

Suspension of Written Medical Certification Requirement for Absences In Excess of Five Consecutive Working Days for 2009 – 2010 Academic Year

Upon recommendation by the U.S. Department of Health and Human Services Centers for Disease Control, the University of Wisconsin Board of Regents passed Resolution I.2.e.5 that temporarily suspends the medical certification requirements outlined in [University Personnel Guideline \(UPG\) 10.04\(5\)\(a\)](#) and Board of Regent Resolution #9086, adopted October 7, 2005. This temporary suspension applies to academic year 2009-2010 and UWS unclassified staff only. The suspension is also applicable only to employees who have the flu or flu-like symptoms.

Under UPG 10.04(5)(a), "UW institutions shall require written certification from a health care provider of the medical necessity for use of sick leave for absences of more than 5 consecutive full working days, except where the use of sick leave is authorized in advance, pursuant to the Wisconsin or Federal Family and Medical Leave Act."

The temporary waiver is designed to address concerns that the policy requirement of a written certification might discourage people from staying home when they have the flu or flu-like symptoms. The waiver does not preclude the UW from investigating any situation in which a supervisor suspects abuse of the sick leave policy.

Text of Board of Regents Resolution I.2.e.5.

CDC Recommended Waiver of Certification of Medical Necessity Requirement for Faculty, Limited Appointees, and Academic Staff Use of Sick Leave

BUSINESS, FINANCE, AND AUDIT COMMITTEE

Resolution:

Whereas, the Board of Regents on October 7, 2005 adopted Resolution #9086 setting forth that UW institutions shall require written certification from a health care provider of the medical necessity for use of sick leave for absences of more than 5 consecutive full working days, except where the use of sick leave is authorized in advance, pursuant to the Wisconsin or Federal Family and Medical Leave Acts, and

Whereas, the U. S. Department of Health and Human Services Centers for Disease Control, in its guidance for responses to influenza for institutions of higher education during 2009-2010 academic year, recommended: "Do not require a doctor's note for students, faculty, or staff to validate their illness or to return to work, as doctor's offices and medical facilities may be extremely busy and may not be able to provide such documentation in a timely way."

Now therefore be it resolved:

That, upon the recommendation of the President of the UW System, the Board of Regents adopts the following policy:

Paragraph one of Resolution #9086 is suspended for the 2009-2010 academic year for those with the flu or flu-like symptoms.

Board of Regents Resolution #9086 (Adopted October 7, 2005)

It was moved by Regent Gracz and seconded by Regent Davis that the following resolution be adopted by the Board.

Certification of Medical Necessity Requirement for Faculty, Limited Appointees, and Academic Staff use of Sick Leave

That, upon the recommendation of the Regent Business and Finance Committee, the following additions to Unclassified Personnel Guideline (UPG) 10 is recommended for adoption:

UW institutions shall require written certification from a health care provider of the medical necessity for use of sick leave for absences of more than 5 consecutive full working days, except where the use of sick leave is authorized in advance, pursuant to the Wisconsin or Federal Family and Medical Leave Acts.

Where an institution is aware of an emergency that prevents communicating with or obtaining information about the condition of the employee, such written certification shall not be required until such time as communication is possible and appropriate, given the condition of the employee.

In cases of suspected abuse of the sick leave privilege, the institution shall be authorized to require written certification from a health care provider to verify the medical necessity for the employee's absence regardless of the length of absence.

Supervisors will be provided a copy of the revised UPG 10, along with instruction and training on the application of policy by the Director of Human Resources of the UW institution or other appropriate officer, depending on the needs and organizational structure of the specific institution.