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	<b>Revised:</b>	<b>September 30, 2011</b>

## **Short Term Disability Leave (Salary Continuation)**

The purpose of this leave is to protect staff employee incomes during periods of prolonged incapacity that are not work related. There is a waiting period of 12 consecutive work days before benefits under this policy will be paid. Employees are required to use other available paid leave such as sick leave, vacation leave, and personal leave during the waiting period.

### **Eligibility**

Staff with Regular Full-time and Temporary Full-time appointments who have completed at least one year of full-time service with the College are eligible for Short Term Disability Leave.


If an absence is the result of an automobile accident or some other type of incident in which an insurance company would normally reimburse lost wages, the employee will be required to provide proof that payment for lost wages has not been made and is not forthcoming along with the reason given for the nonpayment. The College's short term disability leave will be secondary to the employee's own insurance policy or any other wage reimbursement plan for which the employee is eligible. This means, for example, if the employee participates in another disability plan or insurance policy which pays a portion of the employee's wages, the College will only pay difference between that plan or policy's benefits and the employee's regular wages.

Temporary disability of six (6) weeks or less due to normal childbirth is covered separately under the Parental Leave policy described elsewhere in this handbook.

### **Salary Continuation**

When it has been determined that an employee will be out of work beyond the waiting period of 12 consecutive works days, the College will continue 100% of the employee's base salary\* for a period of up to 90 calendar days based on the following schedule:

Years of Full-time Service	Calendar Days Of Salary Continuation
1 - 2	30
2 - 3	60
3 or more	90

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\*Base salary is defined as the employee's regular base wages exclusive of overtime, overloads, or any other special pay.

### **Procedure**

Once a staff member has determined that he/she will be out of work beyond the waiting period of 12 consecutive works days, he/she should contact the Office of Human Resources.

In order to receive benefits under this policy, the employee must complete the Short Term Disability Leave Request form and be able to provide medical certification. The request form is referred to a third party reviewer to initiate the review process with the employee and the employee's medical provider. The final decision for approval of short term disability leave will be made by the Director of Human Resources. Under no circumstances will short term disability leave payments be provided without appropriate certification of disability.

The College reserves the right to require that an employee on leave certify medical incapacity on a monthly basis. The College reserves the right to request more frequent recertification of medical incapacity if: (1) an employee requests an extension of leave; (2) circumstances described by the original certification have changed; or (3) the College receives information which casts doubts upon the continuing validity of the certification.

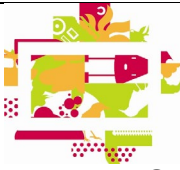
Further, the College reserves the right to request an independent medical exam from an independent physician of its choice. In the event that there is no concurrence on the part of the independent medical examiner, the College may request a third opinion or accept the second opinion. The College will pay the cost of the independent examiner as it deems necessary.

Failure to comply with an independent medical exam will result in termination of short term disability leave benefits and could result in disciplinary action up to and including termination of employment.

### **Return to Work:**

Before an employee will be permitted to return to work, a fitness- for-duty certification from the physician must be provided to the supervisor and Human Resources.

Under the provisions of this policy, an employee on approved short term disability leave will be returned to their same position provided he/she is able to return to work either within or upon conclusion of the short term disability leave period. Employees who

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regain the ability to return to work, but fail to do so at the end of their leave will be required to reimburse the College for the costs of maintaining the employee's health coverage and other benefits while out on leave. In such cases, the accrued benefit costs are considered a debt to the College and will be collected from the employee or deducted from monies owed the employee at the time of his/her separation from the College.

In those instances where an employee has exhausted their days of short term disability leave and subsequently re-qualifies for and commences a second short term disability leave (for loss of full capacity) within a twelve (12) month period following conclusion of the initial short term disability leave, the employing department will be permitted to fill the employee's position if deemed operationally necessary, provided such action will not conflict with FMLA or ADA requirements or any applicable laws. This determination will be made on a case by case basis by the employing department in consultation with the Office of Human Resources. In the event that an employee is displaced from their position as a result, the employee's Short term disability leave benefits would continue for duration of disability in accordance with this policy, and upon conclusion of leave the employee would be laid off.

### **Benefits While on Leave**


Benefits will be administered in the following manner during Short Term Disability Leave:

Medical, Dental, Life, Long Term Disability, Flexible Spending Accounts, AFLAC, and Retirement - Programs that do not require employee contributions will continue to be provided by the College. Contributions that are the responsibility of the employee will continue to be automatically deducted from the employee's pay check.

Tuition Remittance Programs - If a dependent of the disabled employee is receiving benefits under any of the Tuition programs, the recipient will be allowed to complete the semester.

If the employee does not return to work prior to the start of a new term, the dependent will not be able to register for classes under the Tuition programs.

Employees on short term disability leave cannot attend classes under the Tuition programs.

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Paid Holidays - Official College recognized holidays will not extend the length of the approved Short Term Disability Leave.

Coordination with FMLA Leave

If the illness is a qualifying event under the Family and Medical Leave Act (FMLA), Short Term Disability Leave will be counted as and run concurrently with FMLA Leave described elsewhere in this handbook. All FMLA conditions and requirements must be satisfied by the employee.

Definitions:

**Base Salary** - Base salary is defined as the employee’s regular base wages exclusive of overtime, overloads, or any other special pay.

**Physician** – a duly licensed practitioner who is recognized by the law as qualified to treat the type of Injury or illness for which a claim is made. The physician may not be a member of the employee’s immediate family.