



# Absence guide

Reasons other than the employee's own illness

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## Days off with pay

In addition to the general public holidays in Denmark, the following count as days off with pay at Aarhus University:

- Christmas Eve, 24 December
- New Year's Eve, 31 December
- Denmark's Constitution Day, 5 June

These three days are not defined as days off by collective agreement, but it has been decided at Aarhus University that all employees should be able to take them as days off with pay, and that the university will be closed. However, units where there is a need for activity, e.g. looking after people, animals, experiments and technology, may remain open with the requisite number of staff at work. Employees who are on duty on these days are compensated with time off on other days in accordance with the applicable rules on working hours.

Employees at AU can take 1 May as time off with pay by agreement with their immediate supervisor if, in their supervisor's opinion, the work situation permits this.

## Time off for weddings, deaths and funerals

Employees can have time off with pay by agreement with their immediate supervisor for the following reasons:

- Day off for their own wedding, either on the wedding day or a day close to the wedding day.
- Day off for their child's wedding, if the wedding is on a working day.
- Time off in the event of a death in the immediate family or of a close relative and for the funeral. The specific amount of time off must be agreed.

## Time off with pay for medical and dental appointments

As a general rule, employees must try to make medical and dental appointments outside working hours. If this is not possible, employees can make arrangements with their immediate supervisor to take time off with pay provided that their absence during working hours disrupts work as little as possible.

Time off with pay cannot be taken to accompany a child or other family member, for example, to medical and dental appointments.

## Time off with pay for a doctor's referral for treatment within the healthcare system

As far as possible, employees should try to arrange their own prescribed treatment with e.g. a specialist doctor, psychologist or physiotherapist, at a hospital or rehabilitation centre, outside working hours. If this is not possible, employees can make arrangements with their immediate supervisor to take time off with pay provided that their absence during working hours disrupts work as little as possible.

## Child's first and second day of illness

The rules on time off for a child's first or second day of illness are set out in the individual collective agreements.

As a rule, all employees are entitled to this under the conditions described below.

An employee can take full or partial leave to the extent necessary to look after a sick child by making a request to his/her immediate supervisor if:

- it is the child's first or second day of illness;
- it is necessary for the welfare of the child;
- circumstances in the workplace allow it;
- the child is under 18 years of age; and
- the child lives at home.

The second day of illness is the calendar day immediately following the child's first day of illness, regardless of whether it is a working or a non-working day.

The first and second day of illness may be taken independently of each other, i.e. an employee may take the child's second day of illness off without having taken the first day off.

Parents may therefore divide the two days of illness between them, with one parent taking the first day and the other parent taking the second day.

Pay during such absence is the same as the employee would have received for absence due to illness.

Individual employees may have the entitlement revoked in case of abuse.

If possible, the workplace must be informed of absence for a child's first and second day of illness at the start of working hours and no later than 9:00 on the day of absence.

If the child remains sick, it is possible to use saved time, holiday or childcare days under the applicable guidelines.

Efforts must be made to be as flexible as possible when a child is ill.

## Agreement on leave for family reasons

This agreement applies to public servants (*tjenestemænd*) and staff employed on comparable terms as *tjenestemænd*, as well as to employees covered by collective agreements concluded by, or under the authority of, the Ministry of Finance on the one hand, and the signatory State employees' organisations, or other bodies affiliated to these, on the other. This means that some employee groups are not covered by the circular.

### **Leave with pay during hospitalisation together with children under 14 years of age**

An employee is entitled to paid leave for up to five days per child within 12 consecutive months for their hospitalisation together with a child under 14 years of age living at home. The same applies if the child stays at home during hospitalisation, or receives outpatient treatment in place of hospitalisation, which requires the employee's presence.

The five days can be taken individually or together. There is nothing to prevent the employer and the employee from agreeing that the days may be taken as e.g. 10 half-days. If both parents are covered by the agreement, the total leave period with pay may not exceed five days for the two parents combined.

### **Leave with pay to look after a seriously ill child under 18 years of age**

An employee who is entitled to benefit under the Danish Parental Leave Act (*barselsloven*) to look after a seriously ill child under 18 years of age is entitled to full or partial leave with pay during the same period.

