

## Medical Separation - Non UCRP-Disability Income UCSC Local Procedures

(A.23a) Rev. 6/30/2009

### I. Policy Summary

A regular status employee who becomes unable to perform essential functions of his or her position with or without reasonable accommodation, due to a disability, may be separated. Prior to medical separation, the University will engage in the Interactive Process in accordance with the provisions of [Staff Policy 81](#) – Reasonable Accommodation. An employee separated under this policy is eligible for Special Re-employment procedures at UC Santa Cruz.

### II. Related Policies, Contract Articles and References

A. Personnel Policies for Staff Members (PPSM) – employees not covered by a collective bargaining agreement:

- [Absence from Work Policy](#)
- [PPSM 66 Medical Separation Policy and Procedures](#)
- [PPSM 81 Reasonable Accommodation Policy and Procedures](#)

B. [Contract Articles](#) – employees covered by a collective bargaining agreement

### III. Authority

The Staff Human Resources Director has responsibility for making the final determination regarding appropriateness of medical separation.

### IV. Criteria

Medical separation may be considered only after entitled leave benefits, the Interactive Process and attempts at reasonable accommodation have been exhausted and should be considered the final step in the disability management process.

For work related disabilities, medical separation generally will not occur until after all Extended Sick Leave benefits, for which the employee may be eligible, have been exhausted and normally will not occur until the employee's disability is considered permanent and stationary.

### V. Process Overview

An employee with a disability may be separated from the University if the impairment prevents safe and effective performance of the essential functions of the employee's position, with or without reasonable accommodation. Medical Separation will generally occur after efforts to provide reasonable accommodation are unsuccessful.

Departments and employees can consult with the Disability Management Coordinator at any step of the process.

- A. **The Unit Head** completes and submits the Request for Medical Separation form to the Disability Management Coordinator.
- B. **The Disability Management Coordinator** analyzes the Request for Medical Separation form, prepares a Review of Request for Medical Separation form and Summary of Reasonable Accommodation Assessment report.
- C. **The Disability Management Coordinator** discusses the Medical Separation Request with the Benefits Manager and forwards the medical separation documents to Labor Relations, Risk Services, and EEO/AA designated representatives for review upon receipt of authorization from the Benefits Manager.
- D. **Labor Relations, Risk Services, and EEO/AA** designated representatives review the medical separation documents and if in disagreement with the Disability Management Coordinator's recommendation, notifies the Benefits Manager within 7 working days of issuance of report.
- E. **The Benefits Manager** reviews responses from the EEO/AA, Risk Services, and Labor Relations designated representatives and forwards the medical separation documents to the Staff Human Resources Director for review.
- F. **The Staff Human Resources Director** makes the final determination regarding the appropriateness of medical separation.
- G. **The Benefits Manager** notifies the HR Service Team Representative (HRSTR) of the final determination and provides copies of the medical separation documentation.
- H. **The HR Service Team Representative (HRSTR)** prepares the Notice of Intent to Medically Separate letter for the Unit Head's

signature and mails it to the employee, with appropriate attachments and Proof of Service form, if medical separation is approved.

- I. **The Employee** has the right to respond orally or in writing within the time period designated in personnel program or bargaining agreement.
  - a. If the employee responds, the HRSTR consults with the Disability Management Coordinator and the Staff Human Resources Director to obtain a determination as to whether separation is still appropriate. If it is not appropriate, an alternative course of action will be determined.
- J. **HRSTR** prepares Notice of Medical Separation letter for Unit Head's signature and mails it to employee with final paycheck, termination packet and Proof of Service form, if the employee's response date designated in the Intent to Medically Separate letter has passed and the employee has not responded or if the employee responded timely and it is determined that medical separation is still appropriate. HRSTR processes termination paperwork, PPS and Separation Date activities.
- K. **The Employee** receives written notice, completes termination paperwork, submits it to appropriate offices and returns all UC property to the supervisor or appropriate office.
- L. **The Disability Management Coordinator** sends the employee a letter explaining the Special Re-employment process upon receipt of the Notice of Medical Separation.