

**The Diocesan Council of  
the Diocese of Cork, Cloyne & Ross (“the Diocesan Council”)**

**SICK LEAVE POLICY**

**Objective**

The aim of the Diocesan Council is to maintain absenteeism to a minimum. Management is responsible for maintaining a high level of attendance in the workplace and for dealing with absenteeism in a fair and consistent manner. It is the responsibility of the Diocesan Council to communicate the standard of attendance required to all employees. Employees should be informed of the importance of teamwork and the effect that their absence will have on their work colleagues.

The purpose of this Policy is to ensure that all employees are aware of their rights and obligations in relation to absence from work due to sickness.

**Scope**

This Policy applies to all employees.

**Policy**

The Diocesan Council expects all employees to attend work regularly. However, it understands that employees may need to take time off due to illness. The Diocesan Council's Policy is to treat all absences fairly and consistently while considering their impact on the Diocesan Council's ability to function effectively.

Employees are expected to maintain acceptable levels of attendance as per their terms and conditions of employment. Therefore, Management reserves the right to discuss an employee's sick leave patterns at any time during their employment. This is to understand the circumstances of each event. The Diocesan Council also reserves the right to refer the employee to an Occupational Health Provider nominated solely by the Diocesan Council. The Diocesan Council may seek a full medical report to make reasonable decisions regarding the employee's capacity to fulfil their terms and conditions of employment.

The Diocesan Council may seek a medical report if an absence becomes prolonged, a pattern of absence emerges, or if the Diocesan Council becomes aware of an underlying medical issue.

The Diocesan Council aims to support employees in returning to work after periods of absence. However, if an employee has persistent or excessive absenteeism, it may lead to disciplinary action or frustration of their employment contract. 'Frustration' of a contract happens when circumstances occur that are beyond the control of both parties and prevent the contract from being fulfilled.

**Reporting**

The Diocesan Council expects all employees to follow the reporting procedures outlined below where they are unable to attend work. Failure to adhere to this procedure may result in you being suspended from the discretionary sick pay scheme or may result in disciplinary procedures being invoked.

If you are absent from work due to illness, you are expected to notify your direct line manager at least one hour before you are due to start work that day. This notification should be by way of telephone call and if you are unable to speak to that person, please notify the Bishop. The use of texting to report absence will not be tolerated.

You will need to indicate how long you are expected to be absent and inform the designated person you are notifying of the reasons for your absence.

### **Return to work**

On returning to work you may be required to attend a return to work interview with N. At this interview you will be expected to explain the reasons for your absence and any issues that have arisen during your absence will be discussed with you. You may also be required to submit a certificate of your fitness to return to work.

### **Procedure**

The Diocesan Council expects all employees to follow the reporting procedures outlined below where they are unable to attend work. Where this procedure is not followed and where incidents of persistent absence occur, the Diocesan Council reserves the right to suspend the individual from the discretionary Sick Pay Scheme. The individual will also render themselves liable to corrective action, which may ultimately lead to dismissal from the Diocesan Council's employment.

- If you are absent from work due to illness, you are expected to notify your direct line manager at least one hour before you are due to start work that day. In the case of that person not being available, you should speak directly to the Bishop. Please inform your direct line manager of the reason for your absence and the expected length of absence. (Please make the contact yourself and do not leave messages where possible)
- You are required to provide a medical certificate, in a form satisfactory to the Diocesan Council, for all absences from work the third day of absence.
- Failure to provide medical certificates where necessary under this Policy may result in your removal from the Diocesan Council's sick pay scheme.
- Medical certificates must be legible, written in English and clearly show:-
  - (a) the name and address of the Doctor;
  - (b) the name and address of the patient;
  - (c) the opinion of the doctor that the patient is incapacitated due to illness/accident;
  - (d) the nature of the illness;
  - (e) the date of issue of the medical certificate;
  - (f) the expected duration of incapacity; and
  - (g) the doctor's signature.
- Where medical certificates are not fully completed, payment of sick leave may not be authorised.

