




Human Resources Policies and Procedures

Policy Title: Medical Leave of Absence	Policy Number: 4.6
Effective: March 13, 2006	
Supersedes: Medical Leave of Absence effective October 30, 2005 1988 Rules and Regulations #19, p.20-23	
Approval: 	Page 1 of 5

1.0 Scope

- | | |
|---|--|
| <input checked="" type="checkbox"/> Full-time | <input checked="" type="checkbox"/> Salaried |
| <input checked="" type="checkbox"/> Part-time | <input checked="" type="checkbox"/> Union |
| <input type="checkbox"/> Temporary/Contract | <input type="checkbox"/> Independent Contractors |

Employees who are covered under the provisions of a collective bargaining agreement will follow the standards as contained in their respective contracts when this policy conflicts with the language in the contract.

2.0 Purpose

The City of Ann Arbor recognizes circumstances may arise in which employees find it necessary to be absent from work for an extended period of time due to their own illness or injury.

3.0 Policy

The City of Ann Arbor will provide medical leaves of absence to accommodate an employee's medical condition following completion of any applicable probationary period.

4.0 Responsibility

Interpretation and administration of this policy shall be the responsibility of Human Resources Services and management. It is the responsibility of each employee to follow this policy and abide by its intent.

DISCLAIMER

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5.0 Definitions

- 5.1 **Medical Leave of Absence** is an approved absence from work for a period of more than three (3) consecutive workdays for a medical illness or injury. Eligibility for a Medical Leave of Absence will be determined on a case-by-case basis, to cover conditions and/or circumstances not considered under the Family and Medical Leave Act (FMLA), specifically: (a) when an employee's medical condition does not meet the criteria of "serious health condition" under FMLA and is consequently not eligible for protection under FMLA; (b) an employee's eligible leave time under FMLA is exhausted but additional time off is needed; or (c) an employee has not satisfied the eligibility requirement under FMLA.

6.0 Procedures

6.1 Requests for a Medical Leave of Absence or Extension

- A. Full-time and part-time employees who have met their probationary period are eligible for a Medical Leave of Absence.
- B. Employees are required to request non-emergency Medical Leaves of Absence at least thirty (30) days prior to the first day of the leave.
- C. If thirty (30) days notice is not possible due to circumstances beyond an employee's control, the employee is required to provide the supervisor with as much notice as possible. The Leave request may either be denied or delayed if appropriate notification is not given.
- D. Medical Leaves of Absence are approved on a situation-by-situation basis by the employee's supervisor and Human Resources Services based upon medical need and documentation.
- E. Employees are required to submit a written request by using the *Request for Leave of Absence Form* and the *Certification of Physician or Practitioner Form*.
- F. Employees eligible for short-term disability must provide proof of disability on forms provided by the third party administrator.

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6.2 Emergency Leaves

- A. In rare cases, it may be necessary for an employee to begin a Medical Leave of Absence before a Leave of Absence Request form has been submitted, documented and/or approved.
1. In these situations, an employee must give notice to his or her immediate supervisor (or the designee), as soon as practicable given the facts and circumstances of the situation. This notice should be in writing, but verbal notice may be acceptable in the event of an emergency, with written documentation to follow.
 2. Upon proper notification to the supervisor, a "pending" approval of a Medical Leave of Absence may be given until any required documentation has been submitted and approved.
 3. If a Medical Leave of Absence begins without completion of the Leave of Absence Request form and appropriate documentation, the employee will have seven (7) days to complete and submit the information to the supervisor or to Human Resources Services. Failure to submit this information within seven days may result in revocation of the pending Leave of Absence approval.
 4. Once the supervisor and Human Resources Services receives the Leave of Absence Request form and all additional documentation, if the Leave of Absence is determined to be appropriate, the pending approval will be confirmed and the employee shall be notified in writing of the final approval.

6.3 Benefits While on a Medical Leave of Absence

- A. Employees are required to utilize their accrued sick, vacation, personal or compensatory time for all or part of the leave.
- B. Medical, dental, 457 savings plan, basic and optional life insurance benefits for employees on a Medical Leave of Absence will continue through the FMLA period, if applicable, whether the Leave of Absence is paid or unpaid.

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- C. If the Medical Leave of Absence extends beyond the FMLA period or is not considered to be covered under FMLA, then medical, dental, vision, 457 plan, basic life and voluntary insurance benefits will continue provided the employee utilizes available accrued sick, vacation, personal or compensatory time. Should accrued time off banks become exhausted, then benefits will end on the last day accrued time off is applied.
- D. Employees may continue benefit coverage on a month-to-month basis by paying the full cost of coverage for the duration of the employee's leave. Employees who do not make required benefit contributions while on a Medical Leave of Absence will be terminated from coverage. The employee must make contribution payments within 30 days of the established due date to avoid termination of coverage.
- E. Employees whose medical, dental, vision, 457 plan, basic life and voluntary insurance benefits cease while on a Medical Leave of Absence will have these benefits reinstated effective as of the date they return to active employment.
- F. Full-time employees may be eligible for short- and/or long-term disability benefits. If eligible, any short- or long-term disability time will be counted as part of the Medical Leave of Absence.
- G. Employees may consult with Pension for specific details on how the Medical Leave of Absence affects accrual of benefits under the City's pension plan.

6.4 Return After a Medical Leave of Absence

- A. Failure to report to work at an agreed-upon date after conclusion of a Medical Leave of Absence will constitute a voluntary resignation from the City of Ann Arbor. The employee shall be notified of termination by registered mail.

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- B. An employee returning from a non FMLA Medical Leave of Absence is not guaranteed that he or she will be restored to his or her previous position. The City shall make reasonable efforts to restore the employee to his or her position or to a similar position with equivalent pay, benefits, and terms and conditions of employment, however a position of employment with the City is not guaranteed.
- C. While on a Medical Leave of Absence, an employee may be required to furnish the City with periodic updates as to his or her medical status and intent to return to work. Additionally, if circumstances change and the employee is able to return to work earlier than the date originally approved or as provided on an extension, the employee may be required to give the City at least two days notice prior to the date the employee intends to return to work.
- D. The City may require a fitness-for-duty verification from the employee's physician before returning from a Medical Leave of Absence. The employee's return to work may be delayed until verification is provided if the fitness-for-duty examination is not timely received by the City.
- E. If reduction in the work force occurs while an employee is on a Medical Leave of Absence, the provisions of the City's Reduction in Force Policy (3.14) shall apply, and determinations as to particular employees shall be made on a case-by-case basis.

6.5 Other Employment During a Medical Leave of Absence

Employees on an approved Medical Leave of Absence from the City may not be actively employed elsewhere during the Leave of Absence. Employees who violate this provision shall be subject to corrective action up to and including discharge from employment, and will be ineligible for rehire.

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