leave.

12.10 The Line Manager is expected to keep in contact with the employee while they are on sick leave and follow up with the employee directly for any outstanding documentation.

13.0 Certification of Sick Leave

13.1 Employees may avail of up to 7 days in a rolling two-year period with a maximum of 2 days at a time without a medical cert. It is the responsibility of the Line Manager to inform [HR Sick Leave](#) when an employee has exhausted their entitlement to uncertified sick leave.

13.2 A medical cert is required from the third day of sick leave absence.



- 13.3 If an employee has reached the limit for uncertified sick leave as defined above, a medical cert must be submitted for absences of 2 days or less. The Line Manager will then forward it to [HR Sick Leave](#) for processing, if the employee has not already copied HR Sick Leave in their email notifying their Line Manager of their sick leave absence.
- 13.4 If uncertified sick leave has been exhausted, a medical cert must be submitted from the first day of absence.
- 13.5 Medical certs must continue to be submitted by the employee to the Line Manager, copying [HR Sick Leave](#) until the employee returns to work. The Line Manager is responsible for ensuring that the correct medical cert is received directly from the employee and has been received by HR Sick Leave in a timely manner. Dates on the medical cert must correspond with the absence and must be continuous.
- 13.6 All medical certs received will be recorded inclusive of the dates as stated on the medical cert.
- 13.7 Sick leave will be recorded as per the dates on the medical cert provided. If the employee returns to work prior to the end date of the medical cert, then a fit to return to work certificate must be submitted prior to returning or immediately upon returning. Alternatively, the employee will need to revert to their GP and request an updated medical cert to reflect the dates of sick leave. In the absence of such a documentation, the full period as recorded on the medical cert(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.
- 13.8 The rolling period commences from the start date of the absence. When calculating the entitlement to uncertified sick leave the look back is two years from the start date of the sick leave absence. When calculating the entitlement to paid sick leave, the look back 4 years from the start date of the absence.
- 13.9 It is not possible to retrospectively record sick leave under any other leave type (i.e., annual leave).
- 13.10 If the absence due to illness continues following rest days, a medical cert will be required for the entire period. For example: If an employee is absent on a Friday and the following Monday, this counts as four days and a medical cert should be provided.
- 13.11 Where an employee is absent on sick leave and has not returned to duty before and after a period of institution closure, the employee will be deemed to be on sick leave for the whole duration (i.e. Easter and Christmas closures).
- 13.12 The University will accept a medical cert which is signed and dated by a qualified medical practitioner registered with the Irish/UK Medical Council/Dental Council of Ireland. The University will not accept medical certs from countries other than Ireland and the UK.
- 13.13 All medical certs received must be legible and must either be in English or Irish; medical certs that are illegible or in a language other than English or Irish will not be accepted.
- 13.14 For ordinary illness, a medical cert for a maximum duration of 6 weeks will be accepted.

14.0 Illness Benefit

- 14.1 Upon the commencement of a sick leave absence, in addition to a medical cert, all employees are required to apply for [Illness Benefit](#) from the Department of Social Protection. Illness Benefit will not be paid by the DSP for the first 5 days of a sick leave absence in a **calendar** year; this is expanded upon below:



