

**President's Representative** - For the purpose of this procedure, the President's representatives are as follows:

- For all Administration and Staff: Associate VP for Human Resources or designee
- For all Faculty, other than those in USF Health VP area: Provost or designee
- For Faculty in USF Health VP area: Vice President for USF Health or designee

**Circumstances for Compulsory Disability Leave** - When the President or his/her representative believes that an employee is unable to perform assigned duties due to illness, disability, or injury, he/she may require the employee to submit to a medical examination by a health care provider who is chosen and paid by the university, or is chosen and paid by the employee but is acceptable to the university, and will submit a report of the findings to the university.

When one or more of the following occurs, consideration of a compulsory disability leave may be appropriate:

- Employee demonstrates behavior and/or performance that leads the supervisor to believe that the employee is unable to perform his/her duties;
- Employee is reluctant or refuses to seek medical attention and insists on remaining at work; and/or
- Employee refuses to provide requested medical documentation.

**Results of the Medical Examination** - When the medical examination confirms that the employee is unable to perform his/her assigned duties, the employee may be placed on compulsory disability leave. When the employee's condition meets the definition of a disability under the Americans with Disabilities Act (ADA), ADA provisions are applied in determining what, if any, reasonable accommodations will be made. Contact Division of Human Resources at (813) 974-2970 for additional information regarding ADA provisions.

**Failure to Maintain Required Licensure or Certification** - If the employee becomes unqualified for the position (e.g., loses required licensure or certification), the university is not obligated to retain him/her. If the employee fails to meet the terms and conditions of the compulsory disability leave (i.e., does not satisfactorily complete a program of rehabilitation or treatment), the university is not obligated to retain him/her.

**Applicability of FMLA** - Compulsory disability leave applies toward the employee's Family and Medical Leave Act (FMLA) entitlement.

**Confidentiality of Medical Information** - All medical records are confidential, even if the employee leaves the university, and, therefore, should be maintained separately from other employee records with limited access.