



# FERRIS STATE UNIVERSITY

## HUMAN RESOURCES

### HR Related Policies & Procedures

Effective Date: October 22, 2004

FSU-HRPP 2005:22

## Leaves of Absence – Medical Leave

### COVERED EMPLOYEES

- Full-Time Administrative and Part-time employees eligible for FMLA
- Full-Time Support
- Full-Time Temporary
- Bargaining Unit Employees

### [Board of Trustees Employee Definitions](#)

Note: Bargaining unit employees are covered by the terms and agreements of the [collective bargaining agreement](#) (CBA). Please refer to the CBA for details.

### BOT POLICY

**Sec. 6-501. General Provisions Relating to Leaves of Absence.** The University provides various leaves of absence for eligible employees. An eligible employee may apply for the following leaves of absence: Sabbatical, Medical, Unpaid Personal Leave, Family and Medical Leave Act (FMLA), Military, Political, or Jury Duty except as required by law. (The policies related to time off for vacation, holidays, and funeral/bereavement issues are covered by Section 6-7.)

The President or his/her designee will establish policies and procedures related to leaves of absence. Bargaining unit employees are covered by the terms and agreements of the collective bargaining unit agreement (CBA).

### **Sec. 6-502. Types of Leaves of Absence.**

#### 2) Medical Leaves of Absence.

- a) A medical leave of absence shall be granted to full-time and eligible part-time employees upon application. Time off for a medical leave of absence may be with or without pay, depending on whether the employee has accrued sick days and/or is eligible for short term or long term disability benefits, or workers compensation. This leave will run concurrent with any applicable FMLA leave.

- b) For non-bargaining unit employees, a medical leave of absence may be approved for up to a two (2) year period. If an employee cannot return to work at the end of the designated length of the medical leave of absence, his/her employment status will be terminated.
- c) Bargaining unit employees are covered by the terms and conditions of the CBA.

4) Family and Medical Leave Act (FMLA).

Eligible employees shall be granted a leave of absence in accordance with the FMLA. All FMLA leave will run concurrently with other appropriate University-established leaves of absence. The specific University policy and guidelines regarding the FMLA will be provided to employees through appropriate means as defined by the Family and Medical Leave Act.

**HR PROCEDURES/DESCRIPTION/DEFINITIONS**

I. General Procedures Relating to Leaves of Absences:

- A. If on a paid leave, an approved 30 day unpaid personal leave, a sabbatical leave or an approved FMLA leave, health coverage will continue on the same basis as if the employee was working. The employee will be given the option to continue his/her own coverage on a self-pay basis through the provisions of COBRA after his/her health coverage with the University ceases. Other applicable benefits, such as retirement contributions, sick/vacation accrual, will be prorated based on the number of hours worked and/or paid.
- B. An employee receiving long-term or short-term disability benefits is not considered to be on a University paid leave.
- C. The maximum length of a leave of absence will vary based on type of leave of absence, the provisions of any applicable collective bargaining unit agreement, the personnel policies, FMLA, etc.
- D. The conditions of reinstatement upon returning from a leave will be dependent upon the terms of the specific leave of absence, the appropriate collective bargaining unit agreement or personnel policy, and/or in accordance with federal or State law.
- E. While on a leave, the employee will be expected to make periodic contact with his/her supervisor and advise supervisor of any change in his/her circumstances related to the leave.
- F. An employee on an authorized leave of absence will be retained on the personnel roster of the University for the duration of the leave.

- G. Unless specified otherwise, upon completion of the leave, the employee will be reinstated to the same or a comparable position as that held previously if such position is available. If no such positions are currently available, the employee will remain on an unpaid preferential assignment list for a period of one year. Employees returning from military leave will be treated in accordance with state and federal law. Employees on sabbatical will return to the position held prior to sabbatical.
- H. Employees on unpaid leaves of absence will not accrue sick or vacation time, unless otherwise provided in this subpart.

## II. Medical Leave - General Provisions

- A. In most instances, an employee who requests, or who is placed on, a medical leave of absence is assumed to be off work for a minimum of 5 consecutive work days. A short-term medical related absence, lasting 5 days or less, is generally not considered to be a 'medical leave of absence'. However, if the employee uses Family and Medical Leave Act (FMLA) during that 5-day period because of his/her own serious health condition, the time is considered a medical leave of absence.
- B. In order to be granted a medical leave of absence, the University may require satisfactory medical proof of illness, injury or other disabling condition. The University retains the right to receive a second medical opinion from a University-selected physician. The University will pay the cost of a second opinion required by the University. If an employee requesting medical leave refuses to cooperate in securing a satisfactory appraisal of his/her illness, injury or other disabling condition, the leave will be denied until a proper examination has been made.
- C. The University may also require medical verification that the employee can perform the essential functions of his/her position with or without reasonable accommodation and can return from a medical leave of absence to his/her work assignment.
- D. Non-bargaining unit employees returning from an unpaid medical leave of absence will be given preference in filling available positions for which he/she qualifies for up to one year after notifying the University of his/her ability to return to work. If on a paid leave of absence, the employee who returns within one year or within the time frame of the FMLA, whichever occurs later, will be returned to his/her same or equivalent position, if available.
- E. Employees should also refer to the FMLA procedures, which are described further in the HRPP [Leaves of Absence – FMLA](#).

## **RESPONSIBILITY**

Employee: Request the appropriate leave, complete required forms as applicable, and provide updates as needed, relating to situation.

Supervisor: Comply with policies, report leaves to appropriate University offices, etc.

Human Resources: Explain employee benefit implications. Track leaves of absences.

Refer Questions To: *Human Resources*