

<b>DOUGLAS COUNTY SHERIFF'S OFFICE</b>		<b>Policy and Procedure</b>
<b>Employee Leave and Compensation</b>		<b>P&amp;P-L-106</b>
<b>Medical Leave</b>		
Effective Date: 06-20-17 Supersedes: 03-14-17	Approval: Sheriff	Number of Pages: 3
References: DC Personnel Guideline 10.13, FMLA of 1993, P&P-L-101	Reevaluation Date: Annually	Standards:

**I. POLICY**

In the event a regular employee is unable to perform the essential functions of their job as a result of a non-work related injury or illness (including pregnancy), the employee may be eligible for short and long-term disability leave, as well as Medical Leave Status.

Employees on leave due to their own or a family member's serious health condition may also be entitled to leave under the Family and Medical Leave Act (See Section P&P-L-101).

**II. PROCEDURE**

It is the responsibility of the employee to notify the personnel coordinator, as well as verbally notify their immediate supervisor, 30 days in advance of any foreseeable medical leave by filling out a leave of absence request form. If the leave is unforeseeable, the employee is expected to give notice as soon as practical under the circumstances, (i.e., within one or two working days) by calling the personnel coordinator at 303-660-7568 and contacting their immediate supervisor. It is also the responsibility of the employee to notify their immediate supervisor of an estimated return to work date and to provide the Sheriff's Office personnel coordinator a written release from the attending medical provider when returning. When possible the employee must meet with the personnel coordinator prior to beginning FMLA leave to complete required paperwork.

The County or Office may request or require the following: (1) a medical provider's certification. (2) A medical examination by a physician chosen by the Office, at County expense. Failure to provide notification and appropriate medical certification in a timely basis may result in delayed approval or denial of leave. Continued absence after denial of leave may result in disciplinary action, up to and including termination of employment.

**A. Accrual of Benefits**

Medical leave shall not constitute a break in service for retirement purposes. Employees will not continue to accrue sick and annual (vacation) leave while on unpaid leave, sick bank, short-term disability leave, or long-term disability leave. Employees are also not eligible for Holiday pay during this period.

**B. Short-Term Disability and Elimination Period**

There is a minimum 30 calendar day 'elimination period' in which the employee must use sick leave, vacation leave, compensatory time hours, request sick bank hours, or go on leave without pay before becoming eligible to collect short-term disability

benefits. The personnel coordinator will provide information on how paid leave and family medical leave are to be used during this period. On the 31st calendar day, the employee may be eligible for short-term disability pay at 60% of the employee's current salary, up to the plan maximum, which may continue for 12 weeks from the original date of disability (based on medical necessity) and is monitored by Douglas County Human Resources Department.

C. Long-Term Disability

Employees who have a work-related or non-work-related medical condition, and are unable to return to work after the expiration of the 12 weeks of short-term disability leave may apply for long-term disability benefits. See the personnel coordinator for details.

D. Medical Leave Status

Employees who have a non-work-related medical condition and are unable to return to work after the expiration of FMLA may be moved to Medical Leave Status for a maximum of one year from the original date of the qualified medical condition, given all medical condition certification and eligibility requirements are satisfied. During this medical leave status period, the employee remains insured on their elected benefits and eligible for the County contribution if premiums are paid in full monthly. (For the complete Medical Leave Status policy, including details regarding general exclusions, medical leave certification requirements, return to work and/or expiration of Medical Leave Status, and pay while on Medical Leave, see Douglas County Policy or contact the Human Resources Department).

E. Personnel Coordinator

The personnel coordinator shall be contacted to ensure that paperwork and proper documentation is completed. The employee must also notify the personnel coordinator of their return to work on or shortly before returning.

**III. RETURN FROM MEDICAL LEAVE**

If the employee is on an approved Medical Leave Status and is released to return to work within one year from the original date of their qualified medical condition, the employee must first make a written request to the Sheriff to return to duty. The employee may be immediately reinstated if their previous position is still vacant. If an employee's previous position has been filled during the employee's absence and there is a vacant position in the same position / job title, the employee may be reinstated into the vacant position. If the employee's previous position has been filled and there are no other vacancies for which the person is qualified in the same position / job title, the employee may be terminated and may be eligible for re-hire.

**IV. RETURN FROM FMLA FOR PERSONAL INJURY, ILLNESS, MEDICAL LEAVE OR MODIFIED DUTY**

Prior to reinstatement, employees also have to meet return to work certification requirements and must contact Professional Standards to begin the process of returning to work. Once released to full duty or modified duty the employee will meet with

Professional Standards prior to returning to work. The employee will provide medical release documentation and receive approval to return to their regular assignment. Professional Standards will evaluate the training required to return to work and ensure the correct paperwork has been received and completed.

By Order of the Sheriff