



University of  
St Andrews



(Mis)managing cancer in the workplace  
how employers respond to employee diagnoses

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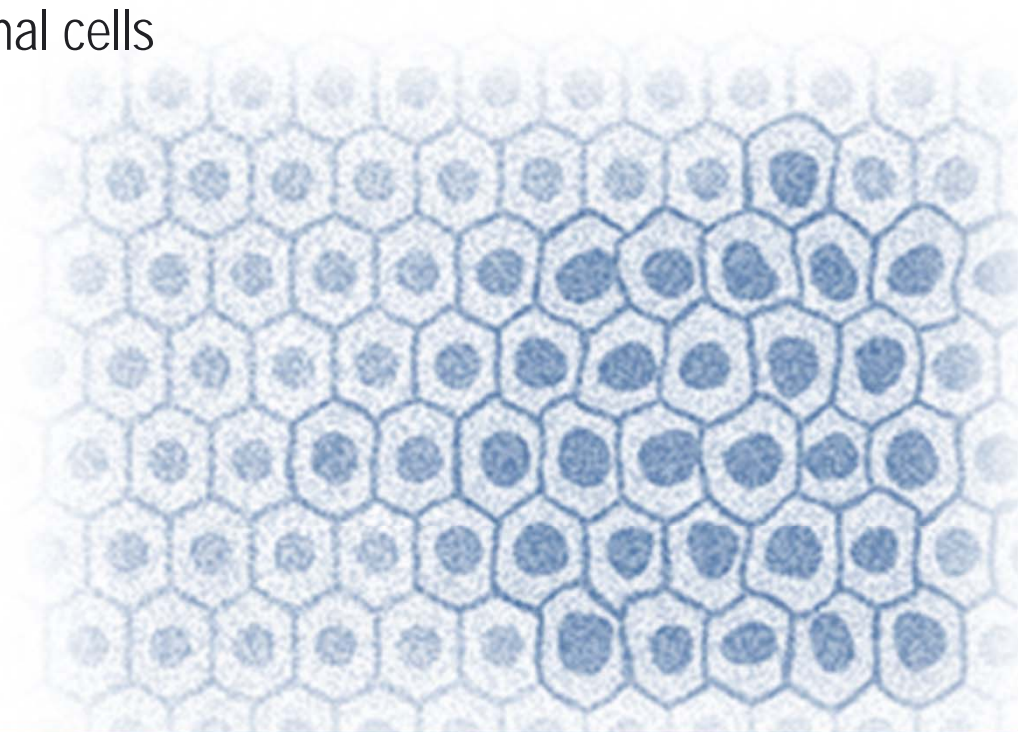
# Overview

- What is cancer?
- Cancer and the workplace
- Methods
- Study findings
  - Support received by employees with cancer
  - How line managers calculate support
  - The role of occupational health
- Implications and summary



# What is cancer?

- 2.5 million people with cancer in the UK (4% connected to workplace exposure)
- 4 million estimated by 2030
- The uncontrolled division of abnormal cells
- An acute illness
- A long term condition
- A comorbid condition



