Absence and Attendance Policy

**Introduction**

While we recognise that sometimes absence is unavoidable within the workplace, attendance at work remains an essential condition of the contract of employment. The overall aim of this policy is to promote expected standards of attendance within the workplace and to provide a framework for the management of employee absence, using a fair and consistent approach.

Absence is defined as any period of non-attendance within the workplace that falls outside the normal leave entitlements of the employee. This may include non-attendance for reasons of sickness, injury or personal circumstances.

**Policy Scope**

The policy applies to all employees of (**Company Name**).

**Notification Requirements**

Any period of unplanned absence must be communicated to (**Job Title**) by (**Time**) on the first day of your absence. Absences should be notified by means of a phone-call. It is not acceptable to send a text message or an email. If you are unable to reach (**Job Title**) you should leave a voicemail and request that they return your call.

During your period of absence you will be expected to remain in frequent contact with the company. You must phone daily until we have received a medical certificate from you and weekly thereafter unless otherwise agreed.

**Medical Certification**

You must submit the original medical certificate to (**Job Title**), on the third day of your absence and weekly thereafter or as agreed in writing with (**Job Title**).

**Sick Pay Entitlements**

Company Name pays sick pay in line with the statutory sick pay obligation. Employees are entitled to statutory sick pay as provided for under the Sick Leave Act 2022 which is subject to annual variation. You will be paid at a rate of 70% of normal daily rate, or €110 per day, whichever is the lesser amount. An employee must obtain an original certificate from a qualified Medical Practitioner to cover day one of the absence to avail of Statutory Sick Pay, and the entitlement is subject to the employee having worked for the company for a minimum of 13 weeks. Accordingly, you may need to submit a claim to the Department of Social Protection, after 3 days of illness. To apply for illness benefit, an employee should obtain a social welfare claim form from their doctor or hospital and submit it to the Department of Social Protection.

In the event that you are not claiming your entitlement for Statutory Sick Pay the employee will need to present an original certificate from a qualified Medical Practitioner to his/her immediate manager for an absence of 3 consecutive days or more.

***OR:***

The Company operates an occupational sick pay scheme. To be eligible to receive payment under the scheme you must have completed **X** months continuous service with the company prior to the first date of your illness. (*Note that the employee must receive SSP entitlement if there is a clause for service worked before joining a company scheme- an employee cannot be less off so must at the minimum get SSP entitlement once they meet requirements).*

You must comply fully with the notification requirements set out above, and must submit appropriate medical certificates in line with company policy.

You will be entitled to receive **X** days paid leave while on certified sick leave.**(include details of sick pay entitlements here-*e.g. 5 days sick pay per 12 month period***).

During the period of paid absence you will be required to return any Social Welfare Illness Benefit payment that you receive to the company.

The company reserves the right to withdraw payment at any time from any employee who is found to be abusing the scheme or who fails to comply with the eligibility requirements set out above.

**Unauthorised Absence**

Should you fail to correctly notify the company as to the reason for your absence, or at any stage over the course of your absence, fail to provide an appropriate medical certificate, your absence will be classed as unauthorised.

During a period of unauthorised absence (**Job Title**) will attempt to contact you via telephone.

If we are unable to contact you in this manner we will write to you requesting you to contact us within 3 days.

If you fail to contact us by that time the company may refer the matter for Disciplinary Review in line with the Company Disciplinary Policy.

Persistent or repeated periods of Unauthorised Absence may be deemed to be an act of Gross Misconduct in line with the Company Disciplinary Policy.

**Unacceptable levels of absence**

Attendance will be monitored on an ongoing basis. While it is understandable that people with be absent from time to time, high levels of absence present a number of issues for the company and in turn your colleagues.

Where absence levels are deemed to be excessive it may be necessary to take further action to encourage and assist you in attaining the expected standard of attendance.

Where an individual has X absences in a X month period they will be subject to an informal counselling session with their manager that will be recorded on file.

