



# SICK PAY

## Your entitlements under the HOLIDAYS ACT 2003

### **HOLIDAYS ACT 2003 - Clause 65. Sick Leave**

(1) An employee may take sick leave if -  
the employee is sick or injured;  
or the employee's spouse partner is sick or injured;  
or a person who depends on the employee for care is sick or injured.

### **Clause 68. Proof of sickness or injury -**

(1) An employer may require an employee to produce proof of sickness or injury for sick leave taken under clause 65 if the sickness or injury that gave rise to the leave is for a period of 3 or more consecutive calendar days, whether or not the days would otherwise be working days for the employee. - (1A) Despite sub

clause (1), the employer may require proof of sickness or injury within 3 consecutive calendar days if the employer - (a) has reasonable grounds to suspect that the sick leave being taken by the employee is not genuine because none of the grounds in clause 65 (1) are met; and (b) informs the employee, as early as possible after forming the suspicion that the sick leave being taken is not genuine, that the proof is required; and (c) agrees to meet the employee's reasonable expenses in obtaining the proof.....Clause 68 (4) (b) sub clause (1) or subsection (1A) does not give the employer the right to require the employee to obtain the proof from a person specified by the employer.

### **What you need to do if you are SICK**

- Ring your Boss and tell them you're unwell - **you are not required to explain why you are unwell (your Doctor will diagnose what your ailment is, not you and least of all your Boss)**  
Workers may think they have the 'flu' but the flu like symptoms could be Leptospirosis
- Some agreements say you are required to ring in within 4 hours of work commencing, some agreements say you should ring in prior to work commencing. Check with your plant Official, Organiser or Delegate.
- If you are sick one day you are **not** required to produce a medical certificate.
- If you are sick 2 days you are **not** required to produce a medical certificate.
- If you are sick 3 days or more then you are required to produce a medical certificate if asked.
- If you are sick Friday, but not sick Saturday & Sunday (3 Calendar days) then you could be asked to produce a medical certificate on Monday, assuming you are a Monday to Friday worker. You can ring work on Saturday or Sunday to say you are no longer sick.
- If you are sick Monday then you are not required to produce a medical certificate.
- Your Boss can require you to produce a medical certificate within 3 days **only** if he has reasonable grounds to suspect you are not genuine. Then you can go and see your **own GP** and you can claim reasonable expenses for seeing your GP such as Doctor certificate and the cost of travel, from your Boss. Your Boss **can't** tell you to see Company Doctor
- Some Bosses are giving meat workers warnings, written & final warnings if they don't attend work **98% or 95%** of the available hours. This is irresponsible behavior and the Union will not accept warnings for any percentage or accept any "unilateral" change in Company Policy.
- Bosses are now wanting to ring you at home when you are sick. You are not required to answer the call. This is just another invasion of your rights to privacy. Some Bosses take charge of your injuries through Accident Compensation, your Boss thinks he has the right to run your life at home and at work.
- Check that you are being paid "**relevant daily pay**" on the day or days you are off sick. Sick pay is easily calculated - what your workmates earning rate is on the day i.e. \$20 per hour. If you are sick for the day and your mates only work half a day then that is all you are paid for. If your normal hours are 10 hours then you are paid 10 hours at \$20 per hour. Again, we assume your workmates work 10 hours.

## **Meat workers only receive 5 sick days per year**

**Meat workers.....work on production lines, work very long days & nights, at fast work speeds, usually undermanned work stations (2 workers doing 3 jobs), lack of skilled workers (lack of training), unsociable shift work patterns, with knives & other dangerous equipment, in processing rooms with extreme temperature variations, freezers and chillers. Many workers travel long distances to get to work. Further, the risk of accidents (Cuts, Repetitive Strain Injuries) and work related diseases (Leptospirosis, campylobacter, orf) in the meat industry is higher than in any other industry in New Zealand**

**IF YOU ARE SICK - DON'T GO TO WORK.**

**YOU RISK AN ACCIDENT AND SPREADING YOUR FLU ONTO YOUR WORKMATES**