

CLARK COUNTY SCHOOL DISTRICT REGULATION

4351

MEDICAL LEAVE OF ABSENCE: ALL EMPLOYEES

- I. A medical leave of absence without pay may be granted for one twelve-month period to an employee who is unable to work due to personal illness or injury that makes the employee unable to perform the essential functions of the assigned position. The leave must be recommended by the superintendent or the superintendent's designee, Human Resources Division.
 - A. An employee applying for a medical leave of absence must complete a Request for Leave of Absence CCF-164, obtain the signature of the immediate administrative supervisor on the form, and submit it to the appropriate administrator, Human Resources Division. The request must be accompanied by an original statement from a licensed physician that specifies the nature of the incapacitating condition, treatment, and the anticipated recovery time.
 - B. An employee eligible for a medical leave of absence without pay shall apply for such leave at least ten (10) days before accrued sick leave or family leave is exhausted. If an employee fails to apply, as required, for the leave before accrued sick leave or family leave has been depleted, the district may initiate termination procedures as an employee cannot be absent without leave.
 - C. Employees granted a medical leave of absence without pay do not earn service credit toward retirement or advancement on the salary schedule while on leave.
 - D. Employees granted a medical leave of absence may continue to participate in the Group Hospital-Medical Insurance Plan after accrued sick leave or family leave is exhausted providing the full premium is paid by check by the employee to the appropriate insurance trust administrator for the respective bargaining unit. At the expiration of a medical leave without pay, employees may continue to participate in the insurance program for an additional period not to exceed six (6) months (total combined insurance option-eighteen (18) months by Federal Regulation - Cobra).
 - E. Except for provisions under CCSD Regulation 4126, an administrator or licensed employee wishing to return to service from an approved medical leave of absence must file a written request for reassignment

with the appropriate administrator, Human Resources Division. The request must be submitted by April 1, or at least sixty (60) calendar days prior to the date the employee is requesting to return to service, or sixty (60) calendar days prior to the expiration of the medical leave of absence.

Support staff and school police employees will be required to submit a written request no later than sixty (60) calendar days prior to the expiration of the leave of absence or expected return to work date.

Requests for return from a medical leave of absence must be accompanied by a statement from an appropriately licensed medical doctor. The doctor's specialty, area of primary practice, or credentials must be related to the illness/disability for which the medical leave was approved. The statement must verify that the employee is able to perform the essential tasks of the position with or without reasonable accommodation and that the medical condition does not prevent the employee from performing the essential tasks.

- F. Before considering an employee for reassignment, the district may request that the employee have a physical examination by a physician selected by the district. If the physician's report indicates that the employee's physical or mental condition would prevent the employee from performing the essential tasks of the position, and except for provisions under CCSD Regulation 4126, the district has the right not to return the employee to active service.
 - G. The appropriate administrator, Human Resources Division may recommend an extension of a medical leave of absence for a period not to exceed one twelve-month period.
- II. When a person is reinstated upon completion of an approved medical leave of absence, the appropriate administrator, Human Resources Division will return the employee to active service when a vacancy occurs for which the employee is qualified. The district is not obligated to return the individual to the original position held by the employee prior to the leave.
 - III. An employee on an approved medical leave of absence who fails to request reinstatement or who fails to return to the assigned position

4351 (page 3)

following expiration of the medical leave of absence may be terminated at the conclusion of the leave since failure of an employee to report for duty is cause for dismissal.

Legal Reference: NRS Chapter 391, Absences with Compensation
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