# Cancer and the workplace

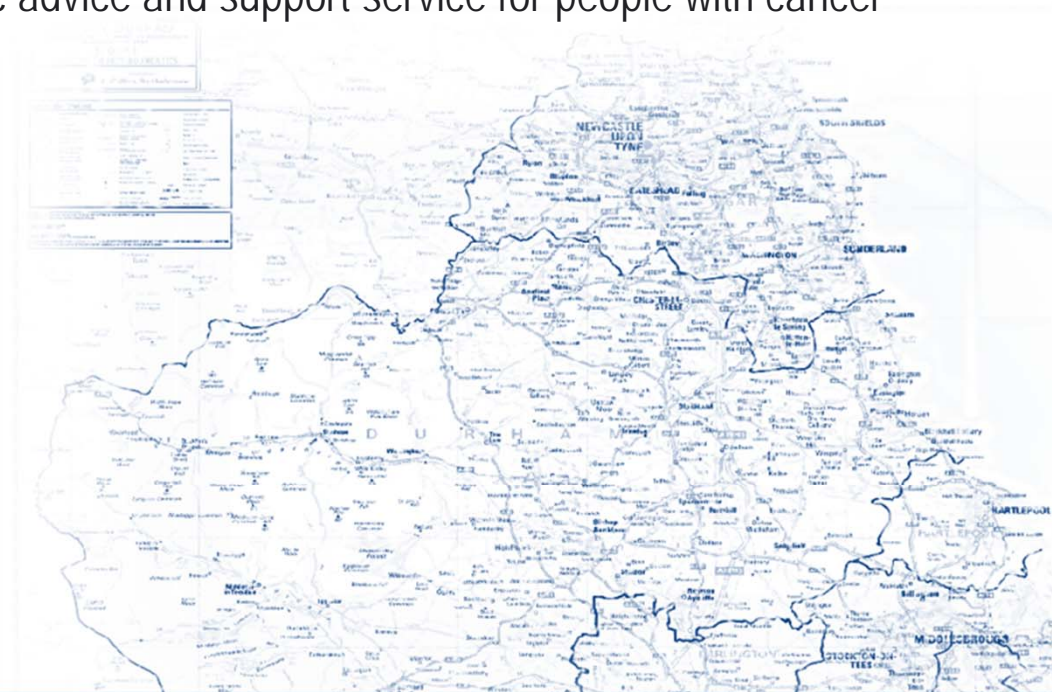
- Extension to working life (state pension)
- Financial shortfall and sick leave
- Entitlements
  - Sick pay (£89.35 per week)
  - Equality Act (2010)
  - Tribunal fees unlawful as of July this year



## The Equality Act 2010

# Methods

- County Durham
  - Higher than national average cancer incidence and mortality
  - Includes deprived and affluent neighbourhoods
  - Urban and rural
  - Location of an employment specific advice and support service for people with cancer





# Methods

- Site-specific recruitment
- Participants
  - Employees with cancer (n=14)
  - Line managers (n=7)
  - Occupational health / human resources staff (n=3)
  - Health care professionals (n=5)
  - Macmillan Cancer Support staff (n=7)



# Support received by employees

What did employees with cancer get?

Sick Pay	Severance Pay	Reasonable Adjustments
<ul style="list-style-type: none"> <li>• 12 months full pay</li> <li>• 6 months full pay, 6 months half pay</li> <li>• 6 months full pay, 1 month half pay</li> <li>• 6 weeks full pay, 6 weeks half pay (+ SSP)</li> <li>• 6 weeks full pay (+SSP)</li> <li>• Statutory Sick Pay</li> </ul>	<ul style="list-style-type: none"> <li>• Nil (resignation)</li> <li>• £2000 compensation</li> <li>• £8000 redundancy</li> <li>• £14,000+ redundancy</li> <li>• £12,000 redundancy (+£25,000 pension)</li> <li>• [Undisclosed compromise agreement]</li> <li>• [Undisclosed ill-health retirement]</li> </ul>	<ul style="list-style-type: none"> <li>• Nil</li> <li>• Phased return</li> <li>• Flexible working hours</li> <li>• Changed shifts/hours</li> <li>• Changed role</li> <li>• Alterations to working environment</li> </ul>

# Support received by employees

How did employees make sense of what they received?

*...it's **supposed to be six weeks**, supposed to pay that, **they paid me for six months**... 'cause he [manager] said to us, you've **never been on the sick** in all the ten years you've been with us...they actually paid us six months...*



# Support received by employees

How did employees make sense of what they received?

*...according to my contract you get six weeks full pay, and then it goes to half pay, but **in exceptional circumstances they can change that.** So I wrote a letter to the chair of the board of directors... I'm going to be off longer, um, **I have got cancer**, I'm receiving cancer treatment um, would you be able to extend the time, and I thought well, you know, **if cancer's not an exceptional circumstance I don't know what is.** And they refused.*

# Support received by employees

How did employees make sense of what they received?

