

CBA - Personal Illness Leave

For Your Information



Production of Medical Certificates

Medical certificates for absences of 2 days or less are only required where there is a **pattern of frequent absences** or there is **doubt as to the genuineness** of the illness or injury - 2011 EBA clause 15.1 refers.

Contents of Medical Certificates

General Practitioners are obliged to maintain confidentiality of their clients' condition. The Australian Medical Association (AMA) holds the view that **"Employers should recognise the right of employees to keep details of their medical condition confidential. Employers should not expect to see a diagnosis on the certificate certifying illness"**. A medical certificate describing an illness as "medical condition" is satisfactory.

Disclosure of Illness

Members **DO NOT HAVE TO** reveal the full nature of their illness or injury unless they are lodging a Workers' Compensation claim. Disclosing details of non-compensable illnesses or injuries is not compulsory and is the member's prerogative. **Your physician is the only person medically qualified to assess what is wrong with you and if you need time off work** – your work colleagues are not medically qualified to do so.

Independent Medical Opinion

The Bank has the right to seek an independent medical opinion where a **pattern of frequent absences** occurs **and** there is **doubt as to the genuineness** of the illness or injury. "Independent practitioners" may provide their opinion as to "Genuineness of absence" and "ability to return to work" but release of more detail requires the member's written consent, which is **optional** for a non-compensable illness.

Members Responsibilities and Rights

Members have a responsibility to consult their medical practitioner in a timely manner when requesting a medical certificate. **Members are not responsible for staffing problems within their workplace during a period of Personal Illness. You have the right to attend appointments at GPs and/or Specialists Rooms in working hours**, appointments are made dependent on the availability of the physician and the nature of the illness/injury and **cannot always comply with CBA business needs**.

Any member experiencing problems at work in relation to Personal Illness should contact the FSU on 1300 366 378

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