- Any unauthorised absence must be properly explained and you must keep *your* direct line manager informed daily until you have provided them with a medical certificate.
- If you are absent for a substantial period i.e. over one working week, you should forward medical certificates and social welfare cheques for each week of absence. These certificates should be either posted or handed in to the Diocesan Secretary (or in the case of the Diocesan Secretary to the Bishop) at the beginning of each week of absence. Where you are absent for such a period, you are expected to keep in regular weekly contact with *N*.
- If you are absent for over one week, you are obliged to submit weekly medical certificates to the Diocesan Secretary (or in his/her case to the Bishop).
- While absent from work, you must be available to attend a medical examination with a Doctor appointed by the Bishop as required.
- On return to work, a self-certified absence form is required to be completed and signed off by yourself and *N*. Any outstanding certificates should be given to *N* before you commence work. In certain cases, at the Bishop's discretion, a final medical certificate may be required where your Doctor (or in some cases the Doctor appointed by the Bishop) will need to certify your fitness to return to work.

#### **The Diocesan Council Sick Pay Scheme**

The Diocesan Council complies with its obligations in relation to statutory sick pay through the application of its own Sick Pay Scheme.

If you are absent due to sickness or injury and comply with the requirements of managing attendance and the Sick Leave Policy, you may be entitled to sick pay as set out as follows: -

- Sick pay may, at the discretion of the Diocesan Council, be paid up to a maximum of 90 days in any 12-month period.
- You must have successfully completed your probationary period with the Diocesan Council before you are eligible to avail of any payments under this Policy.
- Any social welfare benefits recoverable by you during the period when sick pay is paid will be handed over by you to the Diocesan Secretary.
- You may be required to return your Diocesan Council vehicle, mobile phone, laptop and any other Diocesan Council or church property where you are absent from work due to illness for over one week.

If you are absent from your duties due to sickness or injury for a period or periods in excess of the foregoing maximum sick pay entitlements, the Diocesan Council will not be obliged to make any further payments to you. If, however, the Diocesan Council does decide, in its absolute discretion, to make any further payments to you, any such further payments may be varied or discontinued at any time.

In the event of any employee being prevented by reason of illness from attending work immediately prior to or during a time when disciplinary procedures have commenced (or have been notified to the employee that they will commence), the employee shall only be entitled to be paid for a maximum of two weeks while such procedures are ongoing, even if the conditions outlined below are met in full.

**Claiming Illness Benefit (Social Welfare)**

Illness Benefit is a weekly payment that you may get if you cannot work because you are sick or ill. To get Illness Benefit, you must be under 66 and meet the social insurance (PRSI) conditions and be medically certified as unfit for work by a medical practitioner (GP). Employees have to make a claim for illness benefit to the Department of Employment Affairs & Social Protection (DEASP) where sick leave absence exceeds 3 consecutive days.

Your medical practitioner (GP) will have to complete an IB1 form, and you must submit this form via freepost to the DEASP. You can also apply for Illness Benefit online at [mywelfare.ie](https://mywelfare.ie) if you have a verified MyGovID account and your medical practitioner (GP) has provided a medical certificate.

**Abuse of Sick Leave**

The Diocesan Council Sick Pay Scheme is a discretionary benefit. The Diocesan Council may refuse or terminate the benefit to the employee if it deems appropriate and when any of the following occur:

- There is found to be abuse of the Sick Pay Scheme.
- The sickness, injury or length of absence is attributable to negligence, misconduct, alcohol, or substance abuse issues where the employee has refused to engage with our Employee Assistance Programme.
- The absence is not genuinely attributable to the sickness or injury of the employee.
- The illness or injury was sustained in another employment. In such circumstances, the employee should rely upon the sick leave policy in place from that other employer.
- The reporting/certification requirements are not met.
- The illness relates to known pre-existing conditions, not disclosed at the time of the preemployment medical.

**Returning to work**

Employees have a responsibility to ensure their return to work at the earliest date possible commensurate with good health and safety. Before returning to work from a sick leave absence of two weeks or more, an employee is required to provide a fitness to resume work certificate from their medical practitioner (GP) that he or she can safely return to work and resume normal existing duties.