

Medical Suspension

Nia has been absent from work for 6 months with severe depression. She has telephoned her manager and informed her that she will be returning to work on Monday as she will be going into half pay and she cannot afford to remain off work any longer. Nia's fit note expires on Sunday and she is not planning on going to the doctors before returning to work.

Nia's manager undertook a welfare visit with her only a week previously and she presented as being very upset and seemingly unable to cope with everyday life. Nia's manager is very concerned about her returning to work as she does not think that she is well enough to return to the workplace and undertake her job to the required standard. Nia's manager has requested an emergency appointment with Occupational Health before she returns to work but Nia does not think that this is necessary and is insisting that she returns to work on Monday regardless of what her manager thinks.

If Nia's manager has concerns about her returning to work whilst clearly unwell, is there anything that she can do?

Yes. If the manager has serious concerns about a member of staff returning to work before they are fit to do so then they can opt to medically suspend the employee (in agreement with their Head of Service) on full pay until further medical advice has been sought from Occupational Health.

The manager has a duty of care to the employee and other members of staff within the workplace to ensure that all employees are fit to be in work.