

## **White Paper How to Handle Abuse of Sick Leave**

*In this paper the principles that apply to conversations about absenteeism are explained, followed by dialogue for conversations between a manager and a member of staff about a sick leave problem. These are the conversations that avert the likelihood that abuse of sick leave will become an ingrained habit that necessitates the use of discipline; or alternatively, that allow abuse of sick leave to continue as the norm in an organisation.*

Some interesting and alarming statistics have recently been released concerning employment in South Africa.

According to figures from the recruitment company Adcorp, South Africa lost R3.9bn worth of output in 2011 due to sick leave and absenteeism.

Sick leave has increased by 397% from 2000, despite the fact that employment numbers were virtually flat over the same decade. Absenteeism is most noticeable on Fridays and Mondays, around long weekends and during school holidays and, according to Adcorp, 'seems likely to be of a false and unjustified nature'.

Adcorp concludes that the absenteeism problem is growing because managers are reluctant to hold conversations that address the issue with their staff for fear of accusation of unfair labour practices.

Conversations about absenteeism need not be difficult or carry any risk of unfairness if they are handled in time and with skill. When managers avoid them altogether, or fail to properly hold people to account for their behaviour, the problem grows until using sick leave unjustifiably becomes the norm.

Three principles apply to conversations about use of sick leave:

- clarify expectations
- maintain records
- confront problems immediately.

**Clarify expectations** Sick leave benefits should be explained clearly when an employee joins a company. Emphasis should be put on sick leave as a benefit that is available to the employee only if it is needed in the event of ill health. Employees should be shown how it can be claimed, and made aware of the way records of sick leave are maintained and monitored. This process sets expectations from the start.

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If there is an established pattern of sick leave abuse in a department, a manager can hold a similar conversation with staff to re-set expectations. The manager should start by acknowledging the current situation and then declare his or her intention to make changes. The rest of the conversation follows the pattern of the one held with new staff.

**Maintain records** Sick leave records must be maintained and monitored. They provide the facts that are an essential starting point for any conversation around an employee's use of sick leave.

**Confront problems immediately** As soon as a pattern of sick leave that does not relate to any identifiable illness seems to be developing, a manager should hold an initial conversation with the employee. Its purpose is twofold. One is to signal to the employee that sick leave is being monitored and that the manager has noted a pattern in the employee's behaviour. The other is to invite the employee to discuss any problems they might wish to raise. At this stage, nothing more need be said.

This conversation lets the employee know that the manager is aware of and concerned about their behaviour and should serve as a tacit warning that abuse of sick leave will not be tolerated. If this conversation is not sufficient to dissuade an employee from continuing to use sick leave unjustifiably, a more direct confrontation should take place.

Michael had inherited a problem from his predecessor. Joyce had been with the company for a long time. She kept to herself and was sensitive about any interference in her work. Michael had learned that in the past her managers simply left her alone to carry on.

'Where's Joyce?' Michael asked his assistant, Sophie one Friday morning. 'We're supposed to have a meeting. I spoke to her about it yesterday.'

'Haven't seen her today' Sophie replied, 'But you know it's Friday and she's often away on Fridays. I'm surprised you haven't noticed.'

'She's what!' Michael exclaimed. 'You mean she just takes Fridays off when she feels like it?'

'Well' said Sophie, 'She usually calls in. I'm surprised we haven't heard from her by now. This is Joyce. We've got used to her making her own rules. She does what she needs to; and we give her some slack. I've never talked to her much but I think she might have a mother or someone that she looks after. I know she goes to her doctor fairly regularly too but I'm not sure what the problem is. Shall I give her a call?'

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'No' said Michael. 'I'll speak to her on Monday. But could you get her attendance record for me so I can see exactly what's going on.'

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'Well, well' said Michael to himself a little later. 'What have we here?'

Joyce's record showed that for the past three years she had used about 80% of her sick leave, without it seemed, ever being really ill. She took two or three days off on a regular basis, noticeably on either side of weekends. She never took more than three days at a time, and if she was away for more than a day she always brought a sick note. Strictly speaking she had not broken any rules and in a busy department it was easy enough to see why her behaviour had not attracted any serious attention.

But Michael ran a busy department. He needed all hands on board. He asked Sophie to make an appointment for him and Joyce on Monday.

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'Hi Joyce, come in. I missed you on Friday. I was hoping we could catch up on the project I gave you last week.'

'I'm sorry', said Joyce. 'I wasn't feeling well. I had a migraine. I did phone Sophie.'

'Yes, she gave me your message.' replied Michael. 'I know that migraines can be miserable. How are you feeling now?'

'I'm fine. They usually last a day or two and then they're gone.'

'Do you know what causes these headaches?'

'Well, my doctor has diagnosed me with depression and he's given me tablets that I take regularly. But sometimes, you know, the headache just takes over. I'm sorry, I do try to be here as much as I can and my doctor says....'

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'Yes, I can understand that it's difficult for you', interrupted Michael, then he paused before continuing. 'But I'm concerned. Here is your attendance record Joyce, and the sick notes you've brought in. You've been away a lot this year. I'm sympathetic about your problem with depression and I can understand if sometimes you aren't able to come to work. But I don't know if you realise that you've used over 65% of your sick leave and we're only about half way through the year. I don't mean to pry into your personal health but I am concerned about the amount of time you have been taking off.'

