Time off from work: leave of absence due to disability and disability leave for all employees (excluding faculty and librarians).

The following rule applies to all employees, excluding faculty and librarians.

(A) When an employee becomes physically incapacitated for the performance of the duties of the employee’s position, the appointing officer may, at the request of such employee and with the advice of personnel services, transfer the employee to a vacant position or lower grade which the employee has the ability to fill. (see the wage and salary policy and procedures).

(B) When an employee becomes physically incapacitated for the performance of duties of the employee’s position and does not request transfer to a position of lower grade, or is physically incapacitated for the performance of duties of any appropriate vacant position, the employee shall receive a leave of absence without pay for a period of up to six months pursuant to the university rules regarding leave of absence without pay provided the disability continues beyond the employee’s accumulated sick leave, unless the employee receives a leave of absence with pay pursuant to paragraph (D) of this rule. Such leave may be granted only if evidence can be presented as to the probable date on which the employee will be able to return to the same or a similar position.

(C) Prior to going on such leave without pay the employee may elect to utilize any or all accrued vacation leave. Such election by the employee shall be irrevocable.

(D) Unclassified exempt employees, excluding faculty and librarians, who become totally disabled and who were hired by the university of Cincinnati prior to September 1, 1974 and who have been continuously employed thereafter by the university of Cincinnati, shall receive a leave of absence with pay, provided the disability continues beyond the employee’s accumulated sick leave. The employee’s accumulated sick leave and the leave of absence with pay shall not together exceed one hundred twenty days of leave with pay. For purposes of this paragraph, “totally disabled” shall be defined to be the inability of the employee, by reason of sickness or
bodily injury, to engage in any occupation for which the employee is reasonably fitted by education, training, or experience.

(E) If the employee cannot furnish a probable date for return to work, the employee shall receive a disability leave provided the disability continues beyond the employee’s accumulated sick leave.

(F) If the employee’s incapacitation exceeds six months, the employee shall receive a disability leave, provided the disability continues beyond the employee’s accrued sick leave and the leave of absence without pay.

(G) The appointing officer shall require a physical examination conducted by a licensed physician designated by personnel services, when an employee is to go on disability leave. The cost of such examination shall be paid by the university. When the employee is hospitalized or institutionalized at the time the employee is being placed on disability leave and there is medical evidence of disability, the appointing officer may waive the requirement for the physical examination.

(H) A classified employee who has been given disability leave shall have the right to be reinstated within thirty days after written application to the same or similar position as held at the time the leave was granted. Application for reinstatement must be filed within three years from the date the leave was granted. Before reinstatement can be effected, the employee must pass an examination by a licensed physician, designated by personnel services, showing that the employee has recovered from the disability. The cost of such examination shall be paid by the employee. Return of an employee in the unclassified service shall be at the option of the appropriate vice president.

(I) If the employee had been granted disability retirement and requests reinstatement, a physical examination shall be conducted by a licensed physician designated by appropriate retirement system board. Written application for reinstatement after disability leave must be filed before the date of service eligibility retirement.

(J) Any act of an employee who has been granted disability leave, which is determined by personnel services to be consistent with the employee’s disability shall cause the employee to be ineligible for
reinstatement.

(K) Persons on extended leave due to disability should consult personnel services regarding continuation of health care coverage and other benefits and regarding disability insurance payments.

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Certifications: Mary A. Owens signature

Mary A. Owens

Date: February 6, 1980

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