

PSA advice on sick leave

The PSA has received enquiries from members in regard to evidence requirements for sick leave. The PSA is aware some managers have given advice that is not necessarily consistent with the Award. Under the Award, members are entitled to five non-consecutive days of sick leave in a calendar year without a medical certificate. If sick leave is for more than two days in a row, then a certificate is to be produced. The full Award provisions in relation to Evidence of Illness are below.

80. Sick Leave - Requirements for Evidence of Illness

80.1 A staff member absent from duty for more than 2 consecutive working days because of illness must furnish evidence of illness to the Department Head in respect of the absence.

80.2 In addition to the requirements under subclause 79.2 of clause 79, Sick Leave of this award, a staff member may absent themselves for a total of 5 working days due to illness without the provision of evidence of illness to the Department Head. Staff members who absent themselves in excess of 5 working days in a calendar year may be required to furnish evidence of illness to the Department Head for each occasion absent for the balance of the calendar year.

80.3 As a general practice backdated medical certificates will not be accepted. However if a staff member provides evidence of illness that only covers the latter part of the absence, they can be granted sick leave for the whole period if the Department Head is satisfied that the reason for the absence is genuine.

80.4 If a staff member is required to provide evidence of illness for an absence of 2 consecutive working days or less, the Department Head will advise them in advance.

80.5 If the Department Head is concerned about the diagnosis described in the evidence of illness produced by the staff member, after discussion with the staff member, the evidence provided and the staff member's application for leave can be referred to HealthQuest for advice.

80.5.1 The type of leave granted to the staff member will be determined by the Department Head based on HealthQuest's advice.

80.5.2 If sick leave is not granted, the Department Head will, as far as practicable, take into account the wishes of the staff member when determining the type of leave granted.

80.6 The granting of paid sick leave shall be subject to the staff member providing evidence which indicates the nature of illness or injury and the estimated duration of the absence. If a staff member is concerned about disclosing the nature of the illness to their manager they may elect to have the application for sick leave dealt with confidentially by an alternate manager or the human resources section of the Department.



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80.7 *The reference in this clause to evidence of illness shall apply, as appropriate:*

80.7.1 *up to one week may be provided by a registered dentist, optometrist, chiropractor, osteopath, physiotherapist, oral and maxillo facial surgeon or, at the Department Head's discretion, another registered health services provider, or*

80.7.2 *where the absence exceeds one week, and unless the health provider listed in paragraph 80.7.1 of this subclause is also a registered medical practitioner, applications for any further sick leave must be supported by evidence of illness from a registered medical practitioner, or*

80.7.3 *at the Department Head's discretion, other forms of evidence that satisfy that a staff member had a genuine illness.*

80.8 *If a staff member who is absent on recreation leave or extended leave, furnishes to the Department Head satisfactory evidence of illness in respect of an illness which occurred during the leave, the Department Head may, subject to the provisions of this clause, grant sick leave to the staff member as follows:*

80.8.1 *In respect of recreation leave, the period set out in the evidence of illness;*

80.8.2 *In respect of extended leave, the period set out in the evidence of illness if such period is 5 working days or more.*

80.9 *Subclause 80.8 of this clause applies to all staff members other than those on leave prior to resignation or termination of services, unless the resignation or termination of services amounts to a retirement.*

If member have further queries, please call the PSA on 1300 772 679.

Your PSA staff

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What can you do?

Encourage your colleagues to join the PSA online at membership.psa.asn.au/register