At Aarhus University, one month's absence with pay per child per calendar year will generally be granted.

The university may also grant unpaid leave during the benefit period. The university is entitled to have benefits refunded when the employee has paid leave.

### **Compensation for lost earnings (Section 42 of the Danish Social Services Act (*serviceloven*))**

The municipality may grant compensation for lost earnings in accordance with Section 42 of the Social Services Act to a person who, at home, provides for a child under 18 years of age with a serious and permanent physical or mental disability or a severe chronic or long-term condition. In these cases, the agreement on leave for family reasons stipulates that the employer may grant leave without pay to an employee who is paid compensation for lost earnings. This means that the employee is not entitled to leave in these situations. If leave is granted, the usual pension contribution will be paid.

### **Caring for close relatives pursuant to Section 118 of the Social Services Act (*serviceloven*)**

An employee who, pursuant to Section 118 of the Social Services Act (*serviceloven*), is employed by the municipality to look after a close relative at home because he or she has a serious and permanent physical or mental disability or a severe chronic or long-term, and possibly incurable, condition is entitled to absence.

No salary will be paid during the period of absence, and the period is not included in seniority for salary and pension purposes. The detailed conditions for employment by the municipality are set out in Section 118 of the Social Services Act.

The employee must inform the university at least six weeks before the leave is to commence. At the same time, it must also be stated how long the leave will last. If the start date or the duration of the leave changes, the university must be informed without undue delay.

### **Leave with pay to care for close relatives who wish to die at home**

If an employee who is covered by the agreement on leave for family reasons is granted a care allowance under the Social Services Act for looking after a close relative who wishes to die at home, the employee is entitled to full or partial paid leave for the same period.

The employer is entitled to be paid the amount to which the employee would otherwise be entitled in care allowance.

Employees who are not covered by the Circular on leave for family reasons (*cirkulære om tjenestefrihed af familiemæssige årsager*) are entitled to unpaid leave under the Danish Act on employees' entitlement to absence from work for special family reasons (*lov om lønmodtageres ret til fravær fra arbejde af særlige familiemæssige årsager*) if they receive a care allowance under the Social Services Act (*lov om social service*) for looking after a close relative who wishes to die at home.

### **Leave without pay for force majeure in the event of illness or an accident in the family**

An employee is entitled to unpaid leave as a result of force majeure when compelling family reasons arise in the event of illness or accident, making the employee's immediate presence urgently necessary.

This right is provided both by the Circular on leave for family reasons and by the Act on employees' entitlement to absence from work for special family reasons.

## Time off with pay to donate blood

Blood donors can make arrangements with their immediate supervisor to take time off with pay to donate blood if they cannot do so outside working hours. An agreement may also be made that time may be taken off to donate blood during working hours if the blood donor has been asked to give blood.

## Time off with pay for exams and exam preparation

Employees can make arrangements with their immediate supervisor to take one day off with pay for an exam (the day of the exam) and one day before the exam for exam preparation in the case of job-related education/training.

## Senior days (days off for older members of staff)

Employees who have reached 62 years of age may be granted up to one senior day (paid leave) per month, cf. circular concerning the agreement on senior staff schemes and voluntary severance packages.

When considering whether to grant senior days, there should be a correlation between the age of the employee in question and his/her work, wishes and skills on the one hand and the employer's need to retain the employee and his/her knowledge and skills on the other.

Basic criteria for assessing whether to enter into an agreement on senior days are listed below. The list of criteria is not exhaustive:

- Physical debilitation, where an employee has a specific need for time to recover in order to maintain their motivation and energy in the workplace, both in day-to-day work and following periods of e.g. illness.
- Ensuring that an employee has the reserves, motivation and energy to pass on accumulated experience, knowledge and insight.
- Ensuring that an employee has the reserves, motivation and energy to keep up-to-date administratively and technologically.

The assessment must consider the importance of retaining the employee to ensure that Aarhus University does not lose special experience with and insight into the field in question.

