



The Union Working Together To Protect You

GMBA Branch Newsletter
February 2021

Dear Colleague

Sickness absence policy

You should have now all seen the AA's sickness policy, which has been reviewed and implemented. I thought that I would pass a few comments on it, as it does appear to be causing concern.

The policy now allows a one off period of sickness i.e. broken leg, as an example, and, if you have had previous good history over a three year period, you won't be penalized. Yes, this is a plus, alongside reasonable adjustments to aid a disability which is now in place. It looks like the AA has finally taken note of the law and about time too; thank you to those who have submitted previous claims!

The allowance of taking annual leave whilst sick means you can go abroad and not reply to managers to aid rest is also a positive if staff want to use it; bear in mind that they cannot force it upon you but, if you had run out of sick leave, then it's a decision that could help you out financially, but don't get bullied into taking it.

The triggers are still there and it is almost identical to the previous policy, albeit reworded in such a way where staff now hopefully understand it, as previously the policy was vague, at best.

The biggest problem with long term sickness is that people tend to sit back and wait for the NHS to respond and deal with medical problems, especially now when we have Covid-19 to deal with. This means that staff are off sick for longer than they need to be and, therefore, placing themselves at risk of dismissal rather than pushing the NHS continually. Rest assured that, even with the pandemic, if you complain to the NHS and push hard, you will be treated faster. In short, if you have a window of opportunity to return to work, it becomes very difficult to dismiss an employee under capability. When there is no window of opportunity of a return to work, it becomes very dangerous ground so please do not sit back and wait for the NHS.

Basically, the policy is more or less the same as I remember with minor variations that are a little clearer and fairer in some areas. Do not get me wrong, it's still an aggressive stance on sickness so you need to be mindful.

Average pay claims

Due to legislation changes and challenges in different parts of the law and with different employers up and down the country, all of the claims were "stayed at the Employment Tribunals". We are not far from all the perspective challenges being completed and, as yet, I have seen no evidence that shows we were not correct when issuing claims. Our solicitors will be in touch with all the claimants when the process is restarted; I do hope those won't be long, as this has dragged on for an excessive period of time. I'm looking forward to authorising payments to our members who submitted those claims. Thank you for your patience.

Yours fraternally

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