- For the first 5 days only of a sick leave absence in each calendar year, an employee is not required to apply for Illness Benefit. Once the sick leave absence exceeds 5 days in duration, they must apply from the sixth day of absence.
 - After an employee's first 5 days of sick leave have been reached in a calendar year, they are required to apply for Illness Benefit if the sick leave absence exceeds 3 days in duration; they must apply from the fourth day of absence. This applies to each absence instance for the remainder of the calendar year.
- 14.2 An Illness Benefit application may be made online through [MyWelfare](#). If an employee is unable to apply online, an IB1 application form (obtainable from the employee's GP) should be submitted directly to the Department of Social Protection.
- 14.3 To complete this form, an employee may require the University Registered number: 0022578J.
- 14.4 When applying for Illness Benefit, Illness Benefit payment must be lodged into the employee's own personal bank account; this payment must not be lodged into a University of Galway bank account. Please do not arrange for any payment to be forwarded from the Department of Social Protection to the HR Office or University of Galway.
- 14.5 The University will automatically deduct the amount paid in Illness Benefit by the Department of Social Protection (DSP) from the employee's salary if the employee is on sick leave for more than 5 days in the first instance of sick leave, and 3 days thereafter, irrespective of the employee submitting the appropriate form or applying for Illness Benefit from the DSP.
- 14.6 Employees on Class D PRSI, or those who are under the age of 18 years or over the age of 66 years are not required to apply for Illness Benefit. Should any of these criteria apply to an employee, please inform [HR Sick Leave](#) as soon as possible.
- 14.7 If an employee is not eligible to receive Illness Benefit from the Department of Social Protection (DSP), they must submit proof of same by providing a copy of the notification received from the DSP clearly stating that the employee is not entitled to receive Illness Benefit and the reasons why. This document is available in the 'Notifications' section of the employee's MyWelfare portal. This document must be forwarded to HR Sick Leave as soon as possible to ensure that the employee will not have an Illness Benefit deduction from their pay. If an Illness Benefit deduction has already been made from an employee's pay, any deduction made in relation to same will be reimbursed upon receipt of notification from the DSP. When an employee is fit to return to work, if in receipt of Illness Benefit from the DSP, they must inform the DSP of their return-to-work date in order that their claim may be closed.
- 14.8 If an employee is in receipt of payments from the Department of Social Protection, it is good practice to contact [Revenue](#) as they may have automatically changed an employee's tax (credits) from a weekly to a cumulative basis.
- 14.9 [Partial Capacity Benefit](#) is paid by the Department of Social Protection (DSP) if an employee cannot work to their full capacity but have received permission to return to work from their GP and OHP. Contact the DSP's Partial Capacity Benefit Section by calling (01) 704 3300 or by email PCB@welfare.ie. The DSP will post an application form, as these are not currently available online.



15.0 Income Continuance

- 15.1 Please note that it can take time to process an employee's claim for income continuance; the employee should contact their provider at the earliest possible opportunity if they think that they may be absent due to sick leave for long enough for it to affect their pay.

16.0 Occupational Health Physician (OHP) Referrals

- 16.1 The employer has a duty to ensure employees' safety, health and welfare at work as far as is reasonably practicable. Therefore, the University may refer the employee to an OHP for the purpose of an independent assessment under (and not limited to) the following circumstances:
- Following six consecutive weeks of sick leave
 - Work related stress leave
 - Where reasonable concerns exist
 - Where frequent short-term absences occur
 - Employees may contact the Employee Relations office if they wish to request an OHP appointment
- 16.2 It is a requirement that the employee co-operates, engages and abides by the assessment of the OHP, which may include communication between the OHP and the employee's attending doctor, with the employee's consent.
- 16.3 If required, it is the responsibility of the employee to ensure that any supporting documentation is forwarded to the OHP as advised in correspondence with the Employee Relations team. Please also inform the Employee Relations team when any documentation has been sent.

17.0 Return to Duty

- 17.1 Following an employee's sick leave absence, a return-to-work interview should be held between the Line Manager and employee upon the employee's return to work. In this informal meeting, the Line Manager should update the employee on any work-related matters and also ascertain whether any supports are required by the employee. The SL1 Form should also be completed following this meeting and forwarded to [HR Sick Leave](#) for processing.
- 17.2 Prior to resumption of duties, an employee who is absent on paid sick leave for 6 or more continuous weeks or absent for any period of TRR/unpaid sick leave or absent for a shorter period where the employer has reasonable grounds for concern, must submit medical certification of fitness for duties; this may be provided by the employee's GP or the OHP.
- 17.3 Reasonable accommodations can be made to aid an employee's return to duty in consultation with HR Sick Leave. Line Managers must consider their obligations to provide reasonable accommodation, to ensure that employees with a disability can participate in and advance at work. The University's [Staff Guide to Disabilities in the Workplace](#) is available to support all staff. Examples of reasonable accommodation may include but are not limited to:
- Making adjustments to premises and/or working space where reasonably practicable,
 - Allocating minor or subsidiary duties to another employee,
 - Altering working hours/reduction in hours,
 - Changing the location of the work,
 - Providing remote working,
 - Offering additional or extended training for the post,
 - Acquiring relevant equipment or modifying existing equipment.



18.0 Overpayments/Underpayments

- 18.1 To avoid overpayments and underpayments, it is imperative that medical certs and SL1 forms are submitted to [HR Sick Leave](#) at the time of the sick leave absence. The University will amend or recoup any overpayments/underpayments of salary which occur. This will normally be done in the next pay period.