The above is supported by the sub-policy on seniors, the purpose of which is to ensure generational change without losing knowledge and skills in the organisation.

Generally speaking, the immediate supervisor of the employee in question will be best qualified to assess whether the above criteria are met and provide a basis for entering into an agreement on senior days. If one or more of the above criteria are met, the immediate supervisor can, by agreement with the employee in question, recommend that the employee should be granted senior days.

The scope of the arrangement should be apparent from the recommendation. The employee and his/her immediate supervisor must therefore agree how many senior days should be granted per year (max. 12 days) and whether the arrangement should be progressive, with the number of senior days increasing by, for example, one day a year etc.

The recommendation is sent to the head of department/school or the deputy director (for employees in departments/schools and administrative divisions respectively) for a final decision as to whether there are grounds for granting senior days as a means of retaining the employee's skills. This decision should be based on the criteria set out in the recommendation agreed between the employee and his/her supervisor.

Individual senior agreements are reviewed every 3 years.

# Leave of absence to take up employment outside Aarhus University

The university may grant an employee leave of absence following an application. As a rule, the leave is granted without pay. In some cases, a partner, or perhaps a research council, provides funding for employment of a temporary substitute when a member of the academic staff is on leave (sometimes called “workload reduction”).

Normally, there is no legal entitlement to leave of absence. However, there are situations in which the employee is entitled to leave:

- leave for joint Nordic exchange
- leave for service abroad, in international organisations and Greenland’s Self-Government
- leave for conscription and UN service
- leave to perform civic duties

In a number of private situations, it is also possible to obtain the right to paid or unpaid leave. This applies, for instance, to leave to care for seriously ill children under the age of 18; see section above.

## **For what can leave be granted and for how long?**

The leave can have different purposes. Examples are temporary employment in a position outside Aarhus University, the holding of an honorary office, study visits, further education and training, or personal reasons such as leave granted to a spouse.

Where there is no legal claim to be granted leave for external purposes, it is up to the individual head of department/school or deputy director to specifically and individually assess whether leave should be granted.

The assessment can include considerations as to whether leave is compatible with the university’s interests, whether the employee will obtain experience during his or her leave that could benefit the university, and whether there is a wish to maintain the connection to the employee in question. This means that there must be professional reasons for the leave. As university employees are generally encouraged to engage themselves in life outside the university, it is recommended not to be too restrictive, if the leave can be combined with the university’s interests.

Leave for external purposes is normally granted for one year, with the possibility of extension following a renewed application. On the basis of a specific and individual assessment, leave is granted to permanent staff who have been employed for a certain period of time.

## **Returning from leave**

To facilitate work planning, it is recommended that the employee informs the university whether he/she wishes to return to work after his/her leave, no later than two months before the end of the period of leave.

The manager will inform HR of the employee’s return, and HR will prepare a letter to the employee about his or her return to work. The aim is for the employee to return to the position from which he or she has taken leave; however, technical and administrative staff do not have the right to return to a specific position after their leave. The employee must therefore accept to be placed in a different position within the department/school’s or the administration’s area. Every effort will be made to place them within the same geographical area. A member of the academic staff will return to the position from which he or she has taken leave.

To facilitate work planning, it is recommended that the employee notifies his/her immediate supervisor of whether he/she wishes to return to work no later than two months before the end of the period of leave.

If the employee does not wish to return to work, he or she must resign from the post, giving at least one month's notice to the end of the month in which the leave ends.

## Civic duties

Civic duties are services that citizens are under a statutory obligation to perform.

Employees at Aarhus University are entitled to leave to perform civic duties, such as serving as a mayor, lay judge/juror, Member of the Danish Parliament, Member of the European Parliament, local councillor or polling official.

If the civic duties are performed without pay, paid leave will be granted for a number of working hours – not exceeding the average weekly working hours – for six weeks per calendar year.

If the duties are remunerated, leave without pay will be granted, or a deduction made from salary. Civic duties are deemed to be with pay if some remuneration is paid or if it is possible to be compensated for loss of earnings. For example, time off with pay will be granted in order to carry out duties as a judge, juror etc.



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