



SNU Policy: Modified Duty During FMLA Leave
SNU Policy ID: Benefits D-09B
Policy Reviewed by: Director of Human Resources
Approval Authority: Chief Financial Officer
Effective Date: April 27, 2026
Next Review Date: April 27, 2031

I. Purpose

The purpose of this policy is to clarify Southern Nazarene University's approach to modified or light-duty work when an employee is on approved leave under the Family and Medical Leave Act (FMLA). This policy ensures compliance with federal law while providing clear guidance for employees and supervisors.

This policy supplements SNU's FMLA Policy (Benefits D-09) and ADA Policy (Benefits D-10).

II. Scope

This policy applies to staff and faculty employees who:

- Are on approved FMLA leave due to their own serious health condition; and
- Are released by their health care provider to return to work with temporary medical restrictions.

This policy does not apply to FMLA leave taken for bonding, family care, or military exigency unless the employee also has personal medical restrictions.

III. General Policy Statement

Under FMLA regulations:

- The University is **not required** to provide light or modified duty assignments.
- Modified duty assignments, when offered, are voluntary.
- Acceptance of modified duty does not expand or extend an employee's FMLA entitlement.

Modified duty may be considered when operationally feasible and consistent with medical documentation. Any modified duty assignment is subject to the availability of suitable work and the University's operational needs, and the University retains sole discretion in determining whether a modified duty assignment is available and appropriate.



IV. Eligibility for Modified Duty

An employee may be considered for modified duty when:

1. The employee has submitted written medical documentation outlining work restrictions.
2. The employee is medically able to perform some work.
3. The University determines that temporary duties consistent with restrictions are available.
4. The assignment does not create undue hardship or fundamentally alter operations.

All modified duty determinations must be reviewed and approved by Human Resources.

V. Interaction with FMLA Leave

A. Voluntary Modified Duty

If the University offers a temporary modified duty assignment:

- The employee may voluntarily accept or decline the assignment.
- If accepted:
 - The employee's FMLA leave is suspended while working.
 - The remaining FMLA entitlement is preserved for future qualifying use within the applicable 12-month period.
- If declined:
 - The employee remains on FMLA leave until released to full duty or until FMLA entitlement is exhausted.

B. Intermittent or Reduced Schedule

If medically certified, an employee may return to work on an intermittent or reduced schedule under FMLA. Such arrangements must:

- Be supported by medical certification.
- Be coordinated through Human Resources.
- Not exceed the employee's total FMLA entitlement.

The University may temporarily transfer the employee to an alternative equivalent position better suited to the reduced schedule, consistent with FMLA regulations.

VI. Duration of Modified Duty

Modified duty assignments:



- Are temporary in nature.
- Will be reviewed regularly based on updated medical documentation.
- Typically, will not exceed the duration of the employee's medical restrictions or FMLA entitlement.

Continuation beyond FMLA entitlement will be evaluated under the ADA interactive process, if applicable.

VII. Supervisor Responsibilities

Supervisors must:

- Not independently offer modified duty without HR approval.
- Ensure assigned duties strictly comply with documented restrictions.
- Monitor performance and compliance.
- Notify HR immediately of any concerns or changes.
- Document any modifications to duties and retain records in coordination with Human Resources.

Supervisors must not request medical details beyond documented restrictions.

VIII. Employee Responsibilities

Employees must:

- Provide timely and complete medical documentation.
- Perform only approved duties within restrictions.
- Immediately report difficulty performing assigned tasks.
- Attend all required medical appointments.
- Provide updated work status documentation after each appointment.
- Notify Human Resources in writing of any change in medical status that may affect the modified duty assignment.

Failure to comply with restrictions or modified duty expectations may result in disciplinary action, up to and including termination of employment.

IX. Exhaustion of FMLA Leave

If an employee remains unable to return to full duty after exhausting FMLA leave:

- The University will evaluate whether additional leave or accommodation is required under the ADA Policy.



- Continued employment is not guaranteed and will be assessed based on operational needs and legal requirements.
- The employee will be notified of the University's determination and any available options within a reasonable time following the exhaustion of FMLA leave.

X. Non-retaliation

The University prohibits retaliation against employees for exercising rights under FMLA. Participation in modified duty, whether accepted or declined, will not result in adverse treatment. Employees who believe they have been subjected to retaliation should report their concerns to Human Resources or through the University's established grievance procedures.

XI. Policy Review

This policy will be reviewed in conjunction with SNU's FMLA and ADA policies to ensure continued legal compliance.