19.0 Annual Leave

- 19.1 If an employee is absent from work on paid sick leave, annual leave will accrue as normal.
- 19.2 If an employee is absent from work on unpaid certified sick leave or is in receipt of TRR, annual leave will accrue based on the statutory annual leave of 20 days per annum (pro rata for part time employees).
- 19.3 The entitlement of employees who are on long-term sick leave is capped; leave is subject to a maximum carry over period of up to 15 months from the end of the leave year in which it accrued. The University annual leave year runs from 1st January to 31st December.
- 19.4 Employees who are unable to take their annual leave at the appropriate time due to certified illness and who terminate their employment/reach the end of contract/retire within 15 months of the end of the year in which annual leave is accrued, may be entitled to payment in lieu of this leave.
- 19.5 If an employee is sick while on annual leave and wishes for these dates to be recorded as sick leave instead of annual leave, the employee's Line Manager and [HR Sick Leave](#) must be notified of same at the time of the sick leave and be provided with a medical cert for the duration of the sick leave absence. As outlined in Section 13.9 of this policy, it is not possible to retrospectively record sick leave under any other leave type.
- 19.6 If an employee is on a phased return to work following sick leave, annual leave cannot be taken by the employee during the phased return as the employee is deemed to be on sick leave for the days not worked.
- 19.7 Employees who have been on sick leave must return to work prior to commencing annual leave. This provision is to ensure the staff member is fit for work before they take annual leave, as annual leave is for rest purposes and not for recovery from illness.
- 19.8 Annual leave should be used for leisure and recreation purposes; it must not be used to cover sick leave or the recovery of sick leave.
- 19.9 If travelling abroad while on sick leave, the approval of the Line Manager must be sought prior to travelling. The Line Manager or Employee Relations team may seek the view of the Occupational Health Physician (OHP) before deciding on the matter.

20.0 Public Holidays

- 20.1 An employee who is on certified sick leave during a public holiday is entitled to benefit from the public holiday they missed. This is managed on a local level; the time should be taken at a later date in agreement with the employee's Line Manager.
- 20.2 If an employee works part-time and is on sick leave during a public holiday on which they were rostered to work, the employee would be entitled to time off work for the public holiday provided they worked for their employer at least 40 hours in the previous 5-week period.



- 20.3 An employee is not entitled to a public holiday if they are absent from work immediately before the public holiday and have been off work for more than 26 weeks due to an ordinary illness or accident, or for more than 52 weeks due to an occupational accident.

21.0 Status during Sick Leave

- 21.1 Absences on paid sick leave (full or half pay) are fully reckonable for superannuation, incremental purposes. Absences on TRR and unpaid leave are not reckonable for superannuation and increment purposes.

22.0 Probation

- 22.1 In the case of an employee who is on probation at the start of sick leave, the period of probation will stand suspended during the absence of statutory sick leave and will be completed by the employee on their return to work.

23.0 Retirement on Ill Health Grounds

- 23.1 Ill Health Retirement will only be considered in consultation with the employee and the University Occupational Health Physician (OHP).

24.0 Third Party Responsibility

- 24.1 If an employee is engaged in a third-party legal referral in relation to a personal injury claim or loss of earnings claim, the employee or their legal representative should contact the Human Resources Office.

25.0 Correspondence Address

- 25.1 While an employee is on sick leave, HR Sick Leave will communicate with the employee using their University of Galway staff email address by default. If an employee wishes for an alternative email address or mode of communication to be used (such as an alternative email address or postal address), this must be confirmed by the employee in writing and sent to [HR Sick Leave](#).

26.0 Compliance

- 26.1 All information and/or personal data which an employee provides under this Policy will be used only for the purpose for which it was provided, in line with GDPR compliance and in compliance with the University Data Protection Policies and Procedures which are available on the University website.

27.0 Confidentiality and GDPR

- 27.1 Any information and/or personal data which an employee provides under this Policy will be used only for the purpose for which it was provided, in line with GDPR compliance and in compliance with the University Data Protection Policies and Procedures which are available on the University website.
- 27.2 The way in which the University manages this personal information is also governed by the Data Protection Act 1988 to 2018 (as may be amended) and the European General Data Protection Regulation 2016. Sensitive Personal Data is required to be stored safely and securely and access to sensitive personal data is strictly limited to those who need to access it as part of their role in the University.



28.0 The role of the Employee Assistance Service (EAS)

- 28.1 The role of the Employee Assistance Service is to support employees confidentially in resolving personal or work-related concerns which are having an adverse effect on their physical and emotional wellbeing, their job, their relationships or their health and wellbeing. The service is a free & confidential professional counselling and information service. Full details on the range of services available can be accessed on the [Employee Assistance Service - University of Galway](#) website.

