



Managing ill, sick or injured employees - part one

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Managing ill or sick employees or those on workcover can be challenging and I am often asked what to do in this situation. Not knowing what to do can lead to managing the process the wrong way or dismissing the employee and this can result in legal action and affect the reputation of the business.

Over the next few issues, I will address your key questions and provide information on how to manage various situations and the possible consequences if not managed within the legislative requirements.

The key to managing long-term illness

When an employee is diagnosed with a long term illness, it is important for businesses to manage the situation with sensitivity and respect. The challenge for businesses is that no-one knows it is going to be a long term illness or how long that term might extend. The reality is that every situation is unique and the majority of businesses do a wonderful job taking care of their employees where serious or life threatening illnesses arise. So how can you make sure you are one of those businesses?

Keep the communication lines open. Tension usually arises when there is lack of proper information exchanged – both parties need to keep in touch.

Employees need to know what leave they have available, when it runs out and what can be done to assist i.e. salary continuance program.

Employers also need to know the progress and receive updated medical certificates to determine if there is a partial capacity to return to work.

There is no simple answer and businesses need to be aware that WH&S and industrial relations legislation is complex. The Fair Work Act protects employees from dismissal when temporarily absent due to illness or injury unless their absence extends for more than three months. However even though this is legislation, the lines are blurred if it can be demonstrated that their illness or injury does not have an adverse impact on their ability to perform their regular duties. Businesses also must take into consideration any advice received from the treating practitioner regarding their ability to return to work eventually. The best advice is to always seek advice and ensure you always are communicating with your employee.

(Source: Human Capital, 27 February 2014)