

SHORT TERM DISABILITY

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1. GENERAL

The purpose of short term disability is to protect the incomes of regular staff employees during periods of prolonged (more than 5 consecutive workdays) illness or injury that is not work related by providing **salary continuation** at 60% of base pay.

2. EFFECTIVE DATE

This policy is effective immediately and supersedes any short term disability practices previously in place at the University.

3. ELIGIBILITY

All regular full-time staff employees (budgeted to work 1400 or more hours per year) who have completed at least one year of regular full-time employment prior to an absence covered by this policy are eligible for short term disability. If an absence is the result of an incident in which an insurance company would normally reimburse lost wages, payment of short term disability will be at the discretion of the Director of Human Resources and will normally require proof from the staff employee that payment for lost wages has not been made and is not forthcoming.

4. EFFECTS ON FMLA

- a. An illness or injury that qualifies for short term disability will also be a qualifying event under the Family Medical Leave Act (FMLA). Short term disability will run concurrently with the time period allotted under the FMLA.
- b. After a staff employee has been out of work for 5 consecutive work days, the University will then continue the employee's salary based on the following schedule:

| WORK DAYS  | COMPENSATION   |
|--|--|
| 1 <sup>st</sup> – 5 <sup>th</sup> workday                      | Paid Time Off or Sick Leave (Reserve) or Leave Without Pay             |
| 6 <sup>th</sup> – 130 <sup>th</sup> workday                    | Salary Continuation at 60% of Base Pay                                 |
| 131 <sup>st</sup> workday or<br>181 <sup>st</sup> calendar day | Begin Long Term Disability if eligible, otherwise terminate employment |

NOTE: If the employee receives a settlement resulting from accidents and injuries, the employee is responsible for reimbursing the University for the amount paid as short term disability, to the extent of that portion of the settlement that represents lost earnings/wages.

5. PROCEDURE

- a. Once a staff employee has determined that he/she will be out of work beyond the 5 days to be covered by paid time off (PTO), sick leave from a sick leave reserve (SLR) account, or leave without pay, he/she should immediately contact the Human Resources Department (Employee Relations) and complete a [Request for Short Term Disability \(Salary Continuation\)](#) form. Doctors' certification will be required prior to approval of short term disability.

## SHORT TERM DISABILITY

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- b. It is important to complete the [Request for Short Term Disability \(Salary Continuation\)](#) form in a timely manner to ensure there is no interruption of pay. The University reserves the right, on a monthly basis, to require an employee on salary continuation to recertify that the health condition exists. Further, the University in its discretion reserves the right to request more frequent re-certification.
- c. If an employee has an illness or condition that requires him/her, with physician certification, to take approved intermittent time off for the same illness, the time taken is accumulated and charged against the total period allowed under the short term disability plan (130 workdays). If the employee returns to work on his/her regular schedule for two continuous months and then goes on leave again for the same illness or condition, a new short term disability period begins.
- d. Although the University self-administers the benefits granted under this policy for short term disability to staff employees who are temporarily disabled, the University applies the same policies and principles as an insurance carrier would apply to determine Return to Work status. The University reserves the right to request a medical exam from an independent physician of its choice to determine functional capacity. In the event there is no concurrence by the independent physician with the opinion of the employee physician, the University may request a third opinion or accept the second opinion. The University will pay the cost of the independent (and third) physician examinations.
- e. Failure to comply with the independent or third physician medical exams will result in termination of short term disability benefits and could result in dismissal from the University.
- f. If a temporary replacement is hired during short term disability, the cost of salary for the replacement will be paid from a centralized “short term disability account.” The Human Resources Department (Employee Relations) will be responsible to coordinate such salary payments with the employing department or office and the Budget Office.

### 6. RETURN TO WORK

- a. The staff employee is responsible for informing the University of his/her return to work status. This may be accomplished through periodic documentation from the employee attending physician. The nature of the illness or injury may determine the frequency of documentation.
- b. Staff employees who are determined to be “fit for duty” and fail to return to work at the end of their period of short term disability will be required to reimburse the University for the costs of maintaining their medical and dental insurance and other benefits. Reimbursement for benefit costs from staff members who do not return to work is a debt to the University and will be collected from the staff member or deducted from monies owed the employee at the time of his/her separation from the University. (Note that deductions can only be made with the employee’s prior written approval.)

SHORT TERM DISABILITY

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7. RESTRICTED DUTY

- a. A basic principle of any disability plan is to return the person to active employment as quickly as possible, and to provide a level of salary remuneration that will encourage a return to a full schedule. An employee may be placed on a light duty restriction or an abbreviated schedule by his or her physician.
- b. If an employee returns to work on an abbreviated schedule, the following illustrates the protection of the amount of short term disability salary continuation for which the employee is eligible.
  - (1) If the employee returns to work on an abbreviated schedule, he/she will still receive at least 60% of his/her base pay regardless of the number of hours he/she actually works. The department's budget will be charged for the actual hours worked plus the difference needed to pay the employee 60% of his/her base pay.

8. STATUS OF BENEFITS WHILE ON SHORT TERM DISABILITY

- a. Medical/Dental/Supplemental Retirement Account
  - (1) The staff employee will receive his/her pay through regular payroll checks. Therefore, contributions that are the responsibility of the employee will continue to be automatically deducted from his/her paycheck.
  - (2) Programs that do not require employee contributions (Life Insurance / Long Term Disability / Retirement) will continue to be provided by the University.
- b. Tuition Programs
  - (1) If the spouse, same-sex partner, or dependent children of the disabled employee are receiving benefits under any of the Tuition Concession programs, the recipient may continue in the program during the period of short term disability.
  - (2) Staff employees on short term disability may attend classes under the Employee Educational Assistance Program.

*Drafted by the Director of Human Resources, November 8, 2001*

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