INDUSTRIAL DISABILITY LEAVES OF ABSENCE G020

02/01/2005

PURPOSE

To provide nonexempt employees with information and guidelines regarding leaves of absence.

DEFINITIONS

<table>
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<th>Term</th>
<th>Definition</th>
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<td>Leave of Absence</td>
<td>An approved period of time during which an employee may be absent from work for reasons other than vacation in excess of 14 days.</td>
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<td>Disability</td>
<td>The inability of an employee to perform the essential functions and job duties as a consequence of a medical condition.</td>
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POLICY

All regular nonexempt employees who have worked at the University for at least six months may apply for a leave of absence for Administrative, Mandatory, Educational, Industrial Disability, Military, or Personal reasons using the Request for Leave of Absence Form. All regular full time and part time employees who have worked at least 1,250 hours during the 12-month period preceding the start of the leave may apply for a leave of absence for Medical, Maternity (Pregnancy), or Family reasons using the Request for Leave of Absence Form.

All requests for a leave of absence in excess of 14 calendar days must be in writing and contain all required approvals as indicated on the Request for Leave of Absence Form. All leaves of absence must have beginning and ending dates specified prior to any consideration for approval. The University may deny certain types of leaves of absence and/or requests for the extension of a leave of absence. Most leaves of absence and extensions are without pay and other economic benefits, unless otherwise specified and approved. The University has no obligation to provide work prior to the expiration of leaves except where required by law. However, efforts will be made to accommodate an early return. The seniority date of the employee will remain unchanged during leaves of absence, but certain benefits may not continue to accrue during a leave of absence. Employees anticipating going on leave should contact the Benefits Administration office for information on eligibility for benefits. For approved Administrative, Mandatory, Industrial Disability, Medical, Maternity, or Family leaves, the employee must continue to pay the employee's portion of health care premiums, and the University will continue to contribute its portion of the premium.

Misrepresentation of facts to obtain a leave of absence will result in disciplinary action up to and including termination. Employees who fail to report for work at the designated return date or who fail to secure an extension of the leave prior to the expiration of the initial leave request may be subject to disciplinary action up to and including termination of employment.
INDUSTRIAL DISABILITY LEAVE (Workers’ Compensation)

An employee who sustains a job-related disability is eligible for Industrial Disability Leave (see Workers’ Compensation Policy E085). Note: All accidents must be reported to University Risk Management at once. After an employee has been absent for 14 calendar days due to a job-related injury or disability, either the employee or the supervisor must initiate a request for an Industrial Disability Leave on the Request for Leave of Absence Form and forward to the appropriate Human Resources Office.

An employee absent during the first seven calendar days after the on-the-job accident is paid by the employee's department as Administrative Leave if the absence is verified by a health care provider. If the absence extends beyond seven calendar days, pay will be provided by the University insurance carrier based on Florida law, which is 66.67% of the employee’s normal average weekly wage up to the Statewide maximum. An employee may supplement the 66.67% insurance payment by using accrued sick or vacation time in 1/3 of a day increments. When an employee is receiving payment from the University insurance carrier, the department must submit an online document to reduce the regular pay assignment accordingly. The department will be contacted by Risk Management. In the event accrued time is exhausted, the employee is then in unpaid (University) status and must contact the Benefits Administration office to ensure continuation of University health insurance coverage. An employee continues to accrue sick and vacation time during an Industrial Disability Leave.

Benefits for medical expenses and lost salary resulting from an Industrial Disability are determined by the University's insurance carrier based on Florida law. To make a claim of industrial disability, the employee must obtain acceptable certification of disability from a health care provider approved by the University's insurance carrier as identified by the Office of Risk Management. Medical certification must provide information relating to the nature and extent of the industrial disability, the approximate duration, and any other pertinent information requested by the insurance carrier. In all cases of industrial disability, the judgment of the health care provider approved by the University's insurance carrier will prevail in determining the fitness of an employee to return to work and perform duties.

At the end of an Industrial Disability Leave of 90 calendar days or less, the employee will be reinstated in the previous position. Upon return to work, the employee must be able to perform the essential duties and functions of the position with or without an accommodation. If the employee is medically unable to return to work after 90-days of leave, the employee may be placed on layoff (see Layoff and Rehire Policy B050).

PROCEDURE

For a Leave of Absence under this policy, a completed Request for Leave of Absence Form must be signed by the employee, supervisor, and others as designated on the form. The form must be attached to appropriate documentation substantiating the basis for the leave. A leave of absence and an extension are to be requested and approved before they become effective except as noted in applicable leaves.

To reinstate an employee, the department must complete and forward a copy of the Return to Work Certification, if applicable, and submit an online document to the appropriate Human Resources Office.

If it is determined that an employee will not return to work at the end of a leave of absence, a Clearance Checklist must be completed and submitted to the Check Distribution Office (see Clearance Checklist Policy B023) and an online document submitted to the appropriate Human Resources Office.

Employees must be instructed by the supervisor to contact the Benefits Administration office for review of benefits before beginning leave and before returning to work.