

**Making the Request** - if the supervisor believes a compulsory disability leave may be appropriate, (s)he submits a written request to the VP or designees, through appropriate channels. The purpose of the request is to require the employee to submit to a medical examination. If the results of the medical examination confirm that the employee is unable to perform his/her assigned duties, the employee may be placed on compulsory disability leave.

**Supervisor Advising the Employee** -

The supervisor discusses with the employee that a medical certification by a health care provider, approved by the university or designated by the university, will be required, and, if applicable, will be counted towards the Family and Medical Leave Act (FMLA) and/or any other State laws.

The supervisor informs the employee to contact the Division of Human Resources (HR) to submit paperwork for FMLA approval/disapproval.

- Notice will be provided to the employee identifying the duration of the leave, the conditions for return to the position, and include a designation stating whether such leave will be counted in accordance with any applicable federal or state law.

**Taking Action After the Results of the Medical Exam** - Once the medical assessment has been received, the VP or designee, in consultation with the supervisor, determines whether or not a compulsory disability leave is appropriate. When a compulsory disability leave is not appropriate, the supervisor notifies the employee of the results of the medical assessment and addresses any performance and/or behavioral problems, as appropriate.

When a compulsory disability leave is appropriate and approved, the supervisor or VP or designee:

- Places employee on a compulsory disability leave for a period determined by the medical assessment, not to exceed six months.
- Advises the employee they can use accrued paid leave during compulsory leave to continue the contributions to State benefits and other expenses.
- Advises employee in writing that the leave is mandatory, outlining the conditions under which (s)he will be allowed to return to work, the effective date of the leave, the date (s)he is expected to return to work, and a medical release to return to work.

**Determining Pay and Leave Status** - While on a medical leave of absence without pay, the university continues to pay up to six months of the State's contribution for State health and State life insurance premiums within a 12-month period. The employee, or his/her department on his/her behalf, is required to contact the Benefits Department and Payroll in the Division of Human Resources for information about continuing benefits.

**Taking Action at the End of Compulsory Disability Leave Period** - If, prior to the end or at the end of the leave period, the physician releases the employee to return to work to perform the essential functions of his/her position, the President's representative will return the employee to the same or an equivalent position.

If, based on the physician's current medical assessment, the employee is unable to be released to perform the essential functions of his/her position, depending on the employee's prognosis and the applicability of ADA provisions, the supervisor or President's representative will do one of the following:

- Request that the employee return to work by a specific date and, when applicable to comply with provisions of the ADA, to identify what, if any, reasonable accommodation he/she needs to perform the essential functions of the position; or
- Offer part-time employment; or

- Approve an extension of the period of compulsory disability leave, not to exceed an additional six months; or
- Place the employee on non-compulsory leave without pay or extend such status upon written request by the employee (the total leave of absence period may not exceed 12 months); or
- Request the employee's resignation, which may include regular or disability retirement, under the provisions of the Florida Retirement System, if applicable; or
- Dismiss the employee for cause, based on inability to perform assigned duties.