



Immunising the business against Swine Flu sickies

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A swine flu epidemic could cost the UK economy £50 billion, mostly in lost revenue and sick pay, according to a recent survey by the Ernst & Young ITEM Club. Media speculation, however, alleges that a mild case of work-shyness, rather than an office-wide flu epidemic, has boosted this cost. Kate Redshaw, a senior associate in the employment team at law firm Burges Salmon LLP considers some practical ways to tackle the problem.



According to this year's Absence Management Survey Report from the CIPD, the average cost of employee sickness is £692, per person per year so many businesses can ill afford for employees to claim the odd 'duvet day' under the guise of suspected swine flu.

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Smart business and HR leaders would be well advised to revisit their absence procedures to ensure that they are well equipped to tackle the issue. There are two key approaches to reducing employee absenteeism - prevention and cure.

Prevention

Set out and adhere to a clear absence management policy. This will not only discourage 'duvet days' but will also ensure that you don't inadvertently treat an employee unfairly which could, in turn, lead to claims.

Return-to-work interviews are one of the most effective ways to manage absences. They may deter absence in the first place, and they can help identify any issues at an early stage and provide managers with an opportunity to start a dialogue with an employee about their absence levels.

Insisting that employees telephone their managers personally to report that they are going to be off sick acts as a useful deterrent. Make it clear that emails and/or texts are not sufficient, and neither is a call from their mum, girlfriend, or the next-door neighbour's dog etc.

Keep a record of absences and reasons cited in order to track and, therefore, identify undue absence levels. This will also help highlight any possible underlying causes that might need to be actioned such as stress.

The primary message to send to employees is that short-term absence will not go unnoticed. Line managers have a crucial role to play in effective absence management. Train your line managers in how to deal with absence issues in line with your policy, how to spot a genuine sickness issue from a "duvet day" and ask them to watch for and act on particular trends, such as repeated absences on a Monday or a Friday.

Whilst a robust approach to absence management should achieve the desired results, be aware of the potential for disability discrimination. If a person is disabled, employers are obliged to make reasonable adjustments to prevent their being disadvantaged in the workplace. Depending on the nature of the disability, this may mean accepting that the disabled person is likely to need more time off than other non-disabled people.

If whatever virus is 'going round' always seems to catch up with your team just after the weekend, consider making short notice flexi days and half days of leave part of your employee benefits offering. This could help reduce the costs associated with impromptu absence when the sun comes out as the time could be deducted from the employee's holiday entitlement. Alternatively, if you suspect, despite your best efforts, that employees might still be taking unnecessary sick leave, consider rewarding good attendance rates.

Cure

It can be difficult to prove that an employee is "faking" it (although Facebook now often offers all the proof one needs, so it's always worth checking that). In the absence of concrete evidence, however, it is probably safer to discipline for lack of satisfactory attendance if a person is regularly absent.

Show people you mean business and don't be afraid to start formal disciplinary proceedings where appropriate trigger points are reached. Be consistent in your treatment though; just because absence is high in a team of younger people does not necessarily mean that they are all sunning themselves on Brighton beach. The trigger points need to be applied objectively across the business. Again, making sure line managers are aware of how your absence management policy operates will help to achieve this.

Review the new ACAS Code of Practice on Discipline and Grievance, which came into force in April, and make sure that your procedures comply with it. Employment tribunals can increase compensation if an employer has unreasonably failed to comply with the Code. Some employers will operate a separate capability or absence procedure whilst others will deal with capability issues through the disciplinary policy. If you do have a separate capability or absence procedure, make sure that the basic principles of fairness that are set out in the ACAS Code are followed.

Businesses that adopt a firm but fair approach to absence management and are clearly seen to be in control of the process should find that non-genuine absenteeism is kept to a minimum.