



# CRA BULLETIN

Issue 90 – 16 February 2017

Signed: \_\_\_\_\_ Dated: \_\_\_\_\_

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## SUMMER INJURIES – WHAT EMPLOYERS SHOULD DO

During summer many employees take the opportunity to get outdoors and pursue some sporting activities. For employers this can mean an increase in sick days and ACC claims so it is important to know what to do when employees have injuries outside of the workplace.

The employee will receive no ACC compensation in the first week of incapacity following an injury that is not work related. (This is in contrast to injuries that are work related of which the employer is required to pay the first week at 80%.) However, the employee may choose to use any unused sick or annual leave entitlement they have, to cover this first week.

After the first week, if the injury was work related, the employee will get weekly compensation from ACC and the employer does not have to pay the employee. The weekly compensation is paid at 80% of the employee's wage. The Employer can agree to top up the ACC payment from 80 to 100% by using one day of the employee's sick leave (or holiday) for every five days of leave taken.

The time an employee is on ACC is considered continuous service. The employee will continue to accumulate leave and become entitled to annual leave and sick leave on their respective entitlement dates.

Generally, the employer will be expected to keep an employee's job open for them while they are recovering. It may be worthwhile to determine a return to work date from a medical practitioner (if possible) or to find out any rehabilitation needs. If an employee is off work for a long period, or an unknown period of time, employers should first consider reallocating the person's duties to the existing team or recruiting another person to cover their duties on a fixed term agreement. It is also possible to dismiss an employee on the grounds of medical incapacity provided the correct process is followed.