

Memo

To: Line Managers, Galway University Hospitals

From: Paul McGowan, Group Employee Relations

Following our discussions at the HR team meetings, recent advice and clarification from CERS we need to review our procedures in relation to persons suffering an injury at work.

The injury grant is an allowance paid to employees who are injured during the course of their work, I wish to confirm the injury grant is **payable with effect from the date the injury occurred** and this provision is contained in the HSE Long Term Absence Benefit Schemes Guidelines 2012.

The gross amount of the allowance cannot exceed five-sixths of the remuneration (inclusive of emoluments) of the position in which the employee received the injury and is subject to certain deductions such as any social welfare benefits or pension payable, **it is currently paid at 50% in the HE West area.**

The injured staff member should be informed of Injury Grant and their entitlements from the outset and that If awarded the period in receipt of Injury at work Grant does not count as service for pension purposes, and is not recorded on the sick leave record.

Normal reporting procedures should continue through Q pulse/incident report forms. Once a staff member has reported an injury at work it should be processed in line with the existing guidelines as outlined below, with the appropriate HR form 112 completed and signed by management, either agreeing or contesting the claim, before the final decision from the ANDHR.

Procedure

- When an incident occurs in the workplace where an employee is injured the line manager / appropriate manager must ensure that the employee receives the necessary first aid/medical attention immediately. Employees should also be advised of Staff Support/Employee Assistance Programmes and counselling / critical incident stress debriefing services.
- The line manager/appropriate manager must ensure that any incidents, accidents or near misses that occur in the workplace are investigated, in line with the relevant health and safety policy or procedure and ensure any corrective action is undertaken where appropriate.
- The line manager/appropriate manager must complete incident report form as soon as possible after the incident and forward a copy to the Risk Management Department and the HR Department. If the incident involves more than three days absence the Health and Safety

Authority IR1 form must be completed by the line manager/appropriate manager and returned to the Health and Safety Authority in a timely manner.

- The line manager/appropriate manager should refer the employee to Occupational Health as soon as possible after the incident to assess the employee's degree of impairment as a result of the incident and to make recommendations on when the employee will be fit to return to duty in accordance with the Department of Environment and Local Government Circular S.7/2001. A copy of the incident report form should be supplied to Occupational Health in advance of the initial assessment.¹
- The injury allowance as provided by Article 49/109 or s. 12.1 is payable with effect from the date the injury occurred. The employee may invoke Article 49/109 or s.12.1 by completing HR Form 112 and submitting this form to his/her line manager/ appropriate manager for recommendation.

The line manager/appropriate manager must review the application to assess whether the employee meets the conditions of the scheme. If deemed eligible the line manager/appropriate manager must complete the form and submit it to the relevant Senior Manager / General Manager along with copies of the Incident Report Form, Occupation Health and other relevant reports, witness statements etc.

- The Senior Manager/Hospital Manager will make a recommendation on the payment of the injury grant and submit it to the Assistant National Director of HR for a final decision on approval and sign off. (Forward into the Saolta Group Director of Human Resources)
 - The Assistant National Director of HR can sanction payment of the injury grant for an initial limited time period or for life following the consideration of the merits of each case. The continuation of this pay beyond the initial limited period will be subject to further application and regular review.
 - If the application is refused the line manager/appropriate manager must then convey this decision to the applicant along with the reasons for the refusal. If the employee is dissatisfied with this decision then he/she should be advised that he/she can appeal it through the grievance procedure. As the Assistant National Director of HR is the final decision maker the appropriate level to hear an appeal under the grievance procedure would be the National Director of Human Resources.²
 - If the application is approved the regional HR department/employee relations department must convey this decision to the employee and the line manager / appropriate manager. This letter will also set the terms of the Scheme and the payment provisions. The employee should be advised in this correspondence that the time spent in receipt of injury grant is not reckonable service.
 - The HR/Employee Relations Department should request superannuation to calculate the net amount of the injury grant to which the employee is eligible. This amount will then be multiplied by the degree of impairment, as assessed by the Occupational Health Department, to calculate the injury grant entitlement. The HR/Employee Relations Department must then notify the employee of this amount.
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- The HR/Employee Relations Department should notify the local payroll/personnel administration section to make the appropriate arrangements to have the employee paid.
- The line manager/appropriate manager should continue to monitor the sick leave of the employee on a monthly basis during the period while they are in receipt of injury grant in conjunction with the HR/Employee Relations Department. Line manager/ appropriate managers should continue to make every effort to facilitate a return to work as quickly and safely and employees will be required to undergo regular assessments with the Occupational Health Department as part of the scheme.
- If the employee no longer meets the criteria of the scheme then the employee will be informed by HR in advance and the allowance should cease to be paid. The employee will be managed in accordance with the Managing Attendance Policy and Procedure and Rehabilitation of employees back to work after illness or injury policy.
- If the employee disagrees with the medical advice they may provide further medical evidence to support their position. Such evidence will be provided at their own expense and within strict timeframes.

In the event of a staff member presenting with a Dept. of Social Protection claim form indicating an injury at work and management are contesting same the form can be signed and a comment included to the effect that the claim is contested.

Please ensure that all line managers are familiar with these procedures in dealing with Injury at work incidents and claims.

Kind Regards,
Paul McGowan
Group Employee Relations