



8.2.5P

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Extended Medical Leave

Statement

Eastern Kentucky University provides extended medical leave, beyond Family and Medical Leave, under certain conditions. The extended leave is unpaid if the employee has not accrued sick or vacation time available.

The purpose of extended medical leave is to provide employees with long tenure with the University additional protective leave time beyond the provisions of the Family and Medical Leave Act.

Entities Affected

All extended medical leave eligible employees
All supervisors
Human Resources Representatives

Policy Background

N/A

Definitions

Extended Medical Leave	Extended medical leave is approved time away from the job due to an employee's serious health condition, which exceeds the twelve weeks provided under the provisions of the Family and Medical Leave Act.
FMLA	Family and Medical Leave Act of 1993
Eligibility	To be eligible for the extend medical leave the employee must first be eligible for Family and Medical Leave which require that the : <ul style="list-style-type: none"> • Employee has worked for EKU for at least one year • Employee has worked 1250 hours over the one year period prior to the date the leave begins.

	<ul style="list-style-type: none"> • Employee has exhausted the twelve weeks of Family and Medical Leave. • Extended medical leave is applicable only for the serious health condition of the employee.
Leave Available	<p>The maximum allowable time period for extended medical leave (leave beyond the 12 week FMLA leave) is computed in the following manner:</p> <ul style="list-style-type: none"> • One additional week of extended medical leave for each year of continuous service with Eastern Kentucky University in excess of twelve years. • Any additional period covered by accrued sick or vacation time. • The combination of FMLA and extended medical leave is not to exceed the longer of six months away from the job or the exhaustion of accrued sick leave. Employees are required to utilize available vacation and sick for each workday missed while on FMLA and/or or extended medical leave. • Note: Under the provision of the FMLA and this extended leave policy certain "key" employees may be denied reinstatement. The "key employees" must be among the 10 percent highest-paid employee and whose job restoration would cause substantial and grievous economic injury to the University. Leave and the benefits of leave are available to these employees.

Responsibilities

Employee	<ul style="list-style-type: none"> • Is required to provide requested medical documentation when notified by HR Benefits staff.
HR Benefits Staff	<ul style="list-style-type: none"> • Responsible for notifying eligible employees of the ending of FMLA leave and move to extended medical leave status..
University	<ul style="list-style-type: none"> • Maintain group health, dental and life insurance for eligible employee on leave. • Required to reinstate eligible employee to same of equivalent position upon employee's return from leave.

Procedures

Notification	Human Resource Benefit Staff will notify the employee that his/her FMLA is ending and that they are now being placed on extended medical leave status.
Medical Certifications	The employee will be required to provide medical certification to the HR Benefit Staff to certify the need for leave due to the serious health condition affecting the employee.
Periodic Status Reports	Periodic status reports regarding eh employee's condition and intent to return to work will be required by Human Resource Benefit Staff.

Return to Work	Employee's must submit a written release from their medical provide as soon as the return to work date is known. An employee, eligible for extended leave, will be reinstated to the same or an equivalent position with the same pay and benefits that he/she received and under the same terms and conditions of employment as when the leave began.
Unable to Return to Work	<p>The following options/ benefits will be provided to employee who are unable to return to work at the end of their extended medical leave:</p> <ul style="list-style-type: none"> • Continued coverage for basic benefits (single health, life, and LTS) through the 1st or 15th of the month. If the leave ends between the 1st and 15th of the month coverage will end on the 15th. If the leave ends between the 16th and end of the month, coverage will end on the 1st of the month. • Employees and their covered dependents will have the option to extend their health insurance coverage through COBRA, and will be notified of their choices and premiums rates in accordance with COBRA regulations. • Employee will be terminated for employees unable to return to work at the latter of the end of the leave or the exhaustion of accrued sick and vacation leave.
Benefits while on Leave	<p>Employees on extended medical leave will continue the benefits of employment in the same manner as when on the initial FMLA to include:</p> <ul style="list-style-type: none"> • Retains University paid coverage under the University's provided group insurance plans which include: • Health Single Employee Only • Group Life • Group Long Term Disability • Arrangements must be made with HR Benefits staff for the continuation of other voluntary products. • Paid holidays that fall during the period of extended leave. • Will be returned to his/her former, or equivalent, position when released by medical provider. • Persons on approved extended leave that wish to maintain their dependent health and/or other voluntary supplemental benefits must make arrangement with HR Benefits staff. • No vacation or sick leaves are earned (accrued) while on leave without pay.
Reemployment	Employee whose employment is terminated due to the exhaustion of their extended medical leave will be eligible for re-employment if they are able to return to work within one year of the termination date. To be considered for re-employment the individual must make application for a posted vacation position for which he or she is qualified. The individual will be considered for open positions along with all other applicants. Re-employment provides the following benefits:

- Retains the prior work credit for determining accrual of vacation and service recognition that had been accrued at the time of termination. A new adjusted service date will be calculated for this purpose.
- Re-employment would be allowed into any position for which the former employee applies and is qualified. Salary into lower, or higher, position than the one vacated at termination would be determined based upon the qualifications that the former employee and according to other compensation guidelines. Re-employment into the position vacated at termination will be at the rate of pay at the date of termination, unless salary grade adjustments would place the employee below new grade minimum, in which case the employee would be paid at grade minimum.

Violations

Failure to comply with the operation regulation by the University or employee may result in the employee's loss of protection provided by the Extended Medical Leave Policy.

Interpreting Authority

The Director of Human Resources has the authority to interpret this regulation when questions arise.

Statutory or Regulatory References

N/A

Relevant Links

Family and Medical Leave Regulation

Policy Adoption Review and Approval

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