

## HUMAN RESOURCES REGULATION 4220-R

### MEDICAL LEAVE OF ABSENCE

- A. If temporary disability benefits from Workers' Compensation or private liability insurance amount to less than two-thirds of an employee's regular pay, the employee may use a portion of his/her earned leave to make up the difference. If earned leave is used, gross income from both sources will not exceed two-thirds of normal pay.
- B. An employee may be placed on a medical leave of absence while receiving short-term or long-term disability pay.
- C. It is understood that the employee will return to work as soon as he/she is able, within the constraints established in this policy.
- D. Available paid leave will include sick leave, vacation, compensatory time, convenience leave and any other similar leave deemed appropriate by the Director of Human Resources. For the purposes of this policy, Workers' Compensation, other private liability insurance benefits, Short-Term Disability and Long-Term Disability will not be considered as "paid leave."
- E. An employee who wishes to return from a medical leave of absence will be guaranteed the position(s) he/she held prior to the leave, or a similar position. An employee returning from a medical leave of absence must present a release from the attending physician or doctor of psychiatry that the employee is capable of performing all the essential functions of his or her original position with or without accommodations. Exceptions to this section are listed below:
  - 1. The position(s) have been eliminated due to factors unrelated to the employee's medical leave,
  - 2. Position reductions have left only employees with equal or more seniority in the original and similar positions,
  - 3. Medical statements indicate the employee is not fully capable of performing the essential functions of the position he/she left, with or without accommodations, or
  - 4. Light duty assignments with the approval of the Director of Human Resources and the attending physicians.
- F. "Similar positions" for certified positions will be the same certification as the original position and classified positions will be within the employee's original job schedule (i.e., maintenance, food service, transportation, secretarial, etc.). Exceptions to this may be made if the employee is unable to perform the essential functions of any position within his/her certification or job schedule.
- G. An employee released by his/her physician who rejects an offer of the original position, a similar position or another position of equal or better classification for which he/she is qualified, will forfeit any further rights as an on-leave

employee as described in the policy and may be terminated by the Board of Trustees.

- H. An employee on medical leave of absence will not accrue employee benefits during the period of the leave. However, he/she will retain all benefits accrued prior to commencement of the leave. If the employee does not return to work, accrued benefits will be dealt with according to appropriate Board policy.
- I. An employee who is on a medical leave of absence who is covered by District health insurance will be responsible for paying the full premium.
- J. An employee will not accrue service credit (for advancement on the salary schedule or toward early retirement) for any year in which the employee receives compensation for fewer than 50% of the assigned work days.

**ADOPTION DATE:**

March 27, 1995

**LEGAL REFERENCE(S):**

**CROSS REFERENCE(S):**

[4208](#), [4208-R](#), [4218](#), [4218-R](#), [4220](#), [4229](#), [4229-R](#)

**ADMINISTRATIVE REGULATION:**