

## Rice University Policy No. 423

### SHORT-TERM DISABILITY PAY CONTINUATION

#### **Applies to: Faculty and Staff Who Are Eligible for Benefits**

Benefits-eligible faculty and staff members who become unable to work for medical reasons that are not work related may have 80% of their current salary continued for a specified period under the terms of Rice University's short-term disability pay continuation program. Health, welfare and retirement benefits also continue for up to one year from the original leave date (including the Rice subsidy), except for benefit time accumulations, holiday pay and recess pay.

#### Governing document

This is a summary of the short-term disability benefits. The governing document over the plan is the William Marsh Rice Short Term Disability document (the Plan), as found online at <http://benefits.rice.edu>. Any discrepancy between this policy and the Plan is decided by the language in the Plan.

#### **Description of Coverage**

##### Using accumulated benefit time until eligible for short-term disability pay

The period of pay and benefits continuation for staff begins after an elimination period of five days where the employee was normally scheduled to work. If the person has accumulated benefit time, it will be applied to cover the first five days of absence at 100% of pay in each incident. Otherwise, the employee will not be paid for those days absent where they do not have accumulated benefit time to cover the elimination period. If a holiday or recess occurs during the five work days, it is counted as benefit time and not as holiday or recess pay. Staff members do not get extra holiday or recess time for missed holidays or recess time while on leave (even if using benefit time during the elimination period). Staff cannot use benefit time to supplement their pay while on short-term disability leave.

Faculty members begin short-term disability on day one of their approved, covered absence.

##### Amount of time covered

The maximum amount of leave time covered by short-term disability for each illness or diagnosed injury (including additional absences for the same diagnosis) depends on length of service according to the table below. If an employee on disability leave reaches a service anniversary that would place the employee in a category carrying a greater number of days, the employee will, if approved, receive the longer period of paid leave.

<u>Length of Employment</u>	<u>Faculty</u>	<u>Professional Staff</u>	<u>Technical/ Support Staff</u>
0 - 1 year	1/2 Academic Year Salary	0 days	0 hours
1 year - 3 years	Same as above	65 days	520 hours
3 + years	Same as above	130 days	1040 hours

#### Amount of salary paid

The approved short-term benefit covers 80% of the faculty or staff member's current base pay. The department may not supplement the difference in pay in order to allow the employee to be paid at 100%. Pay increases normally scheduled for July 1 do not take effect while a person is out on short-term disability, and may be applied prospectively once the faculty or staff member returns from leave.

#### Intermittent leave

Under most circumstances, short-term disability pay continuation is not available for intermittent medical leave. The employee should remain on disability leave until ready to return to work and can perform the essential functions of their position with or without a reasonable accommodation. In most cases, staff will be expected to use benefit time for intermittent absences due to medical conditions. Supervisors and department chairs should contact the Director of Benefits in the case of circumstances that may justify an exception.

#### Coordination with use of benefit time

Staff may choose to use benefit time in lieu of approved short-term disability pay continuation in order to maintain a pay rate of 100% of salary. They may not use benefit time at the same time they are being paid through with short-term pay continuation, nor may they use benefit time to supplement their short-term disability pay. Department chairs and managers should not advance benefit time (i.e., benefit time which has not yet been earned) in order to allow staff to remain paid at 100% of salary. Any advancement of benefit time is an extraordinary action, which a department chair or manager must discuss with the Human Resources department prior to approval.

#### Coordination with Research Policy 311

Employees must be in a paid work status during any period in which short term disability payments are received. (For example, employees on nine-month pay schedules who are paid over nine months are not eligible to receive short-term disability during the three summer months). In limited circumstances, benefits-eligible faculty who would otherwise be paid from sponsored projects may be eligible to request short-term disability pay continuation from May 16 through August 15 for a period no longer than generally funded by their summer research grants. These

may include faculty who historically receive summer salary, and who were scheduled to receive summer salary during the period of their short-term disability. The faculty member's department chair, in consultation with the Controller's Office, will recommend to Human Resources an appropriate period based on historical and current year funding.

#### Multiple periods of disability

If the same or related causes produce additional periods of disability after an employee returns from an approved short-term disability leave, the benefits due to the individual are calculated by the original benefit schedule, and the total hours or days covered are reduced by the amount of time already used for that disability. However, each disability resulting from a new cause will be considered separately, and short-term disability benefits may be used for more than one unrelated disability per service year, subject to the service-related limits shown below.

#### Limits on total time allowed

- 26 weeks total in five years with less than 10 years service
- 52 weeks total in five years with more than 10 years service

#### Eligibility of part-time employees for short-term disability

Part-time employees are eligible for short-term disability benefits. The total benefit will depend on the proportion of a full year the employee is currently scheduled to work, and the salary paid is 80% of the current base salary at the part-time level (80% of actual paid salary at the time of leave).

#### How to apply for short-term disability pay continuation

To receive payments under the short-term disability pay continuation plan, a short-term medical leave must be requested by one of the following persons: the employee, the employee's agent, the supervisor, or the department chair. The employee must contact the short-term disability administrator and follow the procedure for applying for short-term disability, including abiding by all requests for information from the employee and their physician(s). Failure to respond to requests for information may result in a denial of a request for leave.

#### How pay continuation is received

Short-term disability payments begin after the application is approved and after the first five days of the disability period for staff. The individual receives payments in the same way that the individual usually receives his or her normal compensation. At the end of the period the physician has indicated in the documentation (and as approved by the short-term disability administrator), short-term disability payments normally will be withheld by the University until updated medical information is received from the individual's physician and as approved by the administrator. Should differing opinions be offered by the individual's physician and the administrator, the individual may appeal the decision, as provided by the Plan.

If a disability claim is initiated after an employee returns to work, or after the first payroll within the leave period, the subsequent paycheck(s) will be adjusted to reconcile any overpayment that may have occurred due to timing of the claim and approval of the leave.


### Return to work

Before the employee resumes work, the individual must be released to return to work by their physician and the return must be approved by the short-term disability administrator. The University will attempt to return individuals to the same or a similar position. Staff members whose medical leave or medical leave in combination with personal/family leave does not exceed 12 weeks, and who are covered by FMLA, will be returned to the same or an equivalent position. Other than this exception, the University does not guarantee reinstatement at the end of a medical leave.

### Implementation of the Policy

All staff hired on or before June 30, 2010 are governed by a six-month vesting period before they are eligible for short-term disability benefits (versus the 1 year period noted in the vesting table above). All other limits apply, as noted in the table for all staff, regardless of date of hire.

Current faculty and staff eligible to receive short-term disability leave who start an approved short-term disability leave with a last day worked prior to June 30, 2010 will receive 100% of their current salary (versus 80% as noted above) for the duration of their approved leave. Any subsequent leaves, for the same reason or for different reasons, with a last day worked on or after June 30, 2010 will be paid at 80% of current salary as the short-term disability benefit.

  
David W. Leebron, President

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See also:

Benefits Eligibility Policy

Benefit Time Policy

Medical Leave Policy

Family/Medical Leaves

Workers' Compensation Policy

Procedures for Family and Medical Leaves

Salary Support through Sponsored Projects