

**ARTICLE 34  
WORK-INCURRED INJURY OR ILLNESS**

**A. GENERAL PROVISIONS**

1. When a GSR is unable to work because of a work-incurred injury or illness during the course of a GSR's employment, this Article applies.
2. A GSR unable to perform the normal duties of their job due to a work-incurred injury or illness compensable under the California Workers' Compensation Act may be granted leave for the duration of a verified disability but not to exceed twelve (12) months or the end date of the appointment, whichever comes earlier.
3. Work-Incurred Injury or Illness Leave runs concurrently with Family Medical Leave, where applicable.
4. An approved leave of absence for work-incurred illnesses or injuries shall not be considered a break in service.
5. A GSR who is unable to work due to a work-incurred injury or illness compensable under the California Workers' Compensation Act is eligible to use available leave covered in Article 17 - Leaves of Absence. When leave is exhausted and when a GSR is still unable to work because of such injury or illness, the GSR may be placed on a leave without pay.
6. A GSR shall notify their supervisor of the need for leave for a work-incurred injury or illness, or any extension of such leave, as soon as practicable after the need for such leave or extension is known. This notification shall include written medical certification of the need for such leave or extension, and the anticipated return to work date.
7. Under no circumstances shall a leave for a work-incurred injury continue beyond the GSR's established appointment period.

**B. EXTENSIONS OF WORK-INCURRED INJURY OR ILLNESS LEAVE**

1. In the event a GSR requires an extension to their work-incurred injury or illness leave, they shall provide the University with a statement from their licensed health care practitioner of the need for the extension and the anticipated return to work date.
2. Such a statement must be provided ten (10) calendar days prior to the date the GSR was previously scheduled to return to work.

**C. RETURN FROM WORK-INCURRED INJURY OR ILLNESS LEAVE**

1. Prior to returning to work, a GSR granted a work-incurred injury or illness leave must provide the University with a statement from their licensed health care practitioner of the GSR's ability to return to work. When possible, a GSR granted a work-incurred injury or illness leave must provide the University with ten (10) calendar days' notice of their ability to return to work. If a return to work specifies restrictions, the University will consider what accommodation, if any, will reasonably be made in accordance with Article 24 - Reasonable Accommodation.
2. If the position held has been abolished during the leave, the GSR shall be afforded the same considerations which would have been afforded had that GSR been on pay status when the position was abolished.

**D. EFFECT ON PAY STATUS**

A GSR who is receiving temporary disability payments is considered on regular pay status for purposes of application of provisions of this Agreement.

**E. MODIFIED DUTY**

Subject to operational considerations and budgetary constraints, the University will endeavor, on a case by case basis, to modify duties consistent with documented medical restrictions for a GSR who has experienced work related injuries. This section shall not be construed as a guarantee of a specific form of accommodation nor shall accommodation in one case establish a precedent for similar or dissimilar circumstances. Nothing in this provision waives the employer's duties and/or the GSR's rights to reasonable accommodations under FEHA and the Americans with Disabilities Act of 1990.