

Annex 6 - Sickness Absence Payments and Procedures

1. Introduction

Hay, NJC for Local Government Services and Joint Negotiating Committee (including Soulbury) for Local Authority Craft and Associated Employees.

2. Sickness Payments

The scheme is intended to supplement Statutory Sick Pay and Incapacity Benefit so as to maintain normal pay during defined periods of absence on account of sickness, disease, accident or assault.

Absence in respect of normal sickness is entirely separate from absence through industrial disease, accident or assault arising out of or in the course of employment with a local authority. Periods of absence in respect of one shall not be set off against the other for the purpose of calculating entitlements under the scheme.

Employees are entitled to receive sick pay for the following periods:

- during 1st year of service - 1 month's full pay and (after completing 4 months service) 2 months half pay
- during 2nd year of service - 2 months full pay and 2 months half pay
- during 3rd year of service - 4 months full pay and 4 months half pay
- during 4th and 5th year of service - 5 months full pay and 5 months half pay
- after 5 years' service - 6 months full pay and 6 months half pay Authorities shall have discretion to extend the period of sick pay in exceptional cases

The period during which sick pay shall be paid and the rate of sick pay, in respect of any period of absence shall be calculated by deducting from the employee's entitlement on the first day the aggregate of periods of paid absence during the twelve months immediately preceding the first day of absence.

In the case of full pay periods sick pay will be an amount which when added to Statutory Sick Pay and Incapacity Benefit receivable will secure the equivalent of normal pay.

In the case of half pay periods sick pay will be an amount equal to half normal earnings plus an amount equivalent to Statutory Sick Pay and Incapacity Benefit receivable, so long as the total sum does not exceed normal pay.

Normal pay includes all earnings that would be paid during a period of normal working, but excluding any payment made on a regular basis.

The social security benefits to be taken into account for the calculation of sick pay are those to which an employee is entitled on the basis that the employee has satisfied so far as is possible:

- the conditions for the reporting of sickness as required by the authority
- the claiming of benefits
- the obligation to declare any entitlement to benefits and any subsequent changes in circumstances affecting such entitlement.

An employee who is prevented from attending work because of contact with infectious disease shall be entitled to receive normal pay. The period of absence on this account shall not be reckoned against the employee's entitlements under this scheme.

If an employee abuses the sickness scheme or is absent on account of sickness due or attributable to deliberate conduct prejudicial to recovery or the employee's own misconduct or neglect or active participation in professional sport or injury while working in the employee's own time on their own account for private gain or for another employer sick pay may be suspended. The authority shall advise the employee of the grounds for suspension and the employee shall have a right of appeal to the appropriate committee of the authority. If the authority decide that the grounds were justified then the employee shall forfeit the right to any further payment in respect of that period of absence. Repeated abuse of the sickness scheme should be dealt with under the disciplinary procedure.

If you have an accident at work which is confirmed as an industrial injury and are away sick as a result your absence will not be recorded against the Sick Pay Scheme but will entitle you to a separate allowance under the scheme.

All accidents whether or not they result in injury should be reported to your Supervisor so that an accident report can be made out in accordance with the Health and Safety at Work etc legislation.