*...I says , I'll not be coming back to work, he [Human Resources staff member] says right, that's fair dos, you've told us how you stand he says. **We'll see what we can do for you.** So he says he came back to us... he says, I've seen, I've spoken to the directors and they said **they could put a package together for you.** Erm, er and give you what they call a compromise agreement. **That was their way of sort of giving us a bit extra money.** Erm, so they put this package together for us and it was well in excess of what I would've got...*

# Line managers calculating support

How did employers decide how to support their employees with cancer?

*...I have to compile a case... to say **how well she's performed**, whether it's in her production, her quality, what her behaviour's been like, **how accommodating she's been**, **has she been keeping in touch**, has she been **trying always to come back to work...***

# Line managers calculating support

How did employers decide how to support their employees with cancer?

***You can't help yourself** from doing it, and if that had been a different person, a person who didn't **try their utmost to come into work** like, after the operation, and then **when they come back be really productive**, I could imagine that I would, I probably would struggle.*

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# The role of occupational health

What function did occupational health staff serve?

*I can actually say to somebody who's **off...I think it's time you went back to work, you know**, you're getting to the point now where you need to be back at work because you-, there's **only so much Jeremy Kyle any one person can watch...***



# The role of occupational health

What function did occupational health staff serve?

*...we have to pay for it [occupational health service], but yeah, actually **you get what you pay for**, you know, you get a **quick service**, you get an occupational health professional who's absolutely **focused on what they need to be focused on...***

# The role of occupational health

What function did occupational health staff serve?

*...she [employee] was wanting to think about **ill health retirement** because obviously after going through all of that, you know, **she wanted to leave**... so she was, I think, rang by quite an abrupt [occupational health] nurse who I think was just very matter of fact, and basically said to her 'well, you won't, you **won't be able to get ill health retirement**'...*

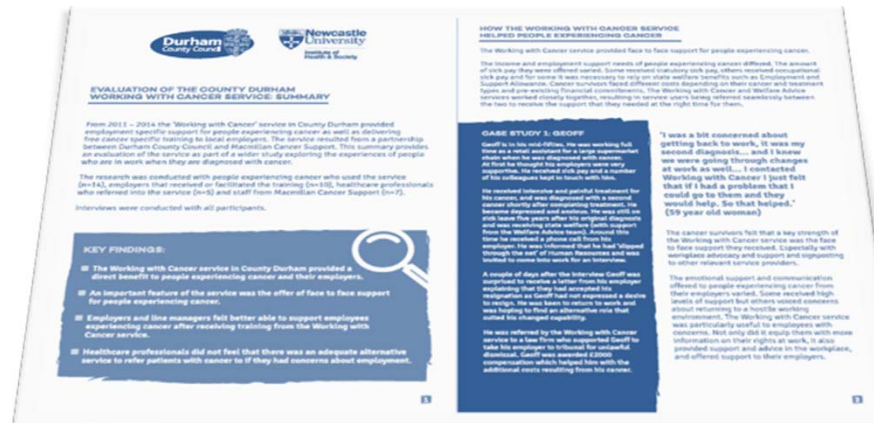
# The role of occupational health

What function did occupational health staff serve?

*...I'd referred the case to our occupational health because I was concerned about the speed at which she wanted to come back, **though I never said that to her**, I just thought maybe this is normal, maybe she is well enough...*

# Implications and summary

- Managers make discretionary decisions about the support they offer employees with cancer
- These decisions have material implications for sick pay, redundancy pay and reasonable adjustments in the workplace (both positive and negative)
- Fundamentally unfair, and subjective – based on the 'deservingness' of employee
- Implication that occupational health are used to alleviate managerial accountability



# Thank you & acknowledgements

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- References available on request







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