

March 1, 1995

#### **ADMINISTRATIVE MEMORANDUM NO. 4**

To: Vice Presidents, Deans, Directors, Department Chairs, and Other  
Administrative Officials

From: Gordon H. Lamb, President

Subject: Leave of Absence Without Pay Related to Personal or Family Illness or  
Injury, for University Employees

Requests for leaves of absence, without pay, for reasons other than disability, upon the recommendation of the immediate supervisor, may be granted by the Director of Personnel after vacation leave is reduced to not more than 5 days. Each request will be considered on the basis of its individual merits and the operational needs of the department.

#### **Federal Family and Medical Leave**

Employees who have a cumulative 1 year of service and have worked for 1,250 hours over the last 12 months, may take up to a total of 12 weeks unpaid leave during any 12 month (fiscal year) period under the Federal Family and Medical Leave Act (FMLA) of 1993. Family/Medical Leave may be taken for one or more of the following purposes:

- (A) Because of the birth of a son or daughter of the employee and in order to take care of such son or daughter.
- (B) Because of the placement of a son or daughter with the employee for adoption or foster care.
- (C) In order to care for the spouse, or a son, daughter, or parent, of the employee, if such spouse, son, daughter, or parent has a serious health condition.
- (D) Because of a serious health condition that makes the employee unable to perform the functions of the position of such employee.

Family/Medical leave taken because of the serious health condition of the employee, or to care for an employee's spouse, son, daughter, or parent with a serious health condition, must be supported by certification from a health care provider. When the leave is foreseeable based on planned medical treatment, the employee shall make a reasonable effort to schedule the treatment in an operationally non-disruptive manner, and shall provide 30 days advance notice, or such notice as is practicable, if the treatment is to begin earlier. Under the conditions defined by the FMLA, second and

third medical opinions and recertification may be required. If the employee has any accrued sick leave, accrued vacation leave or compensatory time that leave may be substituted for the unpaid leave. For consideration of approval of Family/Medical Leave, employees are required to complete a Family Medical Leave Form.

### **Disability Leave**

Employees may qualify for benefits under the State Universities Retirement System (SURS). The following conditions must be met to be considered for qualification:

- (1) The employee has completed two years of service credit with SURS (unless the disability is the result of an accident).
- (2) The employee is disabled for more than 60 calendar days.
- (3) The employee has exhausted all accumulated sick leave.

If the employee qualifies for this benefit, the SURS "Application for Disability Benefit" form must be completed.

Employees applying for disability leave should meet with the Benefits Coordinator in Personnel to process the application in a timely way, and to complete all requirements.

### **Workers' Compensation**

Employees who are injured on the job may be entitled to coverage under the provisions of workers compensation.

In instances where an employee's injury results in absences not exceeding three full workdays, the employee may opt to, upon approval of the supervisor, use vacation or sick leave for the period of this absence. When accrued vacation and sick leave does not exist, the employee is placed on a leave of absence, without pay, with approval of the Director of Personnel.

On the fourth full workday after the injury, the employee may apply for Total Temporary Disability (TTD) (which is equal to 2/3 of employee's monthly salary) or remain on vacation, sick or leave without pay, provided she/he has not been released to return to work by the attending physician/s. Once placed on TTD, the employee remains in this status until such time she/he is released by the physician/s to return to work. While on TTD, her/his status automatically converts to leave without pay.

Fourteen days following the injury, the employee may request the return of any used sick leave or vacation leave, provided they have not been released by their attending physician/s to return to work. Should the employee be credited with this time, she/he is required to reimburse the University for payments made for sick or vacation leave usage.