



Human Resource Services POLICY RESOURCES

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Applies to:	Marshall University
Title:	Medical Leave of Absence Following Cessation of TTD Benefits
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If a Marshall University (hereinafter the University) employee receiving Temporary Total Disability (TTD) benefits in connection with a workers' compensation claim ceases to receive TTD benefits but cannot return to work due to illness/injury (either that claimed in the workers' compensation claim or other illness/injury), such employee shall be placed on medical leave of absence without pay (MLOA) effective at the first payroll date following the date of cessation of TTD benefits.

In connection with placement on MLOA the employee must submit to Human Resource Services (see policy and procedure on Human Resources Support) a physician's certificate (1) stating a diagnosis and prognosis for the employee's illness/injury, (2) a statement if the employee is unable to return to work at all at that time, and/or (3) a statement of whether the employee is able to return to work with or without stated limitations. Stated limitations will be evaluated carefully. Human Resource Services acting in behalf of the University may decline to approve return to active pay status if the employee cannot be certified to return to work without limitation or with limitations that do not interfere with normal performance of duties as determined by Human Resource Services. Employees placed on medical leave of absence shall have ten working days in which to submit the physician's certificate. Failure to provide medical documentation within this time frame unless hindered from doing so by circumstances beyond the control of the employee will result in revocation of approval for medical leave of absence and may require changing the leave to personal leave of absence at the discretion of Human Resource Services.

If TTD benefits shall resume for such claimant while on MLOA and if notification of same is made to Human Resource Services, then MLOA shall be revoked, and the employee's status will again become workers' compensation leave of absence. When/if TTD benefits are stopped successively for any such employee and if the employee cannot be certified by the physician to return to work without limitation or with stated limitations that do not interfere with normal performance of duties, MLOA shall be provided to the employee subject to the one year cumulative limit on the length of MLOA. If an employee is unable to return to work following the end of MLOA and if TTD benefits are not resumed, the employee must resign, retire, go on long-term disability as appropriate, or go on disability retirement as appropriate.

The employee receiving TTD benefits for a workers' compensation claim is responsible for notifying Human Resource Services promptly if their TTD benefit payments cease. Since employees must be in an approved status at all times while remaining employed, employees whose claims are closed for purposes of TTD payments and who desire for their employment to continue must either return to work or go on an approved leave of absence. Employees understand and agree that if there is a gap between the cessation of TTD benefits payments and notification of same to Human Resource Services, the allowable length of time for medical leave of absence or personal leave of absence shall be deemed to start at the beginning of the first pay cycle following the cessation of TTD benefit payments regardless of the actual date that application for MLOA is made or the date that required medical certification is submitted. Employees with workers' compensation claims that satisfy these criteria acknowledge and agree that the University as represented by Human Resource Services may place them on MLOA without their written request for such leave of absence.

Information and assistance with this policy and procedure may be obtained by contacting Human Resource Services at 304.696.6455 or human-resources@marshall.edu.

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MU-HR-20