

GUIDANCE ON COMPANY SICK PAY SCHEME

These guidelines support the Attendance at Work Policy and Procedure and apply to all employees of TfL, Docklands Light Railway Limited, Rail for London Limited, London Bus Services Limited, London Buses Limited, Victoria Coach Station Limited who are on TfL employment contracts (Pay bands 1-5 and Directors).

Company sick pay scheme

TfL operate a comprehensive sick pay scheme for all employees covered by the organisational scope referred to above who are absent from work through sickness or injury. Company sick pay is equal to contractual salary and is comprised of “Statutory Sick Pay” (SSP) and “TfL Sick Pay”. Eligibility for TfL Sick pay is at the company’s discretion.

Sick pay will normally be paid for a maximum of one year comprising of six months at full pay and six months at half pay accumulated in a rolling year, from the first day of absence. Sickness days calculated above the entitlement for a rolling year will normally be unpaid.

Sick days are based on working days or shifts and are calculated on a rolling year basis. Individual sick pay and leave entitlement is shown below and is based on the number of days an employee works in a week.

Shift/days worked per week	Sick days/shifts at full pay	Sick days/shifts at half pay
5	1-130	131-260
4	1-104	105-208
3	1-78	79-156
2	1-52	53-104
1	1-26	27-52

Where sick pay entitlements have been exhausted, payroll deductions will be based on the duration of the employees’ working days/shifts e.g. an employee works a standard seven hour day therefore 7 hours will be deducted for each day the employee is sick over their entitlement. Where the employee works different hours on different days deductions will be calculated according to the hours the employee usually works on the day(s) they are sick over their entitlement.

Calculation of sick pay on a rolling year basis

Sick pay will be calculated on a rolling year basis based on the year prior to the start date of each period of sickness e.g. if sickness absence starts on 1st May 2009, any sick leave taken since 30th April 2008 will be deducted from the sick pay allowance according to eligibility.

Absences should be entered in SAP to ensure sick pay is paid appropriately. Where an employee is about to exhaust their entitlement to full sick pay the manager should seek to inform the employee, ideally at least one month in advance of the date that they will move to half pay. In the event the employee exhausts their entitlement to half pay the manager should seek to inform the employee, ideally at least one month in advance of them receiving zero pay. Letters should be copied to HR Services.

Conditions of sickness absence/pay and employee responsibilities

In order to retain the right to the benefits of the TfL sick pay scheme employees must follow the absence reporting process as outlined in the Attendance at Work Policy and Procedure.

[Download the Attendance at Work Policy here](#)

Failure to comply with the Attendance at Work Policy and Procedure may result in forfeiture of the right to TfL sick pay. Absence from work through sickness or injury attributable to an employees' own misconduct may also lead to the forfeit of TfL sick pay.

State sickness/incapacity benefit

Employees who are not entitled to SSP may be able to claim state sickness benefit provided they satisfy the qualifying conditions. Employees should contact their local Benefits Agency. Contact details can be found under "Benefits Agency" in the business section of the phone book. Information on State sickness/incapacity benefit is available via this link

<http://www.direct.gov.uk/en/MoneyTaxAndBenefits/BenefitsTaxCreditsAndOtherSupport/illorinjured/DG>

Assaults or accidents

Employees who receive TfL Sick pay for absence arising from an accident or assault at or outside work, will be liable to repay back to TfL any sick pay received in the event of damages being recovered from a third party (including the Criminal Injuries Compensation Authority CICA) and the Motor Insurer's bureau for loss of pay.

Any absences occurring as a result of an assault at work or as a result of assisting another employee being threatened or assaulted at work, or assisting in dealing with an emergency arising in the course of TfL's activities, will not count against sick pay entitlement. This is dependent on the employee agreeing to make a claim to the CICA if sickness absence extends beyond 28 days therefore no automatic right to ongoing company sick pay whilst off sick in these circumstances.

Deductions from Sick Pay

Sick pay is subject to all normal payroll deductions. Employees who are members of the TfL Pension Fund will have contributions deducted from their sick pay however,

these will be waived if sick pay is insufficient to cover the contributions or the entitlement to sick pay has been exhausted.

Where employees are members of any other pension fund recognised by TfL, the rules applicable to that fund will apply.

Sickness: statutory arrangements (contractual)

Statutory Sick Pay (SSP) as defined by the Social Security Benefits Act (1992) and by the SSP General Regulations 1982 (as amended) is payable for a maximum of 28 weeks from the first day of the period of sickness in accordance with statutory rules. Eligibility for SSP is also dependent upon statutory rules. Employees who are eligible for SSP are deemed to be included in TfL sick pay. Information on SSP is available via this link

http://www.direct.gov.uk/en/MoneyTaxAndBenefits/BenefitsTaxCreditsAndOtherSupport/Illorinjured/DG_175843