

Procedure 5-200A: Procedures for Leaves of Absence (Health-Related) – University Employees (Other than UUHC Staff) – Revision 0

I. Purpose and Scope

Under certain circumstances, the University may permit an Employee who has exhausted all accrued Sick Leave and FMLA leave or an Employee who is not eligible for Sick Leave or FMLA leave to take a medical leave without pay for the Employee's own Serious Health Condition.

II. Procedure

A. Request for Medical Leave of Absence

1. A request for medical leave without pay shall, whenever possible, be submitted in writing to the Employee's Responsible Officer prior to the date upon which the requested leave is to commence. If unusual circumstances make it impossible in the exercise of reasonable diligence for the Employee to submit the request in advance of the date upon which the requested leave is to commence, approval may be given to a retroactive commencement of the leave.
2. The written request should state (1) the reason for the medical leave request; (2) the proposed date on which the requested medical leave is to commence; (3) the estimated date on which the Employee reasonably expects to be released to return to work.
3. The Employee shall provide a health care provider's statement supporting the need for a medical leave.
4. The cognizant vice president, upon recommendation of the Responsible Officer and the Chief Human Resources Officer, shall approve or deny the request for a medical leave either with or without reinstatement as set forth in

Rule 5-200A section III.D. If the cognizant vice president concludes that the requested leave should be approved, but has reasonable grounds to believe that in order to assure satisfactory discharge of the duties of the position, consistent with the present or anticipated physical or mental condition of the Employee, the leave should commence at a different date than requested by the Employee, the approval of the request may be subject to the condition that the leave will begin at a specified date other than the requested date.

5. Prior to the commencement of an approved medical leave, the Employee should contact Human Resources to discuss continuation of benefits during the medical leave.

B. Length of Medical Leave

1. It is recognized that the duration of a Serious Health Condition cannot be precisely known in advance. Accordingly, medical leaves under Option A – Medical Leave with Reinstatement may be granted for an estimated or indefinite period of time, not to exceed six months.
2. Unless the President approves an extension of the medical leave with reinstatement beyond six months, applicable procedures for separation of employment at the end of a six-month medical leave shall be initiated by the Responsible Officer and the Employee shall be moved to medical leave under Option B – Medical Leave without Reinstatement to allow the Employee to retain certain benefits for a limited time period.

C. Reinstatement

1. Notice of Intent. An Employee on medical leave under Option A – Medical Leave with Reinstatement must give the Responsible Officer and Human Resources written notice not less than thirty (30) working days in advance of the date on which the Employee wishes to terminate the medical leave and return to work. An Employee may be required to submit a fitness-for-duty certification by a health care provider before returning to work. If appropriate,

Human Resources, in consultation with the department, may require a second, independent certification from a health care provider at the department's expense.

2. In order to facilitate discharge of the University's obligation of reinstatement under Option A – Medical Leave with Reinstatement, unless otherwise authorized by the cognizant vice president, the Responsible Officer shall not fill the position with a permanent Employee during the six-month period.
3. The University has no obligation to reinstate, or to make any effort to reinstate, an Employee who has been on leave under Option A – Medical Leave with Reinstatement, including any Sick Leave, FMLA leave, or accrued Vacation, because of his/her Serious Health Condition for more than six months. An application for reinstatement in such cases shall be treated as an application for initial employment.
4. If an Employee on medical leave accepts other employment during such leave or fails to return to work within three (3) business days after receiving a full release to return to work from their health care provider, the University may treat such action as a voluntary resignation of employment and a waiver of any right to reinstatement.