

WHAT DOES THE BOS REPORT OFFER ON SICKNESS ABSENCES?

Nine observations and twenty proposals spread over 17 pages. This is the end-result of the mission undertaken by Messrs. Berard, Oustric and Sellier (BOS) - an HR director, a doctor and a high-ranking civil servant who spent months researching possible solutions to stem the cost of sickness absences. Their report is well documented, interesting and even somewhat innovative and unflinching. The tone adopted and the lines of action proposed do, nevertheless, show excessive prudence when it comes to anything that could be seen as an erosion of workers' rights. To the detriment of simplicity and efficiency? Probably. Here are some directions taken in the report that caught our eye.

Mounting pressure on prevention

Linking sickness absences to the quality of working life and a corporation's workplace health-promotion policy is nothing new. Here in France, more than elsewhere, it is important to constantly drive home the obvious fact: employers have a responsibility and considerable room for manoeuvre when it comes to combating absenteeism. The report starts off by recalling several good practices in health promotion and then suggests that each company should be able to obtain its "profile" in terms of absenteeism, compared to its business sector. If it is possible to make comparisons then why not adjust sickness insurance contributions to claims experience? This is what the report suggests, but a few lines later on hints at the possibility to add bonuses for older employees or those suffering from a handicap... or, in other words, how what seems a good idea risks turning into a Rube Goldberg machine!

Innovative alternatives to complete work stoppage

The report does not stop at hitting the pockets of bad performers. It dwells particularly on the issue of long-term absences, by far and away the most expensive. Stoppages of over a month make up a quarter of all sickness absences but amount to 82% of refunds. However, the report does not deal with this issue from a financial viewpoint but more on a human level. This makes it all the more consensual and, therefore, convincing. The challenge is help prevent people breaking off employment. The reports says that "someone who is off work for more than 6 months is 50% less

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likely to find another job". And so, how can one stop an employee losing their grip on the job market and help them get back to work? The answer is to mobilise as many tools as possible: part-time work as a therapy, teleworking, workplace adaptation and even occupational training during sick leave. Some of these already exist. They should be made more accessible. Other people argue in favour of changing the law. Still with the idea in mind of not breaking away from the job market, some alternatives to sick leave could offer doctors and their patients a broader range of solutions. For instance, the doctor could prescribe teleworking but the report insists that "this is an option left to the employee's choice. "

Really looking to simplify things, but...

Simplifying procedures and compensation rules would certainly save admin time and clarify workers' rights. An argument that everyone would welcome. One of the proposals that has drawn the most comment is that of transforming sick leave benefit into a flat amount. Today they are capped at 0.9 times the minimum wage (Smic) (50% of salary up to 1.8 times the Smic). In the future, this could just be a fixed amount for all employees. The figure of 0.7 times the Smic has been mooted. The first result would be to do away with complicated calculations. The second would be to give proportionally better cover to low income workers. The copay involved in arriving at 90% of the absent worker's pay would reduce automatically.

Much greater contribution demanded from employers

In order to make workers' rights easier to understand, the report also suggests harmonising calculation methods and eligibility for benefits. This means, for example, aligning eligibility for employer benefits with eligibility for Social Security benefits: new recruits and people hired on permanent contracts would be eligible "as soon as they are eligible for Social Security compensation." Another suggestion is to align the waiting period for an employer's benefits (7 days) with the Social Security waiting period (3 days). An improvement in workers' rights entirely financed by the employer's cheque book! Absent workers, after all, are already well looked after. The report does, indeed, half-heartedly talk of introducing a waiting period for all without any compensation but this is a hot potato and will need to be offset. The report suggests making subrogation the rule. This would mean that all companies, whatever their size, would have to manage sick leave benefits on behalf of the staff member. Clearly it is the absent employee who would benefit from such simplification, while the employer would not only have to make a financial contribution but would also find themselves subject to a new workload. In a effort not to rock the boat, the report offers measures that simplify absenteeism more than returning to work.

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