

9.1 Sick Leave Policy

The [Public Service Sick Leave Scheme](#) was introduced on the 31 March 2014 and applies to all Teagasc staff. If you are absent from work on sick leave, you may have access to paid sick leave, subject to the limits that are set out below.

Paid Sick Leave

The scheme provides for:

- 7 days uncertified sick leave in any rolling 2 year period
- A maximum of 92 days sick leave on full pay in a year
- Followed by a maximum of 91 days sick leave on half pay
- Subject to a maximum of 183 days paid sick leave in a rolling four year period.

Where uncertified sick leave exceeds 7 days in any 2 year period, you will be notified that pay will be reduced accordingly.

Temporary Rehabilitation Remuneration (TRR)

If you have exhausted 183 days paid sick leave in a rolling 4 year period and are absent on sick leave again, you may be granted TRR for a further 548 days. TRR is a pension based calculation and will only be available where you have sufficient service history, and where there is a realistic prospect that you will be able to return to work following your illness.

Critical Illness Provisions (CIP)

Additional support for staff who are critically ill is part of the sick leave scheme. The criteria for assessing whether someone is eligible for extended sick leave as a result of critical illness or serious physical injury are set out in the [Critical Illness Protocol \(pages 16 to 19\)](#).

If someone becomes critically ill or has a serious physical injury and is eligible for support under the CIP they may have access to:

- A maximum of 183 days on full pay in a rolling year
- Followed by a maximum of 182 days on half pay
- Subject to a maximum of 365 days paid sick leave in a rolling four year period.

If you have exhausted 365 days extended paid sick leave under the CIP, you may be considered for 12 months TRR in the first instance. Management may then consider paying TRR for a further period of time not exceeding 730 days. This is subject to 6 monthly Occupational Health reviews and may only be granted where the occupational health physician has confirmed there is a reasonable prospect of a return to work. For further information in relation to CIP please contact the HR Department.

Staff on Probation/Temporary Contracts

Where a staff member is on probation or on a contract of 12 months or less, entitlement to paid sick leave will be pro-rated. For the first year, access to sick leave will be one quarter of the overall limits (i.e. 23 days full pay, followed by 23 days half pay). Thereafter, full sick leave entitlement will be applicable. Please see the following [ready reckoner](#) in this regard. Sick leave is not applicable in the case of the Student Placement Programme.

Pregnancy Related Sick Leave

A staff member who is absent due to pregnancy related illness will not receive less than half pay. For further information in this regard, please see the following [guide to pregnancy related sick leave](#).

Staff Responsibilities

Staff are required to familiarise themselves with and adhere to this policy during any period of sick leave. Staff may also find the following '[Guide to Long Term Sick Leave](#)' helpful. Teagasc will continue to have an employment relationship with any staff member while they are on sick leave. During such times, staff will be expected to maintain contact with their line manager and actively engage with the Occupational Health process as required. This section outlines the procedures which must be followed by staff that are unable to attend at work due to injury or ill-health:

(i) Notification

- On the first day of each absence, the staff member must notify their line manager within 1 hour of their normal starting time that they will be absent from work (unless there are extenuating circumstances). Where possible, the notification should state the reason for absence and the probable date of return to work. Where there are extenuating circumstances it is accepted that another person acting on behalf of the staff member may contact the relevant line manager as outlined above.
- Where a staff member will be on sick leave for a scheduled procedure or operation etc., and this is known in advance, line managers must be notified as soon as reasonably possible in order to plan for the staff member's absence.
- Staff members on sick leave must provide a contact telephone number to ensure that contact can be maintained (where appropriate and within reason) while they are on sick leave. Where possible, a personal email address should also be provided. This will allow HR to correspond with the staff member as quickly as possible so as to ensure staff are aware of important information regarding sick pay and entitlements. Where no personal email address is available, correspondence will take place via post or phone. Sick leave correspondence will not be directed to Teagasc email during any period of sick leave.

(ii) Medical Certification

- Staff should be aware that the production of a medical certificate in itself does not entitle them to sick leave; the granting of which is at the discretion of Teagasc.
- A medical certificate must support any sick absence in excess of 2 successive working days (4 days if Saturday and Sunday are included). The medical certificate must clearly state a **start and end date**. The certificate must be given to your manager and a copy to the local administrator where relevant (i.e. larger centres/regions) as soon as possible.
- Medical certificates must state the name, address and contact telephone number of the medical practice attended. They must also be signed by an appropriate medical professional stating their Medical Council registration number. While it is not compulsory that the nature of the illness is stated in all cases, it is preferred.
- Medical certificates should also state the staff members correct name and home address for the purposes of correspondence while on sick leave.
- Medical certificates for dental procedures (i.e. declaring an individual unfit for work) will be accepted once the dentist is registered in Ireland and the certificate does not extend beyond 7 days
- Where a medical certificate indicates work related stress, this may result in referral to Occupational Health, with cognisance to duty of care and the employee's wellbeing.

