

Sick Leave: Important Information

Notification and proof of inability to work

If an employee is unable to work due to illness, they are required to give notice immediately, including how long they expect they will be sick. Immediate notification means that the employee must inform the person responsible for reporting sick leaves **and** the respective supervisor (given they are not the same person, or there isn't a different internal arrangement) on the first day of the illness **by 10:00 AM** at the latest.

If there are any changes, the department must be informed accordingly. Employees with several supervisors are also obligated to inform these departments as well.

To ensure that the supervisor does actually receive the sick notice, the employee must contact them via telephone. If other methods of communication (e-mail, fax, WhatsApp, text message) are used, there could be a delay in the supervisor receiving the information.

In the case of employees subject to a collective agreement, if the sick leave lasts longer than three calendar days (including weekends and holidays), it is required that they present a medical certificate of incapacity for work.

Examples:

- An employee gets sick on Monday and is unable to work. If they are still unable to work on Thursday, they must present a medical certificate of incapacity for work by Thursday at the latest.
- An employee gets sick on Friday and is unable to work. If they are still unable to work on Monday, they must present a medical certificate of incapacity for work by Monday at the latest.

The case of civil servants deviates somewhat from this rule. The employee must present a medical certificate of incapacity for work if their sick leave will last longer than three **working days**.

If these requirements are not adhered to, the employee/civil servant will be faced with the usual disciplinary measures. Furthermore, the responsible HR department may insist that the employee provides a medical certificate of incapacity for work on the first day of their illness. In this case **all** of the days taken for sick leave must be proved with a medical certificate of incapacity for work.

If the illness lasts longer than stated in the medical certificate of incapacity for work, the employee is obligated to immediately submit a follow-up or new certificate, and inform their supervisor straight away.

The **original copy** of the medical certificate of incapacity for work (copy for the employer) is to be **sent immediately, via the department**, to HR and Legal Affairs' Vacation and Leave of Absence Management (Urlaubs- und Krankheitsverwaltung).

However, as of January 1, 2023, the obligation to provide evidence to the employer ceases to

apply with the **introduction of the electronic medical certificate of incapacity for work (eAU)** for employees in the statutory health insurance (also applies to voluntarily statutorily insured). If a doctor has put you on sick leave, a copy of the medical certificate of incapacity for work will no longer be issued for the employer in the future. Rather, the employer is obliged to carry out a data comparison with the health insurance provider and to have the duration of the incapacity for work confirmed.

This does **not** apply

- to employees with private health insurance
- to employees who go to a doctor without a health insurance license
- if employees get sick abroad (see below Illness abroad)
- if you are on sick leave because your child is sick

For these cases, proof must still be provided by submitting an original medical certificate to the employer.

The obligation to report sick leaves remains unchanged for all employees and the complete correct recording in GISBO by the person responsible for reporting sick leaves is even more important than before for proper internal processing.

In the future, employees will be required not only to notify their employer of their illness and of the expected duration of their sick leave, but also to state whether the illness is based on a medical certificate of incapacity for work and the period of time for which it has been issued. The employer must also be notified of any changes and subsequent certificates.

Measures of preventive medical care or rehabilitation

The guidelines mentioned above also apply if an employee is unable to work due to precautionary medical measures or rehabilitation.

HR and Legal Affairs' vacation management unit must be immediately informed of

- when these measures were put into practice,
- how long they must be observed, and
- if they will be extended

as well as be presented with a letter of approval for these measures. A letter from the respective rehab clinic must also be submitted.

For the duration of the rehabilitation measure, the employee must be recorded as "sick" in GISBO by the person reporting sick leaves.

Illness occurring during work

Illness occurring during work does not count as a sick day. In this case the employee must enter "geht" ("leaving") in the time management system, and be entered as "Krank im Dienst" ("sick during work") in GISBO by the person responsible for reporting sick leaves. The individual target working hours planned for this day will be generated by the system.

Illness abroad

If employed persons are abroad when they get sick, they are obliged to notify the employer of their incapacity for work, the expected duration and the address at the place of stay as soon as possible. In addition, employees with statutory health insurance must immediately notify the health insurance provider of their incapacity for work and the expected duration. If the incapacity to work lasts longer than indicated, they are obliged to notify the statutory health insurance provider (and of course the employer) of the expected continuation of the incapacity to work.

Illness during holidays

If an employee is sick during their holidays, they can only get this time back if they **immediately notify** their department of the illness **and submit a medical certificate of incapacity for work from the doctor as proof** of being unable to work (see requirements for notification and proof). Since it takes some time to retrieve the electronic medical certificate of incapacity for work from the health insurance companies through the State Finance Office (LfF), there will be delays in entering the rescheduled vacation in the system.

Of course, in these cases, employees are free to send a copy of their medical certificate of incapacity for work covering or blacking out the diagnosis code, to urlaubsverwaltung@uni-mainz.de in order to speed up the procedure.

An unauthorized extension of the holidays is not allowed.

The entry of the rescheduled holidays is carried out by Vacation Management (Urlaubsverwaltung).

Illness before the start of holidays

If an employee is sick before their holidays start but takes them anyways, they must be recorded as healthy in GISBO before the start of their holidays, by the person responsible for reporting sick leaves.

Sick and healthy entries for academic staff members

It is important to note that academic staff members are also entered as sick in GISBO, and again as healthy by the employee responsible for sick leave.

Non-academic staff members are automatically entered as healthy when they log into GISBO to record their hours. Because academic staff members do not use the electronic time management system, it is necessary that the person responsible for reporting sick leaves enters them as healthy when they start working again.

Please contact Vacation and Leave of Absence Management (Urlaubs- und Krankheitsverwaltung) for more information.