29.0 Related Documentation

[Public Service Management \(Sick Leave\) Regulations, SI 124 of 2014](#)

[Public Service Management \(Sick Leave\) \(Amendment\) Regulations, S.I. 124/2014](#)

[Public Service Management \(Sick Leave\) \(Amendment\) Regulations 2015 SI 384 of 2015](#)

[Application Form for Payment of Temporary Rehabilitation Remuneration during Sick Leave](#)

[Application Form for Exceptional Extended Paid Sick Leave due to Critical Illness](#)

[Management of Sick Leave in the Civil Service](#)



Appendix 1

1.0 Occupational Health Physician (OHP) Referrals

1.1 The benefits of OHP referrals are two-fold – they offer support to the employee and aid HR/ the Unit in workforce planning. An employee may be referred to the OHP for the purpose of an independent assessment under (and not limited to) the following circumstances:

- Following 6 consecutive weeks of sick leave
- Work related stress leave
- Where reasonable concerns exist
- Where frequent short-term absences occur
- Employees may contact the ER office if they wish to request an OHP appointment (ext. 5420)
- CIP – If a staff member is on sick leave due to a critical illness, [HR Sick Leave](#) will contact them with details of CIP and the application process
- The employee is required to co-operate and engage with the OHP which may include communication between the OHP and the employee's attending doctor
- All employees are required to abide by the medical assessment of the OHP
- Reports issued by the OHP are confidential and are stored securely. The Employee Relations Office will correspond with the staff member and their Line Manager after having reviewed the OHP report

Appendix 2

1.1 Employee Assistance Service (EAS)

- 1.1 The University provides an Employee Assistance Service to all employees and members of their families/households where the family member can be described as a person over the age of 18 and residing in the family home.
- 1.2 The service is a free & confidential professional counselling and information service. You can call anytime (24/7, 365 days a year).
- 1.3 All employees can avail of this service for any matter which can be personal, or work related and may have an impact on an employee's life.
- 1.4 A broad range of counselling support options are available. You can receive telephone advice, access to customised online services, specialist information on health & wellbeing and structured counselling.
- 1.5 For Free, confidential and immediate support call: 1800 814 243.



Appendix 3

1.0 Critical Illness Protocol (CIP)

- 1.1 It is recognised that public service bodies, as employers, need to continue to provide support for their employees who may be incapacitated as a result of critical illness or serious physical injury. Therefore, when an individual becomes incapacitated as a result of critical illness or serious physical injury, and has supporting medical evidence for an extended period of sick leave, the individual may, on an exceptional basis, be granted paid sick leave extended as follows:
- A maximum of 183 days on full pay in the previous rolling one-year period
 - Followed by a maximum of 182 days on half pay in the previous rolling one-year period
 - Subject to a maximum of 365 days paid sick leave in the previous rolling four-year period.
- 1.2 The granting of exceptional extended paid sick leave is a decision of management having considered the occupational medical advice.
- 1.3 These arrangements will exclude individuals whose illness relates to an occupational injury/illness and who have access to an occupational injury/illness scheme.

2.0 Criteria for award of extended paid sick leave

- 2.1 In determining whether an individual may be granted access to exceptional extended paid sick leave the following criteria apply:
- 2.1.1 The employee should ordinarily be under the current or recent clinical care of a consultant either as an inpatient or outpatient. This excludes employees attending primarily for report preparation or medico legal purposes.
- 2.1.2 The case must be referred by the employer to its Occupational Health Service for medical advice.
- 2.1.3 The responsibility lies with the employee to furnish any treating doctor's medical reports requested within an appropriate timeframe to avail of the exceptional extended paid sick leave. A treating consultant's specialism must be appropriate to the critical illness for which the employee is making a claim.
- 2.1.4 The Occupational Physician, from the employer's Occupational Health Service, will advise whether, in their opinion, the following criteria are met:
- i. The employee is medically unfit to return to his or her current duties or (where practicable) modified duties in the same pay grade
 - ii. The nature of this medical condition has at least one of the following characteristics:
 - a) Acute life-threatening physical illness
 - b) Chronic progressive illness, with well-established potential to reduce life expectancy
 - c) Major physical trauma ordinarily requiring corrective acute operative surgical treatment
 - d) In-patient or day-hospital care of 10 consecutive days or more; or 2 or more consecutive days for pregnancy-related illness



- 2.1.5 The Occupational Physician will consider the information provided by the treating doctor and may confer with them with consent if they feel this would be helpful. It is not an absolute requirement that a definitive final diagnosis has been made. The Occupational Physician may accept a presumptive diagnosis on a case-by-case basis.

