

Policy: Short-Term Disability Benefits	Policy Number: I-3.5
Policy Owner(s): Human Resources	Original Date: 3/10/2016
Last Revised Date: 1/5/2017	Approved Date: 2/16/2016

- I. **POLICY:** John Carroll University provides Short-Term Disability coverage to designated regular full-time benefit-eligible employees. The program is also designed to complement the University's voluntary long-term-disability plan.
- II. **PURPOSE:** The Short-Term Disability program is intended to make monetary benefits available to an employee in the event that the employee is unable to work due to a serious health condition and all other paid leave categories have been exhausted. This program provides partial income replacement benefits for up to six (6) months as a result of an illness or accident and the employee is unable to work.
- III. **SCOPE:** All full-time regular benefits eligible staff employees at John Carroll University.
- IV. **PROCEDURES:**
 - A. To be eligible for this benefit, an employee must meet all of the following conditions:
 1. have at least one year of full-time continuous service at the University;
 2. be on a designated Family and Medical Leave Act (FMLA) leave; or on an approved leave extension following a FMLA leave for his or her own serious health condition; and
 3. have exhausted all accrued sick time, vacation time, and personal days.
 - B. If all of the conditions under section IV.A are met, then the University may continue to provide paid leave for the period of disability at the rate of sixty percent (60%) of the employee's current compensation, not to exceed six (6) months maximum lifetime benefit during the individual's cumulative employment with the University.
 1. The sixty percent (60%) pay benefit may be applied to a certified FMLA leave or leave extension following a certified FMLA leave, but will be limited to a total of six (6) months lifetime maximum during the individual's cumulative employment with the University.

2. Medical documentation by the employee's health care provider must be submitted to the Human Resources Department, as required by the Family and Medical Leave Act Policy.
- C. If deemed necessary and consistent with FMLA leave requirements, the University may require re-certification and/or an independent medical examination for continuation of this Short-Term Disability benefit.
- D. The ultimate decision as to whether or not the employee qualifies for Short-Term Disability under this policy rests with Human Resources.
- E. The University may decide to outsource certain administrative functions of the Short-Term Disability program to a third party plan administrator.
- F. If an employee is also applying for disability benefits under workers' compensation, the University reserves the right to hold the Short-Term Disability request until the workers' compensation claim has been determined and/or resolved.
- G. An employee may appeal if their Short-Term Disability request is denied by the University. The appeal shall be made within thirty (30) days of the denial. This appeal shall be sent to the Assistant Vice President of Human Resources.
- H. By submitting a request for Short-Term Disability benefits, the applicant will be required to assert that they have a serious health condition and are not able to work and unable to perform the essential functions of the job with or without reasonable accommodation.
- I. An employee also may elect to purchase voluntary long-term disability insurance coverage as offered by the University through payroll deduction.

V. PAYMENTS:

- A. Short-Term Disability payments are available only while an employee is still employed by the University during a certified FMLA leave or a certified leave extension following FMLA leave under the Family and Medical Leave Act Policy.
- B. If eligible for Short-Term Disability payments, the University will provide paid leave for the period of the disability at the rate of sixty percent (60%) of the employee's current compensation.
- C. The Short-Term Disability program pays sixty percent (60%) of the basic regular salary, less offsets. The sixty percent (60%) pay benefit may be applied to one or more certified FMLA leaves, but will be limited to a total of six (6) months lifetime maximum during the individual's cumulative employment with the University.
- D. Payments are made according to the employee's regular payroll cycle. Offsets include, but are not limited to, the following:

1. Social security disability payments to which the participant would be entitled upon application;
 2. Workers' compensation payments, awards and/or settlements;
 3. Payments, awards and/or settlements of other disability plans covering the participant, including the University elective Long-Term Disability Plan;
 4. Damages or settlements recovered in third party actions; and
 5. Any government disability payments.
- E. Short-Term Disability payments will cease at the earliest following occurrences:
1. At the time the serious health condition ceases as defined in the Family and Medical Leave Act Policy;
 2. Death;
 3. Eligibility for Long-Term Disability benefits under the University's Plan or another long-term disability plan or program;
 4. The termination of employment with the University for any reason, whether voluntarily or involuntarily, including but not limited to as the result of the exhaustion of FMLA leave or any leave extension following FMLA leave; or
 5. Failure of the employee to comply with this policy.
- F. The University reserves subrogation rights should the disability arise as a result of third party negligence. Failure to protect the University's rights may result in denial of all benefits under this program.
- G. This program does not cover any serious health condition as defined in the Family and Medical Leave Act Policy that arises from or in conjunction with the following:
1. An intentionally self-inflicted disability;
 2. Active participation in a riot; or
 3. A crime for which the employee has been convicted. Disability benefits are not payable for any period of incarceration as a result of a conviction.
- H. An employee will not accrue paid time off (e.g. Sick Leave, Vacation, etc.) while receiving Short-Term Disability payments.

VI. OTHER BENEFITS:

- A. An employee approved for Short-Term Disability may continue to participate in the University health care plan in accordance with the Family and Medical Leave Act policy.
- B. Benefits that are income based (e.g. retirement contributions, life insurance, etc.) will be maintained at the new rate of pay and in accordance to the specific plan rules, as long as the individual remains employed at the University and the employee makes the required payments for the plans.
- C. The time an employee receives benefits under the Short-Term Disability program will count toward years of service.
- D. The University will continue to fund the employer retirement contribution to the participant's retirement plan carrier according to Plan rules while the participant receives Short-Term Disability benefits.

VII. CROSS REFERENCE:

Benefits Eligibility & COBRA Policy
Family and Medical Leave Act Policy
General Leaves Policy
Sick Leave Policy