



Feidhmeannacht na Seirbhíse Sláinte
Health Service Executive

Employee Relations Advisory Services
Human Resources Division
Health Service Executive
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MEMORANDUM

To: National Human Resources Director
Assistant National Directors of Human Resources
Employee Relations Managers

cc: Tom Walsh, ERPS
HR Managers DATHS and Voluntary Hospitals
HR Managers ID Sector

From: Norah Mason, Assistant Director of Human Resources

Date: 3 July 2015

Re: Sickness Absence/Pay – outstanding issues

Ref: ERAS002/2015

Further to recent discussions, I write to confirm the current position on a number of matters regarding sickness absence/pay.

Recording of sickness absence

There are various practices across the HSE in relation to sickness absence recording. Some areas include rest days in counting time lost, while others do not. Furthermore, in those areas where rest days are counted, there are inconsistent practices with some including all rest days, and some including rest days only when they occur in the middle of a period of absence. The National HR Team have agreed that there should be a standardised, fair and consistent arrangement across the HSE on this matter and it is proposed that the civil service practice is adopted. Therefore, with effect from 1 August 2015, the HSE will adopt standardised recording arrangements and rest periods/weekends will be counted for sickness absence purposes only when the absence spans the rest period/weekend (ie the employee must be absent on sick leave both before and after the rest period/weekend).

Restoration of sick pay following reimbursement of sums due to receipt of civil award

Sick pay is granted on the basis of the employee's incapacity for work due to illness or injury and the Regulations do not distinguish between employees who may have contributed to their sickness absence (eg injury sustained while engaged in a sporting activity) and employees who were absent for any other reason.

DPER have clarified that, in circumstances where employees successfully recoup the cost of sick leave from a third party (eg following a road traffic accident), the employee's sick leave

record is not wiped. However, DPER have advised that this issue will be given further consideration in the context of the formal review of the new sick pay regulations to be undertaken by DPER shortly.

Temporary Rehabilitation Remuneration (TRR)

The issue of whether TRR is payable for all absences following exhaustion of sick pay, or just long-term absence, is outstanding and we are awaiting further clarification from DPER. In the meantime, you should continue to apply the procedure for Pension Rate of Pay, which is outlined in the HSE Long Term Absence Benefit Schemes Guidelines to the application of TRR.

Pregnancy Related Sick Leave

This matter is still under discussion within DPER, and I will communicate further when clarity is provided.

TB

There are no special provisions governing TB in the health sector and the normal sick pay provisions apply.

Clarification re Department of Finance Circular 1/1982 – sick leave arising from accidents on duty

It has been brought to our attention that unions in some locations have referred to Department of Finance Circular 1/1982 in cases involving employees who were allegedly absent from work due to an injury in the workplace. The Department of Health recently confirmed that DoF *Circular 1/1982* only applies to civil servants (with certain restrictions) and **does not apply** to public servants in general. We wish to confirm therefore that this Circular does not apply to health service employees.

Queries on this memo should be directed to Employee Relations Advisory Services, telephone 01-662 6966, email info.t@hse.ie.

Regards.



Norah Mason