

MEDICAL LEAVE WITHOUT PAY

Proposed Policy:

- A. This document sets forth The Citadel's policy on Medical Leave Without Pay for all employees except temporary and student employees. Leave taken pursuant to this policy may qualify as FMLA leave and, if so, will run concurrently.
- B. Leaves of absence may not exceed six (6) months. Any previous leave taken for the same incident of illness (for example, Sick Leave used prior to the request for Medical Leave Without Pay) will be included in the calculation of the six (6) month period.
- C. The Medical Leave Without Pay policy will be applied in an equitable manner to all employees.
- D. **Eligibility for Medical Leave Without Pay**

An employee's request for Medical Leave Without Pay must be:

1. The result of a serious health condition - an illness, injury, impairment or physical or mental condition that involves: (a) Any period of incapacity or treatment in connection with or consequent to inpatient care in a hospital, hospice, or residential medical care facility; or (b) Any period of incapacity requiring absence from work, school, or other regular daily activities, of more than three calendar days, that also involves continuing treatment by (or under the supervision of) a health care provider; or (c) Continuing treatment by (or under the supervision of) a health care provider for a chronic or long term health condition that is incurable or so serious that, if not treated, would likely result in a period of incapacity of more than three calendar days or for prenatal care.
2. To care for an immediate family member with a serious health condition. The definition of immediate family member includes

spouse, parent, grandparent, great-grandparent, brother, sister, child, grandchild and great-grandchild of the employee.

3. For the birth of a child and to care for that child
4. For the placement of a child for adoption or foster care with the employee.

E. Authorizing Medical Leave Without Pay

1. Employees must have exhausted all eligible Sick and Annual Leave before they may be placed on Medical Leave Without Pay Status.
2. The employee must submit a request for Medical Leave Without Pay in writing on a leave request form giving 30 days advance notice if the leave is foreseeable. Medical documentation from the treating physician must accompany the request form. Once the employee's Department Head or Supervisor approves the leave, the request will be forwarded to Human Resources for the approval of the Director of Human Resources or the Director's designee.
3. An absence that has not been previously authorized by the respective Department may be considered Unauthorized Leave Without Pay. An employee must obtain approval prior to going on authorized Medical Leave Without Pay. Failure to do so may result in the absence being charged as Unauthorized Leave which may lead to appropriate disciplinary action. Unauthorized absence of three (3) consecutive workdays may be considered job abandonment.
4. Periods of authorized Medical Leave Without Pay over thirty (30) consecutive days shall not be considered as service for crediting leave earnings and state service.

F. MAINTENANCE OF BENEFITS

The Citadel will maintain employee benefits for an employee on Medical Leave Without Pay whenever such benefits were provided prior to medical leave being taken if the employee has

followed proper leave request procedures. The employee must contact Human Resources prior to going on medical leave of absence to ensure that benefits are maintained. The benefits will be on the same terms as if the employee had continued to work. Arrangements will need to be made for the employee to pay his/her portion of insurance and benefit premiums while on leave. Failure to pay according to the terms of the payment arrangement will result in loss of coverage.

G. TERMINATION OF MEDICAL LEAVE WITHOUT PAY

Medical Leave Without Pay will end immediately when one of the following occurs:

1. On the ending date authorized by Human Resources per the Medical Leave Without Pay Request form; or
2. When the treating physician has released the employee or family member being cared for; or
3. Upon the death of the family member being cared for; or
4. When the employee has been on leave for six (6) months.

Failure to return to work from a Medical Leave of Absence or the unavailability of an open position may result in termination.

Employment elsewhere during Medical Leave of Absence is prohibited unless approved in advance by the Director of Human Resources.

Human Resources does have authority to request second opinions and/or periodic recertification no more than once every 30 days.

Falsification of records regarding the Medical Leave of Absence may result in termination.