



TAYLORED
HR SOLUTIONS



EMPLOYER GUIDE TO STATUTORY SICK PAY IN IRELAND

**A practical guide to managing employee absence, statutory sick
pay obligations and workplace compliance.**

INTRODUCTION

Managing employee absence effectively is an important part of running a successful business. Employers must balance supporting employees during periods of illness while ensuring compliance with employment legislation and maintaining business continuity.

Since the introduction of the Sick Leave Act 2022, employers in Ireland are legally required to provide a minimum level of paid sick leave to eligible employees. Understanding your obligations, maintaining accurate records, and implementing clear policies and procedures can help reduce risk and ensure consistent and fair treatment of employees.



Contact **Taylored HR Solutions** for practical advice and expert guidance on managing employee absence, implementing compliant sick leave policies, and ensuring your organisation meets its statutory sick pay obligations.

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WHAT IS STATUTORY SICK PAY (SSP)

Statutory Sick Pay (SSP) is the legal minimum sick pay entitlement that employers must provide to qualifying employees who are unable to work due to illness or injury. The scheme was introduced under the Sick Leave Act 2022 and applies to employers across all sectors.

Eligible employees are currently entitled to:

- ❖ Up to **5 days paid sick leave per calendar year**
- ❖ Payment at **70% of normal earnings**
- ❖ A maximum payment of **€110 per day**
- ❖ Payment from the **first day of certified absence**

IMPORTANT TO REMEMBER - Unused statutory sick leave cannot be carried forward into the next calendar year.

WHO QUALIFIES FOR STATUTORY SICK PAY

Not all employees automatically qualify for Statutory Sick Pay (SSP). Employers should understand the eligibility criteria to ensure sick leave entitlements are applied correctly and consistently across the workforce. To qualify for Statutory Sick Pay, an employee must:

- ❖ Be employed under a **contract of employment**
- ❖ Have completed at least **13 weeks' continuous service**
- ❖ Be **certified by a registered medical practitioner** as unfit for work due to illness or injury

The entitlement applies to full-time, part-time, agency workers, apprentices and employees on probation.

IMPORTANT TO REMEMBER – If your Company Sick Pay Scheme is more advantageous, Statutory Sick Pay does not apply.

EMPLOYERS RESPONSIBILITIES

Understanding your obligations under the Statutory Sick Pay (SSP) scheme is essential to ensuring employees receive their entitlements while protecting the business from potential disputes, complaints and compliance risks.

Employers should also ensure that managers responsible for approving or managing sick leave understand both the organisation's internal procedures and the legal requirements surrounding statutory sick pay, data protection and equality legislation.

Employers should:

- ❖ Have a clear Sick Leave Policy in place
- ❖ Communicate absence reporting procedures to employees
- ❖ Ensure payroll systems correctly calculate statutory sick pay
- ❖ Maintain records of sick leave taken and payments made
- ❖ Apply the policy consistently across the workforce
- ❖ Ensure employees are not penalised for accessing their statutory entitlement

Regular reviews of policies, employment contracts and payroll processes can help identify and address issues before they become employee complaints or WRC findings.

RECORD KEEPING

Maintaining clear records is essential to demonstrate compliance and may be requested during a Workplace Relations Commission inspection. Employers should ensure that all records are maintained securely, are up to date and can be produced if requested during a Workplace Relations Commission inspection.

RECORDS TO KEEP
Dates of Sick Leave
Medical Certificates
Statutory Sick Pay Calculations and Payments Made
Return to Work Records

IMPORTANT TO REMEMBER - Employee health information, medical certificates and sickness absence records are considered sensitive personal data under GDPR. Employers must ensure this information is handled confidentially, stored securely and only accessed by authorised individuals with a legitimate business need.

MANAGING SICK LEAVE EFFECTIVELY

While statutory sick pay provides a minimum legal entitlement, employers should also have procedures covering:

- Notification and reporting requirements
- Medical certification requirements
- Absence monitoring
- Return to work discussions
- Long-term absence management
- Maintaining contact with employees during periods of absence

Having clear procedures promotes consistency, supports employee wellbeing, and reduces potential disputes. This is particularly important for small and medium sized businesses where unplanned absences can have a significant operational impact.

EMPLOYMENT EQUALITY LEGISLATION

Employee absence and disability related illnesses can present additional legal considerations for employers. While Statutory Sick Pay deals with an employee's entitlement to paid sick leave, employers must also be mindful of their obligations under equality legislation where an illness, injury or medical condition may constitute a disability. Understanding these obligations can help employers make informed decisions, minimise legal risk and support employees effectively in the workplace.

Employers should be aware of their obligations under the **Employment Equality Acts 1998-2015**, particularly where an employee's illness, injury or medical condition may fall within the definition of a disability.

In such circumstances, employers may be required to consider appropriate **reasonable accommodation measures** to enable the employee to access, participate in or remain in employment, provided the measures do not impose a disproportionate burden on the business.

IMPORTANT TO REMEMBER - Where an employee is experiencing a long-term illness or medical condition, employers should seek appropriate medical advice and consider whether any reasonable accommodation measures may be required before making decisions that could impact the employee's employment.

HOW TAYLORED HR SOLUTIONS CAN HELP

Managing employee absence and Statutory Sick Pay obligations can be challenging, particularly for employers without dedicated HR support. Taylorored HR Solutions provides practical, commercially focused advice to help employers develop clear absence management procedures, meet their statutory obligations, and minimise the disruption caused by employee illness.

Our support includes:

- Development and review of Sick Leave Policies
- Guidance on Statutory Sick Pay (SSP) obligations
- Absence management procedures and reporting processes
- Management of short-term and long-term sickness absence
- Return to work meetings and documentation
- Employment contract and handbook updates
- Advice on medical certification requirements
- Guidance on managing sensitive personal data and employee health information
- Support with disability related absences and reasonable accommodation obligations

We help employers implement practical procedures that balance legal compliance, operational needs and employee wellbeing, ensuring a fair and consistent approach to managing workplace absence.

CONTACT US TODAY

Need support with employee absence management or Statutory Sick Pay compliance?

Contact **Taylorored HR Solutions** for practical advice and expert guidance to help ensure your policies, procedures and employment practices are compliant and fit for purpose.

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