3.0 Decision to Award

- 3.1 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 Medical advice, management should consider all the circumstances of the case.
- 3.2 Thus, although an employee may not meet the medical criteria outlined above, management may still make a decision to award in exceptional circumstances.
- 3.3 In exercising this discretion management must demonstrate the reasons why they are awarding an extended period of paid sick leave although the individual does not meet the requirements set out at 2.1.4(ii) above. In this regard management should in particular consider the following:
- the individual's sick leave record;
 - the potential impact of an early return on the workplace efficiency and effectiveness;
 - it has not been possible to make an accommodation to facilitate the return to work of a person with a disability-related illness or condition

Management should also confer with the Occupational Physician in such cases.

4.0 Appeal of the Medical Decision

- 4.1 The advice of the Occupational Physician may be appealed to a single appeal Specialist Occupational Physician. This appeal will ordinarily be a file only review.
- 4.2 In the case of an appeal to a single Specialist Occupational Physician, an individual may arrange to meet with the Specialist Occupational Physician.
- 4.3 The final decision on any appeal lies with the employer, having considered the medical advice.

5.0 Appeal of the Management Decision

- 5.1 The mechanism for appeal of the management decision will be in line with the relevant Grievance Procedure applicable to the employee's grade.
- 5.2 Should there be a delay in the employer referring an employee to the Occupational Health Physician, or a delay in being seen by this Occupational Health Physician, there will be no financial loss to the employee if they are later awarded the exceptional extended paid sick leave. Where, in these circumstances, an employee moves on to half pay and it is later found that access to exceptional extended paid sick leave should have been granted, pay will be restored appropriately.

6.0 Return to Work

- 6.1 There will be no financial loss to an employee in circumstances where the employee has fully engaged with the process around the management of sick leave and their own consultant has certified fitness to return to work, but the employee has not been able to return to work because there is a delay in the employer referring the employee to the Occupational Health Physician, or a delay in being seen by this Occupational Health Physician. Pay will be restored appropriately.



7.0 Temporary Rehabilitation Remuneration

- 7.1 In advance of the termination of the payment of Temporary Rehabilitation Remuneration (TRR), following payment of paid sick leave and TRR for a period not exceeding two years, local management shall secure expert specialist occupational health advice on whether there is any reasonable prospect of the employee returning to work within a foreseeable timeframe. Where a reasonable prospect of return to work is confirmed by the Occupational Health Specialist the payment of TRR may be continued subject to review at six-monthly intervals for a further period not exceeding two years.



Responsibilities

Name	Responsibility
Director of Human Resources	Policy Owner
Employee	<ul style="list-style-type: none"> • Notify your Line Manager of your sick leave absence and provide a likely return to work date • Forward your medical cert (if applicable) to your Line Manager (a clear photo will suffice), copying HR Sick Leave, within 3 days of the first day of the absence • Apply for Illness Benefit from the Department of Social Protection if your absence is more than 5 days in the first instance of sick leave, and 3 days thereafter, providing your own bank account details for direct payment of Illness Benefit. Your salary will automatically be deducted for the amount received, irrespective of whether or not you have applied for same • Complete and return the SL1 form to HR Sick Leave upon your return to work – this must be signed by the employee and Line Manager and is required for every sick leave absence • If you are not eligible to receive Illness Benefit from the Department of Social Protection, you must submit proof of same by providing an Illness Benefit Payment Statement. This document is available at Statements and Refunds (mywelfare.ie) and must be forwarded to HR Sick Leave as soon as possible to ensure that the employee will not have an Illness Benefit deduction from their pay • Maintain reasonable regular contact with your Line Manager during sick leave in relation to your wellbeing • Ensure that contact address and next of kin are up to date • Apply for income continuance at the earliest opportunity if you think that your pay may be affected • Refer to Sick Leave Policy for full information
Line Manager	<ul style="list-style-type: none"> • Notify HR Sick Leave of the employee's sick leave absence by email • Forward medical certs to HR Sick Leave (if not sent directly by the employee already) • Maintain regular contact with the employee during the period of sick leave regarding their wellbeing • Meet the employee on their return to work & record this meeting • Return the SL1 form to HR Sick Leave • Keep track of uncertified sick leave of employees over 2 year period (max 7 days), in order to advise employee if medical certificate is required • Refer to the Sick Leave Policy for full information
Human Resources Office	<ul style="list-style-type: none"> • Advise managers and employees on the application of the sick leave scheme including Critical Illness Protocol (CIP) and Temporary Rehabilitation Remuneration (TRR) • Record, monitor and report on sick leave absences • Obtain medical reports and action the implementation of CIP & TRR in line with the scheme • Liaise with Income Continuance Providers in relation to confirm illness details • Review this policy on a regular basis in light of any changes in legislation