

HEALTH RESTORATION LEAVE

An employee may apply for unpaid health restoration leave in accordance with regulations when the employee has used applicable paid and FMLA leave. Leaves under this policy may be granted for a period of time consistent with the medical doctor's statement but not to exceed 12 months less all paid and FMLA leave used.

Benefits

A person granted a health restoration leave shall not be entitled to receive any salary or fringe benefits.

Extension

The Board may, upon an employee's request and with proper medical certification, extend health restoration leave for period of time not to exceed one year. Such extension, if granted, shall be upon the same conditions as the original leave.

Return to Duty

At the conclusion of the leave of absence, a statement must be submitted from a medical doctor showing that the health of the employee concerned is such that they are able to return to his/her position with reasonable accommodations, if applicable.

Employees on leave will be assured of their former position or a similarly situated position in the school system at the conclusion of the leave, provided that written notice of intent to return is submitted in accordance with regulations; however, instructional staff granted health restoration leave are still subject to the reduction-in-force policy. Instructional staff are subject to the return to duty restrictions contained in the Family Medical Leave Act regulations. Failure to submit the written notice of intent to return in accordance with deadlines and procedures contained in regulations shall be deemed to be a voluntary resignation and waiver of the right to re-employment. The District shall attempt to contact and notify the employee on health restoration leave of all such notification deadlines and procedures at least 30 days in advance.¹

Complementing NDSBA Templates (may contain items not adopted by the Board)

- DDAA, Family & Medical Leave
- DDAA-BR, Family & Medical Leave Law
- DDAB-AR, Health Restoration Leave

End of Hope-Page School District #85 Policy DDAB Amended: 09.08.2021

¹ Notifying employees of return to work deadlines is an essential procedural safeguard because this language on voluntary resignations has not been tested in court.