- Final medical certificates which are submitted upon returning to work must state the date that the staff member is **fit to resume duty**. Where a final medical certificate only provides an end date, a further medical certificate may be requested.
- It should be noted that applications to social welfare for illness benefit are not acceptable in lieu of medical certificates. Copies of social welfare applications should not be provided to Teagasc.

(iii) Illness Benefit (PRSI)

- This section is relevant to staff who pay **Class A PRSI only**. You can identify your PRSI Class from your payslip (under the details section, top right hand side) or in the Tax Details box of your CorePortal (Employee Self Service) pay portal.
- After 3 days of continuous sick leave for staff members on **Class A PRSI**, payroll will deduct illness benefit. In order to ensure that the correct amount is deducted, you must complete an application form and submit it to the Department of Employment Affairs and Social Protection so that your salary can be adjusted accordingly. Application forms must be obtained from and certified by your G.P. The standard personal rate will be deducted until payroll is notified of the correct rate by social welfare. At this point your salary may be adjusted in the form of a further deduction or a refund. Any delay in making an application to DEASP may result in a loss of illness benefit.
- Where illness benefit is deducted directly from salary, and a staff member subsequently receives confirmation from DEASP that they are not entitled to payment of illness benefit, proof of that confirmation should be forwarded to payroll@teagasc.ie

(iv) Return to Work

- Staff members must ensure that any **uncertified sick leave** is recorded through their employee self-service portal and approved by the relevant manager. Leave can also be requested via the CoreHR Business app, or upon return to work where an individual does not have access to a smart phone. Further information and guidance in this regard is available [here](#)
- Staff returning to work following certified sick leave must ensure that their final medical certificate indicates the date of fitness to return to work
- A staff member may be invited to attend a return to work meeting with their manager in any of the following circumstances:
 1. Return to work following long term absence, or
 2. Return to work following an occupational injury or work related stress, or
 3. Absence of such a nature and/or pattern as to give cause for concern

Managers Responsibilities

Managers must be committed to consistent application of the Sick Leave Policy. Their responsibilities include:

- Being aware of and ensuring compliance with the regulations
- Being clear and consistent in relation to attendance expectations
- Ensuring an efficient & effective workplace culture
- Assisting in the maintenance of a motivational atmosphere
- Referring staff to/making staff aware of the Employee Assistance Programme as appropriate
- Maintaining supportive contact with staff members on sick leave (while being respectful of personal boundaries and the staff member's preferences)
- Notifying HR in relation to any workplace issues which may impact on the wellbeing of staff
- Identifying and addressing any shortfalls as soon as they arise

- Conducting return to work meetings as appropriate

Managers are ultimately responsible for ensuring that sick leave is accurately and timely recorded in respect of all staff in their area of responsibility. Managers must notify HR where a staff member has been on sick leave for 3 or more weeks (21 calendar days), or as soon as possible in cases where there is a previous history of sick leave or any cause for concern (e.g. work related stress). In recording sick leave, managers or their nominated sick leave administrator must be aware of the following:

- Those on probation or on contracts of less than 12 months have a pro rata entitlement to sick leave and their entitlement must be verified with HR as soon as possible. A ready reckoner outlining entitlements is available [here](#)
- Sick leave must be recorded on CorePortal (Workforce Management menu) without delay to ensure that any relevant deductions (e.g. illness benefit) are facilitated
- Where an employee is on a continuous period of sick leave, there should be no gaps in the 'from and to' dates. Where a medical certificate date does not include weekends, but a subsequent medical certificate continues on a Monday, the weekend must still be recorded as an absence. However, where a staff member submits a medical certificate with a fitness to return date which falls on a weekend, the next day should be recorded as the return to work day
- The Teagasc sick leave form (for Class A PRSI staff) should be submitted to payroll in respect of **casual staff only** after 3 days continuous sick leave. There is no requirement to submit this form in respect of any other staff members
- Final medical certificates must state the date of fitness to resume duty
- Recording of sick leave must continue regardless of whether a staff member is on full pay, half pay, TRR pay or zero pay

Managers may also find the following '[Guide to Long Term Sick Leave](#)' a beneficial resource.

