



Feidhmeannacht na Seirbhíse Sláinte
Health Service Executive

Corporate Employee Relations Services

Health Service Executive

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To: Each Member of the Directorate and Leadership Team
Each Assistant National Director, HR
Each Chief Officer, CHO
Each Hospital Group CEO
Each Hospital Group HR Director
Each CEO Section 38 Agency
Each HR Manager Section 38 Agency
Each Employee Relations Manager

Re: Serious Physical Assault at Work Scheme & Injury Allowance

Date: 31st August 2016

Ref: CERS 31/2016

Dear Colleagues

Where an employee has exhausted the pay provisions under the Serious Physical Assault at Work Scheme (including the special extensions for nurses), s/he may be granted the injury allowance in accordance with the provisions of the relevant health service superannuation scheme. The injury allowance may be granted where an employee is injured:

- (a) in the actual discharge of his or her duty, and
- (b) without his or her own default, and
- (c) by some injury attributable solely to the nature of his or her duty,

There is no requirement that the employee must have availed of or exhausted the provisions of the Public Service Sick Pay Scheme in order to access the injury allowance. However, employees should be informed that the period during which the injury allowance is payable is not reckonable for superannuation purposes. Employees should also be given the option of availing of the normal sick leave provisions as this period will be reckonable for superannuation purposes (excluding periods for which Temporary Rehabilitation Remuneration is payable).

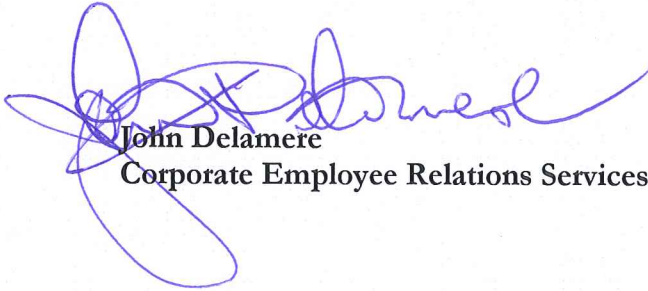
The employee should be advised that payment of the injury allowance is subject to review and conditional on the employee's co-operation with the organisation's HR Policies and Procedures governing sickness absence and rehabilitation.

For further information, please refer to the following policies:

- HSE Rehabilitation Policy
- HSE Managing Attendance Policy
- HSE Long Term Absence Benefit Schemes Guidelines

Queries from HR and Employee Relations Departments in relation to this legislation may be referred to Anna Killilea, Corporate Employee Relations: telephone 01-662 6966/ email info.t@hse.ie.

Yours sincerely,



John Delamere
Corporate Employee Relations Services