

Guidelines on considering Attendance Management Policy show cause responses.

This guideline is a joint FRNSW and FBEU agreement, resulting from conciliation proceedings before The Industrial Relations Commission.

It relates to instances where absences supported by a medical certificate are triggered and a Show Cause letter is sent to the firefighter concerned.

In these circumstances, the firefighter may respond seeking to rely on the medical certificate/s submitted. In such cases, the Executive Officer will consider their response as follows:

The Executive Officer may contact the HSB asking if, for the absence concerned:

1. The the nature of the illness or incapacity was provided by the firefighter to HSB and;
2. That the employee was unable, on account of such illness or incapacity, to attend for duty on that day

If the answer to the above two queries is in the affirmative, then the show cause response should be considered adequate in respect of those absences supported by a medical certificate.

In considering the show cause response in these circumstances, the Executive Officer should note that sub clause 23.4 of the *Crown Employees (Fire & Rescue NSW Permanent Firefighting Staff) Award 2017* requires that the Health and Safety Branch (HSB) ensure that personal medical information is not disclosed to any employees of the Department outside the HSB.