



How to Deal With FREQUENT SICKIES

By Annette Dixon

Employee absence has a huge impact on your organization. It affects staff morale, disrupts others' work, and reduces the quality of work outputs. Absences carry costs, risks, and productivity hits for your business.

But there are avenues you can pursue to challenge employees who take frequent sick days. Generally speaking, you cannot dismiss or discipline an employee for being absent due to illness. Doing this may expose you to a claim of unfair dismissal, discrimination, or unlawful termination, so this avenue needs to be handled carefully and properly to reduce your risk of future complications.

You can, however, challenge an employee for misconduct if he or she deliberately misleads you about the reasons for an absence. For example, if an employee has called in sick, but their Facebook page indicates that they're doing something else, you have proof that the employee is not taking leave for the medical reasons he or she cited. In such an instance, you would be justified in requesting a medical certificate.

If the employee then provides you with a medical certificate to substantiate the reason for the absence, you must accept it as evidence of the illness, and you would need compelling evidence to challenge it. If you doubt the accuracy of the certificate, you can seek verification from the doctor who signed it. Once you have received

confirmation from the doctor, you cannot take the issue further.

If, however, the employee cannot provide a medical certificate legitimizing the absence, you are well within your rights to deny them paid sick leave.

To control the impact of absenteeism, you need to see trends so you can control costs. You need to manage your policies so you can minimize compliance risk. And you need to identify workers with attendance issues so you can improve workforce productivity.



Here's a quick sampling of some of the things you can do to mitigate absenteeism—simply announcing these measures to employees will more than likely reduce the number of sickies in your workplace!

Identify the causes for an employee's absenteeism. If you can find out why an employee is consistently absent, you can deal more effectively with the problem. For example, if an employee is often absent because of issues with childcare, you could offer that person the option of more flexible working hours. Stay open-minded when talking to the employee, and do not imply that you do not believe them. Look for patterns in their absences.

Implement a thorough record system. For each employee, you should record the date, duration, and reason for each event of absenteeism. This way, you will have evidence of each absence if you need to refer back to it. These records could win you a dismissal case. It is useful to set absenteeism trigger points that prompt further action. For example, employees might be invited to a one-on-one meeting to discuss their absences once they accrue four short-term absences in a six-month period.

Meticulously follow up on each case of absenteeism. You should write a letter recording each case of absenteeism and send it to the employee. This will make the employee aware that he or she is being monitored.

Properly inform and regularly update your employees about your standards and policies regarding absenteeism. Have written procedures outlining your rules on sickness absence and how sickness will be monitored and handled. If you make a change to your absenteeism policy, make sure you let your employees know. Even if you don't make a change, you should still remind your employees regularly of the standards you have in place. It is also important that all employees know whom they have to inform if they are off sick. Twenty-five percent of employers now accept text or email messages about sickness, but

a personal phone call makes it more difficult for an employee to fake illness. Procedures must be applied consistently across the company; otherwise, employees may feel that they are being targeted unfairly. Written rules are your defense against claims of unfair dismissal or disability discrimination.

Hold return-to-work interviews after every absence. This is a proven method of reducing sickness absence, especially for companies employing fewer than 250 people. A recent *Employment Review* survey of 182 organizations in the UK showed that introducing return-to-work interviews cut absence levels by 67 percent.

Never accuse an employee of throwing a "sickie" without solid evidence. If necessary, seek their permission to obtain medical information from their primary-care physician to find out whether any underlying health reason exists for their frequent short-term absences. If, after proper investigation, you have reasonable grounds to believe that the absence is not genuine, don't be afraid to take disciplinary action.

Your employee should be given a chance to improve his or her attendance levels before you begin disciplinary action. Problems at work or home may be causing the absences and may be difficult to talk about.

At every stage, you should provide clear warnings of the possible consequences of continued absences. If no improvement occurs despite formal warnings, then dismissal is an option as a last resort. However, it is advisable to speak to an HR adviser in such an event, as the process must be handled carefully, fairly, and consistently to ensure that you will avoid employment-tribunal claims of unfair dismissal or disability discrimination. **N**

Annette Dixon is a human-resources professional qualified at Deakin University, with 15 years of human-resources management experience. Using her strategic and operational human-resources management skills, Annette has been involved in building and transitioning businesses through effective human-resources strategy. She has been a line manager and has overseen compliance and regulatory issues for businesses, dealing with government bodies to ensure compliance.