If the employee has a subsequent absence in the following six month period, their absence may be investigated in line with the Company Disciplinary Policy.

An investigation meeting does not automatically give rise to a disciplinary warning. A full investigation will take place and you will be afforded every opportunity to have your say. During the investigation meeting the reasons for the absence will be discussed and any mitigating circumstances will be given full consideration. Where required, additional support may be identified and considered to help you to improve your attendance record.

Persistent instances of Absence may be deemed to be an act of Gross Misconduct in line with the Company Disciplinary Policy.

**Managing Absence**

In the event that an absence is in excess of one month, it will be considered to be “Long Term”.

In order to ensure that employee needs are met during Long Term Absences, you may be asked to meet with your manager to attend an Absence Review meeting.

This meeting will discuss the details of the absence, whether there is a requirement for support from the company that can facilitate a return and what the prognosis is from the employee’s doctor.

Should the Company require further understanding around the absence they may request that the employee attends an Occupational Health review or a GP assigned by the company. Where the medical specialist indicates that you are fit to return to work you must do so with immediate effect. Where there is a conflict of medical opinion a final opinion will be sought from an independent medical third party.

The manager must take the time to consider the employees responses. If there is an issue in the employee’s personal or professional life that needs additional consideration the company will seek to offer an appropriate level of support.

**Returning to Work**

If you have been absent for more than one week but less than one month, you must notify you Manager 1 day in advance of your intended return date.

If your absence has been in excess of one month, you must notify your Manager 3 days in advance of your intended return date.

Upon your return to work you must report to your Line Manager to allow for a Return to Work discussion to take place. The purpose of the Return to Work discussion is to ensure you are fit to return to work, to discuss any concerns you or the company may have and to advise you of any developments from within the company that you need to be aware of.

Depending on the nature of your absence and the details associated to it you may be requested to provide a Fit for Work cert prior to returning.

If you plan to return to work before the expiry of your current medical certificate you will be asked to provide medical evidence of your fitness for work from your GP. The company reserves the right to decline your request to return until such certification has been provided.

**Termination on the Grounds of Incapacity**

In the event that any employee’s absence has extended beyond a period of 18 months on a continuous basis, the company reserves the right to review the employee’s ability to fulfil their contractual obligations. In this circumstance the company reserves the right to terminate the contract on the grounds of incapacity.

Termination on the Grounds of Incapacity will only be considered in the event that the company has:

* Conducted a minimum of three absence review meetings during the relevant absence
* Notified the employee of the potential termination during an absence review meeting
* Consulted with an Occupational Health practitioner and identified that there is no potential return date for the employee in the foreseeable future
* Reviewed all options with regards to ‘Reasonable Accommodation’ and found that they are not possible to be applied with objective justification

**Timekeeping**

All employees are required to be at their workstations at their contracted start times. In the event that an employee is going to be later they need to contact their manager at the earliest possible opportunity outlining the reason for the delay and the expected arrival time.

Repeated instances of Lateness may result in disciplinary action being taken in line with the company Disciplinary Policy.

Persistent instances of lateness may be deemed to be an act of Gross Misconduct in line with the Company Disciplinary Policy.

Employees are not authorised to leave their assigned duties early without prior authorisation of their manager.

Repeated instances of Early Leaving may result in disciplinary action being taken in line with the company Disciplinary Policy.

Persistent instances of unauthorised Early Leaving may be deemed to be an act of Gross Misconduct in line with the Company Disciplinary Policy.

Hourly paid employees may be paid on a pro-rata basis and Lateness or Early Leaving may be factored into the payment of wages.

**Policy Breaches**

Breaches of this policy will be dealt with in line with the normal company Disciplinary procedure.

Where the company is given any reason to suspect that an absence may not be genuine a full investigation will take place and appropriate disciplinary action may be taken.

Associated Policies

* Disciplinary Policy