

23. Medical Separation

Personnel Action: Separation - Medical **Personnel Action Code:** 06

Policy Summary: Medical Separation is an action the University takes to separate an employee who becomes unable to perform essential assigned functions of his/her position due to a disability or other medical condition.

Policy References:

PPSM	44; 66; 81
CX	17; 32; 49
EX	17; 31; 43
HX	17; 30; 44
K7	23; 24; 25
NX	22; 24
PA	21; 22; 23
RX	16; 28; 43
SX	17; 31; 43
TX	18; 31; 43

Authority: Unit head initiates request for medical separation. The vocational rehabilitation counselor reviews and recommends action; the Staff Human Resources director has responsibility for making the final determination regarding appropriateness of medical separation. Alternatively, medical separation may be required if the employee has been determined eligible to receive disability income benefits from a Retirement System to which the University contributes.

Criteria: Medical separation may be considered only after appropriate leave benefits and attempts at reasonable accommodation have been exhausted. (See Reasonable Accommodation, p. E3-1).

For work-related disabilities, 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.

Process:

Responsibility

Action

Supervisor/
Service Ctr

Medical Separations due to Disability or Medical Condition

After consultation with the vocational rehabilitation counselor, completes Medical Separation Request Form describing the essential functions the employee is not able to perform with or without accommodation, obtains department head's concurrence and submits the form to the vocational rehabilitation counselor.

Vocational
Rehabilitation
Counselor

Reviews Medical Separation Request, assembles documentation of reasonable accommodation attempts, consults with other campus departments and/or holds meetings as required to make a recommendation. Prepares a summary report making a recommendation regarding the supervisor's request to medically separate the employee,

<u>Responsibility</u>	<u>Action</u>
Vocational Rehabilitation Counselor	and proposes an alternative course of action if medical separation is not recommended. Forwards the summary report with the Medical Separation Request form to the Benefits Manager.
Benefits Manager	Reviews and forwards copies of the summary report and the Medical Separation Request form to designated representatives of EEO/Affirmative Action, Workers' Compensation and Risk Management, and Labor Relations units.
EEO/Affirmative Action, Workers' Compensation/ Risk Management, and Labor Relations Representatives	Reviews summary report and Medical Separation Request. If in disagreement with the vocational rehabilitation counselor's recommendation, must verbally notify the Benefits Manager within ten (10) working days of issuance of report.
Benefits Manager	<p>If there is disagreement with the vocational rehabilitation counselor's recommendation, schedules meeting to discuss the recommendation. If consensus cannot be reached, consults with University Counsel, if necessary, and prepares a summary of issues and a recommendation for or against the concurrence with the vocational rehabilitation counselor's recommendation for the consideration of the Staff Human Resources Director.</p> <p>If there is no disagreement with the vocational rehabilitation counselor's recommendation, concurs with the recommendation and forwards the Request for Medical Separation and summary report to the Staff Human Resources Director.</p>
Staff Human Resources Director	Makes the final determination regarding appropriateness of medical separation. May request further consultation with involved parties. Returns approved Medical Separation Request form to the Benefits Manager. If the request is not approved, recommends an alternative course of action.
Benefits Manager	Returns original Medical Separation Request form and summary report to vocational rehabilitation counselor. Provides two copies of approved Medical Separation Request form and summary report to unit analyst. If an alternative to medical separation is recommended by the Staff Human Resources Director, notifies the vocational rehabilitation counselor who then coordinates with the unit analyst and supervisor to discuss alternatives.
Staff Human Resources Analyst	Upon receipt of approved Medical Separation Request form, provides the unit with the appropriate Notice of Intent and Notice of Medical Separation model letters and copies of summary report and approved Medical Separation Request.
Unit/Service Ctr	Prepares Notice of Intent Letter (Note: time periods in which to respond vary according to personnel program policy or bargaining agreement) and mails to employee along with copy of summary report and approved Medical Separation Request, accompanied by a Proof of Service Form. Mails appropriate copies.

<u>Responsibility</u>	<u>Action</u>
Benefits Office	<u>Medical Separation due to Receipt of UCRP Disability Income</u> Notifies service center and Staff Human Resources analyst of employee's approval to receive UCRP disability income and the effective date.
Staff Human Resources Analyst	Upon receipt of notice from Benefits Office, provides the unit with the appropriate Notice of Intent and Notice of Medical Separation model letters.
Unit/Service Ctr	Prepares Notice of Intent Letter and mails to employee along with copy of notice from Benefits Office, accompanied by a Proof of Service Form. Mails appropriate copies.
Unit/Service Ctr	<u>If no response received from employee within specified time frame:</u> Prepares Notice of Medical Separation Letter, which specifies the effective date of medical separation and stating the employee's right to appeal, and submits for review to the SHR analyst.
SHR Analyst	Coordinates approval with Labor Relations and notifies unit/service center to mail the notice to employee.
Unit/Service Ctr	Mails notice to employee, accompanied by a Proof of Service Form (see sample form, p. C3-1). Mails appropriate copies.
Vocational Rehabilitation Counselor	Sends employee a letter describing the availability of reasonable accommodation services and special re-employment procedures.
Service Ctr	Provides termination packet to employee for completion and signature; advises the employee to contact the Benefits Office to discuss the effect of medical separation on benefits. (Termination packets are available from the Benefits Office.) Separates employee by entering information into PPS.
Employee	Completes termination paperwork and submits to appropriate offices.
Supervisor/Service Ctr	<u>If response is received by employee within specified timeframe:</u> Consults with the unit's Human Resources analyst.
Staff Human Resources Analyst	Consults with Labor Relations analyst, vocational rehabilitation counselor, Risk Management, and others as appropriate. If medical separation is still advisable, follows process described under "If no response received from employee within specified timeframe." If medical separation is no longer advisable, follows the case to its conclusion.