Purpose - Extended Medical Leave (EML) provides income continuation for employees who are unable to work due to a non-work-related illness or injury. Employees with work-related disabilities are eligible for workers’ compensation benefits.

Use of Extended Medical Leave – EML may be used only for the employee’s personal illness or disability. Time off needed to attend to illnesses and disabilities of family members must be charged to sick leave (if eligible), personal leave, vacation leave, or taken as leave without pay.

Eligibility - In order to be eligible for EML benefits, a staff member must:

- Be a current regular full-time or part-time employee of the Association;
- Be employed at least four weeks by the Association;
- Be on full medical leave for more than seven consecutive calendar days; and
- Provide medical documentation of his/her inability to work due to illness or injury.

The Association reserves the right to request a second opinion by another health care provider at the employer's expense. In the event a conflict occurs between the first and second opinion, the association may, again at its own expense, obtain a third opinion from a health care provider approved jointly by the association and the employee. This third opinion shall be final and binding.

Use of Leave Credits During Waiting Period - Accrued sick leave is used during the first seven calendar days of absence (waiting period). If the employee has insufficient accrued sick leave to cover the seven-day waiting period, he/she is put on leave without pay for the balance of the seven days. The employee may use accumulated vacation to cover this period, if accrued sick leave is exhausted.

Coverage - After the waiting period, the employee is placed on leave with pay status and will receive an EML benefit from the association equal to one-third of the employee’s regular rate of pay. The EML benefit will continue during the disability, to a maximum of 26 weeks from the first day of the employee’s absence. If at any time it appears that the individual will not be able to return to work at the end of the 26 weeks due to medical reasons, application for long-term disability benefits should be initiated with Extension Administration Human Resource Office at Cornell.

Continuation of Benefits – If the employee continues on the payroll through use of EML benefits, sick leave credits or vacation leave credits, then the employee will be eligible to continue to receive benefits as per the current benefit rules and plan documents.
**Pro-rating Benefits** - If an employee is released by a physician to return to work under a transitional duty arrangement (e.g., part time or limited duty), EML benefits will be pro-rated.

Creation of transitional duty assignments is at the discretion of the Association. These assignments may only be established for a specific period of time at which point the employee will return to the previously assigned position and duties and work requirements. If unable to return to full duty, the employee must undergo a reevaluation by the physician at which time the Association will again determine if a transitional duty position is available.

**FMLA Designation** – EML will also be designated as Family and Medical Leave (FMLA). (See FMLA policy #608) EML and FMLA will run concurrently and will be deducted from the employee’s available FMLA allowance.

**Use of Leave Credits After Waiting Period** - The one-third pay EML benefit will be supplemented with a two-thirds pay of accrued sick leave, until the employee returns to work or accrued sick leave is exhausted. If the employee has exhausted accumulated sick leave and is still not able to return to work, one-third pay EML benefit will continue. The employee has the option of using accrued vacation time to supplement the EML benefit.

**Accrual of Leave Credits During Absence** - When a staff member (exempt or nonexempt) is on paid or unpaid leave (including EML) for more than 15 consecutive calendar days, vacation and sick leave cease to accrue. The 15 consecutive calendar days are counted from the first day of absence (including the 7-day EML waiting period).

**Holiday Pay** - A staff member who is on EML when a holiday occurs will receive holiday pay and is not required to use sick leave or vacation time to supplement EML leave with pay on that day.

**Returning to Work** – The following conditions apply when an employee is out on Extended Medical Leave:

- A return-to-work slip, completed and signed by a licensed physician, must be provided upon the employee’s return to work.

- Staff members on any continuous leave, medical or otherwise, paid and/or unpaid (or combination thereof), for longer than six months are not guaranteed reinstatement into the job last held or into any other position with the association.