

MEDICAL INCAPACITY**1.0 OBJECTIVE**

1.1 The objectives of this policy are as follows:-

- a) To support the government's effort in transforming the public service to be more dynamic, responsive and result oriented
- b) To ensure service delivery excellence in administration of IIUM
- c) To enable appropriate actions are taken against non performers and retention of competent, dedicated and high performance officers
- d) To serve as a guide in managing and monitoring:-
 - i) Poor performance
 - ii) Absence Without Leave (AWOL) Or Without Permission
 - iii) Medical Incapacity

2.0 MEDICAL REASON

- a) Exit due to medical reason arises when a staff member faces medical challenges and cannot perform the minimal normal daily duties.
- b) Before the staff is medically boarded out, several measures and steps are to be taken in order to ensure the staff shall receive his/her due entitlement such as SOCSO, RBF etc.

2.1 Procedure in managing staff with medical incapacity

2.1.1 **At Kulliyah/Centre/Division/Institute/Offices (K/C/D/I/Os) level:**
(NOTE: All this processes must be documented)

- a) K/C/D/I/Os identify staff who have:
 - i. medical problems that could lead to major work disruption such as sudden mental disorder, schizophrenia, Obsessive Compulsive Depression / OCD, violent behavior;
 - ii. frequent medical leave more than 15 days in a calendar year;
 - iii. frequent medical leave for more than 45 days for 3 consecutive years;
 - iv. prolonged illness with medical leave for more than 90 days consecutively.

- b) K/C/D/I/Os to submit a report on staff with frequent absenteeism due to medical reason together with supporting documents e.g. medical report from hospital, medical certificate, attendance etc to Health and Wellness Centre and a copy to MSD.
- c) K/C/D/I/Os to continue monitoring the performance of the staff until a decision is made by the Chief Medical Officer (CMO) or IIUM Medical Sub-Committee
- d) Upon receiving the report from IIUM medical sub-committee that the staff is fit to work, K/C/D/I/Os will continuously monitor the staff performance.

2.1.2 At Central (IIUM Health & Wellness Centre)

IIUM Health and Wellness Centre will conduct the following processes:

- a) Medical examination of the staff by IIUM medical doctor if necessary
- b) Identify the government general hospital that can evaluate the health status of the staff.
- c) Obtain medical report from the Medical Board of the identified government general hospital.
- d) Present the case (medical report, APAR and other related documents) to the IIUM Medical Sub-Committee for deliberation and recommendation as follows:
 - i) For frequent medical leave case, IIUM Medical Sub Committee will require the staff to undergo for thorough medical checkup at a panel hospital.
 - ii) For case a (ii), IIUM Medical Sub Committee will decide based on the medical report prepared by the IIUM Health and Wellness Centre whether the medical leave can be approved or not (up to another 90 days)
 - iii) A staff who has been approved for full pay sick leave for a period of 180 days and all of his annual leave has exhausted at that time, but he is still unfit to work, half-pay leave may be given up to 90 days with the recommendation of IIUM Medical Sub Committee.

- iv) If the staff is still unfit to work, and the IIUM Medical Sub Committee certified that he has a chance to recover, the staff member may be given sick leave, i.e. unpaid leave of not more than 90 days.
- e) Staff who has been approved for the leave stated in 2 and 3 above will be required to undergo again an examination by the IIUM Medical Sub Committee upon completion of the above said leave. Based on the above examination or consequent examination, the IIUM Medical Sub Committee may recommend the staff for extension of the rest period or certifying the staff for retirement due to health reason.
- f) The extended sick leave is given in a calendar year and the staff can be considered for the extended sick leave in the following second calendar year. After the completion of the above period and the staff still has not recuperated, the staff may be considered for retirement due to health reason by the IIUM Medical Sub Committee.

	1 st 90 days	Next 90 days	Next 90 days	Next 90 days	Board out due to Medical Reason
Approval Authority	Head of Department	IIUM Medical Sub-Committee	IIUM Medical Sub-Committee	IIUM Medical Sub-Committee	IIUM Medical Sub-Committee & processed by MSD*
Salary Entitlement	Full Pay	Full Pay	Half-Pay	Unpaid	-
Medical Documents	Medical Certificates from recognized hospitals & clinics	Medical Report from Government Hospitals	Medical Report from Government Hospitals	Medical Report from Government Hospitals	Medical Report from Government Hospitals

- g) IIUM Medical Sub-Committee submit recommendation to the Staff Service Committee for approval and to Majlis for endorsement.
- i) In the case whereby the IIUM Medical Sub-Committee recommends the staff is unfit to work, process of medical board out shall take place.
- ii) In the case whereby the IIUM Medical Sub-Committee recommends the staff is fit to work, K/C/D/I/Os will continue to monitor the staff performance
- h) Upon receiving decision by the Staff Service Committee, MSD will process the following:
 - i) Eligible entitlement of the staff (if any).
 - ii) Letter of termination / retirement due to health reason of the staff.

2.2 IIUM Medical Sub-Committee

2.2.1 Terms of Reference

- a) To propose to SSC on improvement of medical benefits for IIUM staff members.
- b) To propose to SSC new policy related to medical matters.
- c) To deliberate and decide on medical cases of IIUM staff.

3.0 END OF SERVICE BENEFITS

3.1 Staff members who are terminated due to AWOL/Without Permission poor performance after PIP are not entitled for end of service benefits. (RBF, Golden Handshake and gratuity).

3.2 Staff members who are medically boarded out falls under two categories:

- a) Staff member who have not reached the earliest retirement age.

*Retirement Benefit Fund: 30 x last drawn basic salary (at least to fulfill one (1) year in service)-
(source: Retirement Benefit Plan)*

- b) Staff member who have reached the earliest retirement age
 - i) Golden Handshake
 - ii) Retirement Benefit Fund
 - iii) Gratuity
Permanent staff who due to medical reason, compel to retire at the age of 50years old onwards is entitled for this benefit.
 - iv) Post retirement medical benefit
Staff will be eligible for post retirement medical benefit when the staff is approved for early retirement due to medical reason by the IIUM Medical Sub Committee at the age of at least 50 years old and have served IIUM for a minimum of 10 years of service.

3.3 In the event where the staff member terminated from service before any monies due to the University is fully repaid, the staff member shall be required to settle the outstanding sum immediately or the University shall have the right to set off the outstanding balance

4.0 EXEMPTION FROM POLICY

- 4.1 Any exemption from the above provisions has to be considered and approved by Staff Service Committee and subsequently endorsed by the Majlis of the University.
- 4.2 The policy does not include existing exit related policies such as breach of contract, shortening of contract, end of contract, resignation, optional retirement, compulsory retirement, termination due to disciplinary offence.
- 4.3 This policy is to be read together with IIUM Staff Disciplinary Rules 2012, IIUM Staff Handbook and other relevant policies of the University currently in force

5.0 DUTY TO EXERCISE DISCIPLINARY CONTROL AND SUPERVISION

- 5.1 It is a duty of every staff member to exercise disciplinary control and supervision over his subordinates and to take appropriate action for any breach of the provisions of these Rules.
- 5.2 Any staff member who fails to exercise disciplinary control and supervision over his subordinates or to take action against his subordinate who breaches any provisions shall be deemed to have been negligent in the performance of his duties and to be irresponsible, and he shall be liable to disciplinary action.

6.0 APPLICATION

This policy applies to all staff employed under a contract of service with the University.

7.0 DISCLAIMER

The University reserves the right to vary or amend the provisions at its sole discretion from time to time

8.0 EFFECTIVE DATE OF IMPLEMENTATION

Date of issuance of the circular, i.e. 5th May 2015.