

UCOP Human Resources Procedure 44 – WORK-INCURRED ILLNESS AND INJURY

- I. POLICY REFERENCES**
- UC-PPSM 41, Vacation
 - UC-PPSM 42, Sick Leave
 - UC-PPSM 44, Work-Incurred Illness and Injury
 - UC-PPSM 81, Reasonable Accommodation

II. GENERAL

If an employee experiences functional limitations due to a work-incurred medical impairment(s), the employee and department head (or designee) are encouraged to identify productive and medically appropriate work activities for the employee. The employee and department head (or designee) are encouraged to confer with Employee Assistance Program professionals, the Vocational Rehabilitation Counselor, Local Human Resources, and Benefit Services, who will assist in the necessary information exchange and objective analysis of alternatives.

If return-to-work in productive and medically appropriate work activities is not possible, accrued sick and vacation leave may be used to supplement temporary disability payments received under the California Workers' Compensation Act. NOTE: Any sick leave accrued while the employee is not working shall be credited only upon the employee's return to work.

III. USE OF ACCRUED SICK LEAVE AND VACATION

1. *Use of Leave on Day of Injury/Illness*

If the employee works at least part of the day on the day the work-incurred injury or illness begins, the hours not worked that day are treated as administrative leave with pay.

2. *Supplemental Benefits Options*

If an employee receives Workers' Compensation temporary disability payments, the employee may choose to use accrued leave, so that the sum of the Workers' Compensation temporary disability payment plus paid leave equals the pre-disability salary. The employee may choose from three options:

- Option 1--Use sick and vacation leave.
- Option 2--Use sick leave only.
- Option 3--Do not use any accrued leave.

If the employee chooses Option 3, the employee receives Workers' Compensation payments but does not receive any University pay. If Option 3 is chosen, the employee is not eligible for extended sick leave (UC-PPSM, 44.C).

Benefit Services can advise the department of what sick and vacation leave hours to report to the payroll system for each pay period.

IV. EXTENDED SICK LEAVE

For any one injury or illness, an employee shall receive a maximum of twenty-six (26) weeks of extended sick leave payments if:

- The employee has exhausted all accrued sick leave;
- The employee has functional limitation from work activity due to a medical condition(s) and the employee cannot be accommodated on a temporary or permanent basis; and

The employee continues to be eligible for California Workers' Compensation Temporary Disability payments.

The amount of extended sick leave payments shall equal the difference between the amount of the California Workers' Compensation Temporary Disability payments and 80% of the employee's regular salary.

An employee shall not use extended sick leave to supplement Workers' Compensation payments beyond a predetermined date of separation.

V. LEAVE WITHOUT PAY

An employee who is receiving Workers' Compensation temporary disability payments shall not be placed on leave without pay unless he/she has exhausted extended sick leave (Policy 44.C) or has selected supplemental benefits Option 3.

VI. FAMILY AND MEDICAL LEAVE

If the employee is absent from work due to a work-incurred injury or illness, and is eligible for family and medical leave, the department must provide the employee with the required notice and follow the other procedures specified in UC-PPSM 43(C).