Joyce started to look very miserable and Michael was afraid that she might break down in tears at any minute. But having started the conversation he wasn't going to back off now.

'Joyce, I can believe that it must be very hard to cope with something like depression and that you are not always well enough to get to work. That is what sick leave is for. You take it when you need to. There is something else though that I must point out to you. Look at your records. Can you see a pattern in the days you have been off? Can you see how many times you have been away on a Friday or a Monday? To be very honest with you, it seems strange to me that headaches would cluster around weekends like this. Can you explain it?'

Joyce shook her head and looked down. She shrugged. 'I don't know. That's just the way it is.'

'OK' said Michael. 'I'm going to leave this with you for now. But I'll be straight. Our department is under pressure, and the busiest time of the year is coming up soon. I need everyone at their desks, on Mondays and Fridays too. If you need to take time off to get better, then you can let me know and we can plan around it.'

But from here on I will not expect you to use so much of your sick leave. You see, if you use it all up and then you have an accident or get really ill and you have to take time off, you will have to take unpaid leave. I doubt that you ever want to be in that position.

Now, is there anything else you want to say to me about this?'

'No' said Joyce getting up to leave. 'I'll be fine. Thank you.'

As Michael watched her leave his office he wondered what she was thinking. He hoped that she would recognize the conversation they had just had as a warning, and would change her behaviour accordingly. If she didn't, she must surely expect that they would be talking about this issue again. But she might not. She had obviously manipulated other managers; she might think she could do it with him too.

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## **Straight Talk Tips**

1. Notice the safe tone with which Michael opens the discussion. He enquires about Joyce's health and is sympathetic about her problems.
2. He interjects when she starts getting into details, so as not to allow her to draw him away from the issue at hand.
3. He explains the purpose of sick leave and points out how much she has used in the year so far. He also points out the pattern of her absences, keeping to the facts and avoiding any hint of accusation.
4. His question 'Can you explain it?' invites her into the conversation to account for her behaviour. Holding someone to account in this way is something managers typically avoid or handle badly.
5. Michael ends the conversation by making very clear his expectations for Joyce's behaviour going forward and leaving her to assume that he will be monitoring it.

Michael looked at a report Joyce had left for him. It wasn't a very good piece of work. Her analysis was superficial and her presentation of the data was difficult to follow. He asked Sophie to contact her about meeting later in the morning.

'Oh, I've not seen her today. I don't think she's in.' replied Sophie.

'But wasn't she off last week? And now today! This isn't good enough' Michael raised his voice in exasperation. 'Please see if you can reach her and find out what's happening.'

'Joyce, come in.' It was the following afternoon before Michael was able to get together with Joyce, by which time his frustration with her behaviour had not disappeared but was at least under control. He'd been telling himself there was so much about her he didn't know, and unless he got her to open up to him, he'd never be able to solve the problems with her performance and attendance.

'I looked for you yesterday. There are some things in your report I wanted to talk to you about. But you weren't in. What was the problem?'

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In reply, Joyce covered her face with her hands and burst into tears. Michael sighed: now what? He rummaged in his drawer and found tissues which he handed to her.

'Joyce' he said gently, 'We have to talk this out. Stay here. I'm going to get us some tea. I'll be back in a few minutes.'

On the way out he asked Sophie to postpone his next appointment. He would have to talk to Joyce for as long as it took to get to the bottom of this.

Back in his office, with tea in hand and Joyce's composure somewhat in place he said 'I don't want to be hard with you. Clearly there are things troubling you. I see you using up most of your sick leave a day or two at a time. I see the work you've given me and I think someone with your background and experience could do a better job. I don't know what is causing you to behave like this but I'm concerned for you. I'd be failing as a manager and I'd be failing you, if I didn't try to help you. So talk to me please. Give me a chance to help you in any way that I can. And look, if it's beyond what I can do, then we'll see what other help we can find for you.'

He waited, sipped his tea, and finally Joyce started to talk.

## **Straight Talk Tips**

1. Michael realises that unless he creates a conversation in which Joyce feels safe to talk, he will never get to the bottom of the problem.
2. Tea and tissues! By leaving Joyce alone in his office Michael allows her time to compose herself, knowing that he will return to continue the conversation. Understanding how and when to step out of a conversation is an important part of the Straight Talk process.
3. When he returns, Michael is empathetic and encouraging. He's open about his feelings towards Joyce and offers help.
4. Then he waits for her to talk. By his silence he once again invites her to account for her behaviour.

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These two conversations between Michael and Joyce model conversations that communicate a manager's intolerance of sick leave abuse, and also provide a safe space in which an employee can talk about any real problems they have. It is both tough and fair.

Only when you get to the bottom of any problem that may be underlying the absenteeism can you put a realistic solution in place. Alternatively, if no real problem emerges, you can advise the employee of the possibility of disciplinary action should their behavior not change.

The conversations used here are adapted from Straight Talk: conversations at work that get results, by Maureen Collins, published by Random house Struik, 2010. For more information visit [www.straight-talk.co.za](http://www.straight-talk.co.za)