Annual Leave & Public Holidays

Staff may not take annual leave in the place of sick leave. Staff may be allowed to take sick leave if they become ill while on annual leave. In such instances, the staff member must notify their manager in a timely manner and provide a medical certificate for the relevant period in question. Where annual leave is sought directly after sick leave, managers may at their discretion request a certificate of fitness to resume duty.

Staff members who are on certified sick leave at either full pay or half pay will continue to accrue annual leave. Statutory annual leave will be accrued while on temporary rehabilitation pay or on sick leave with no pay. The statutory leave accrued can be carried for a period of 15 months post the leave year in which it was accrued. On resumption of duty the annual leave accrued during sick leave will be calculated and the staff member will be informed of their entitlement. A plan must be put in place for the management of such leave in accordance with the regulations.

Staff members who are on certified sick leave due to an **occupational injury** will be entitled to benefit from any public holidays that fall during the first **52 weeks** of sick leave. Staff members who are absent on certified sick leave due to **illness or injury** will be entitled to benefit from any public holidays that fall during the first **26 weeks** of sick leave. These days will be added to the staff members' leave profile on CorePortal (Employee Self Service) and will show as 'leave in lieu of Public Holidays'. On resumption of duty these days must be managed accordingly, as is the case with any accrued annual leave.

Promotion & Sick Leave

When considering a staff member's suitability for promotion, acting up or transfer; sick leave records over the previous four years will be examined in order to ascertain if the staff member is capable of providing regular and effective service.

The limits to be applied are not more than 56 days and not more than 25 sick absences in the previous four years, or pro-rata where the service of the staff member is less than four years. However, in examining this, consideration will be given to the nature of the illness in accordance with [Circular 05/2018](#) and sick leave periods may be discounted in certain circumstances.

Medical Appointments

Where possible, staff should organise medical appointments to take place in their own time. Where this is not possible, staff are entitled to time off to attend for any medical appointments as required. This includes doctor/dental/hospital appointments. With effect from the **1st January, 2022**, this time off must be recorded as **sick leave**. The staff member can record either a half day (for a morning or afternoon appointment), or a full days' sick leave on CorePortal (Employee Self Service) as required. Evidence of attendance at the relevant hospital, clinic or medical practitioner should be provided to your line manager. It is not necessary to provide this to HR.

Please note that antenatal appointments are treated separately and staff may apply for paid leave by submitting a leave request through Core employee self-service as per the [Maternity Leave Policy](#).

Occupational Health

Staff must be aware that the payment of sick leave under this scheme is conditional upon cooperation with any referrals to Occupational Health. Any staff member on long term sick leave (in excess of 4 weeks) will be automatically referred to Occupational Health. Staff may also be referred immediately to Occupational Health where a concern exists regarding their health, wellbeing or ability to provide regular and effective service. This may also be relevant where there is a pattern or frequency of absence which is a cause for concern.

Staff members are required to attend and engage with an Occupational Health referral, unless they are medically unfit to travel, or they are already hospitalised. In such cases, the staff member may need to engage with Occupational Health in an alternative manner (e.g. telephone assessment, written report from the treating doctor/specialist etc.). Where a staff member is incapacitated, it is appropriate for an immediate family member to liaise with HR in this regard.

Where a staff member does not engage with their line manager, Occupational Health and/or HR, without any satisfactory explanation, this may deem them ineligible for sick pay. Staff members will be advised of any referrals in writing and must ensure that their home address is detailed on all relevant medical certificates for this purpose. Where a staff member is at work, referrals will be notified by email or to the office address where the individual has no access to email.

Where a staff member returns to work prior to any scheduled assessment with Occupational Health, HR in consultation with management will decide whether or not it is deemed necessary to attend the assessment. Where there is a difference of opinion between Occupational Health, and the treating doctor, it is for management to decide whether or not payment will be

granted under the sick leave scheme. Where appropriate, a further independent medical assessment may be arranged.

Version	Revision Date	Summary of Changes	Policy Owner
1.0	June 2018	n/a	HR Operations
2.0	April 2021	Reduction in illness benefit waiting days (from 6 to 3)	HR Operations
3.0	October 2021	Further clarification regarding sick leave recording and entitlement to reflect updates to system changes, and to align ourselves with DAFM procedures.	HR Operations
4.0	February 2022	Clarification around antenatal appointments	HR Operations