

**POLICY**

# **Short-Term Disability Plan**

**LAST REVISED ON 03/2024**

Short-Term Disability pays all or part of basic salary for an eligible individual who is absent from work for a period exceeding 7 calendar days due to an illness or disability that is not related to the job and which prevents the individual from performing University duties and responsibilities. This benefit varies and is determined by the individual's position and length of service.

Short-Term Disability may only be used by a covered employee as outlined in this policy.

## **Premium Rates**

Benefits provided under the Short-Term Disability Plan are paid out of University operating funds; covered employees do not contribute to these benefits and it is not considered an ERISA plan.

# Eligibility

The University and its carrier, the Hartford, adhere to the New York State Disability regulations, including the applicable [exclusions \(https://www.rochester.edu/human-resources/wp-content/uploads/2019/11/STD\\_NYS\\_Exclusions.pdf\)](https://www.rochester.edu/human-resources/wp-content/uploads/2019/11/STD_NYS_Exclusions.pdf) listed by New York State.

Covered Employees, for the purpose of short-term disability benefits, includes the following categories of employees and will be referenced in this document as Covered Employees: Regular and temporary full-time and part-time members of the faculty\*; regular and temporary full-time, part-time, and time-as-reported (TAR) staff members; undergraduate students employed through student employment; and individuals who are at the University primarily for furthering their education but are employees (for example, postdoctoral research associates and graduate students not paid a stipend). Covered employees should have a work location within New York State. Employees who work outside of New York State (including those outside of the United States) should contact Leave Administration about their eligibility for disability benefits.

Please note: Payments will not be provided for more than 2 weeks prior to the disability being reported and claims made more than 30 days after the date of disability may result in a denial.

Individuals represented by collective bargaining agreements receive benefits in accordance with those agreements. (SEIU employees may also reference the Frequently Asked Questions on the [Leave Administration website \(https://www.rochester.edu/human-resources/benefits/leave-disability/\)](https://www.rochester.edu/human-resources/benefits/leave-disability/) for answers to common questions).

\* Faculty may refer to the [Faculty Handbook \(https://www.rochester.edu/provost/academic-policies-procedures/\)](https://www.rochester.edu/provost/academic-policies-procedures/) on the Office of the Provost's website for additional information

Employees may reference their individual leave plans and career streams on the University [Career Path Modernization website \(https://www.rochester.edu/human-resources/professional-success/career-path-modernization/job-structure/\)](https://www.rochester.edu/human-resources/professional-success/career-path-modernization/job-structure/).

## Benefits Details

### **For Staff in the Clinical and Associate Career Streams with Leave Plans C, D, E and F (Does not include those in Professional and Leadership Career Streams including those paid hourly)**

**Weeks of Disability Pay Provided:** For regular **full-time** staff in the clinical and associate career streams with leave plans C, D, E and F who have **six months or more service**, as set forth below, the University provides New York State statutory disability and enhanced disability pay (including shift differential where applicable) **beginning with the eighth consecutive calendar day of a disability absence**. (Disability pay does not apply to bonus hours.) A Benefit Year begins upon appointment and has a 52-week look back period.

The weeks of full and/or half pay are shown on the following schedule:

### **Weeks of Disability Pay for Regular Full-Time Staff in the Clinical and**

## Associate Career Streams with leave plans C, D, E and F

Length of University Service at Beginning of Disability	Weeks of Disability Pay Protection Available per 52-week Look Back Period		
	Weeks of full pay	Weeks of half pay	Total
6 months but less than 1 year	0	26	26
1 but less than 2 years	1	25	26
2 but less than 3 years	2	24	26
3 but less than 4 years	3	23	26
4 but less than 5 years	4	22	26

5 but less than 6 years	5	21	26
6+ years	6	20	26

*Must have at least 4 weeks of service to be eligible.*

NOTE: Weeks of disability pay include the New York State statutory disability component (see below for pay amount) as well as weeks of the enhanced disability component (if you are actively at work in a benefit-eligible position) and renews every 52-week look back period. If a disability is separated by less than three months, successive periods of disability caused by the same or a related injury or illness are considered a single period of disability and a new seven-day elimination period does not have to be met. (No employee shall be entitled to benefits for more than the period stated in the schedule above during any 52-week period or during any one period of disability. In addition, utilization of Paid Family Leave may impact the disability entitlement.) Length of service at the beginning of the disability will determine the weeks of full and half pay and will not change while the employee is out on a disability leave.

**Regular Full-Time Staff** in the clinical and associate career streams with leave plans C, D, E and F **with under six months of service, Regular Part-Time Staff in these career streams, Temporary and Time-As-Reported (TAR) staff members, and student employees** receive statutory disability pay, as required by New York State. In all cases, employees must have at least 4 weeks of service at the time of the disability to be eligible. Statutory disability pay begins on the eighth calendar day of absence. Statutory disability

benefits provide half pay up to a maximum of \$34 per day or \$170 per week for as long as 26 weeks. The minimum statutory disability benefit is \$20 per week or the average weekly wage if it is less than \$20.

## **For Faculty and Staff in the Clinical, Professional and Leadership Career Streams (including those paid hourly with Leave Plans A, B and G.**

For regular full-time and part-time faculty\* (including faculty with visiting appointments) and individuals in the professional, leadership and clinical career streams with leave plans A, B and G, the University provides New York State statutory disability and enhanced disability pay **beginning with the eighth consecutive calendar day of a disability absence**. A Benefit Year begins upon appointment and has a 52-week look back period.

The months of full and half disability pay are shown on the following schedule:

<b>Length of University Service at Beginning of Disability</b>	<b>Months of Disability Pay Protection Available per 52-week Look Back Period</b>		
	<b>Months of full pay salary*</b>	<b>Months of half pay</b>	<b>Total</b>
Less than 2 years	2	4	6

2 but less than 4 years	4	2	6
4+ years	6	0	6

*Must have at least 4 weeks of service to be eligible.*

NOTE: Months of disability pay include the New York State statutory disability component (see below for pay amount) as well as months of the enhanced disability component (if you are actively at work in a benefit-eligible position) and renews every 52-week look back period. If a disability is separated by less than three months, successive periods of disability caused by the same or a related injury or illness are considered a single period of disability and a new seven-day elimination period does not have to be met. (No employee shall be entitled to benefits for more than the period stated in the schedule above during any 52-week period or during any one period of disability. In addition, utilization of Paid Family Leave may impact the disability entitlement.) Length of service at the beginning of the disability will determine the weeks of full and half pay and will not change while the employee is out on a disability leave.

**Temporary faculty and staff, Time-As-Reported (TAR) individuals in the clinical, professional and leadership career streams, and individuals who are at the University primarily for furthering their education but are employees (for example, postdoctoral research associates)** receive statutory disability pay, as required by New York State. In all cases, employees must have at least 4 weeks of service at the time of the disability to be eligible. Statutory disability pay begins on the eighth calendar day of

absence. Statutory disability benefits provide half pay for as long as 26 weeks with a maximum of \$34 per day or \$170 per week. The minimum statutory benefit is \$20 per week or the average weekly wage if it is less than \$20.

\* For faculty members under the School of Medicine and Dentistry Master Clinical Faculty Compensation Plan: annual salary means Targeted Salary plus the prior fiscal year's (July 1 to June 30) extra compensation for clinical services if any. The maximum authorized salary plus extra compensation from clinical services, for purposes of disability, is \$300,000.

## **For Strong Memorial Hospital Residents and Fellows**

For regular full-time and part-time Strong Memorial Hospital Residents and Fellows, full salary is continued during disability leave, **beginning with the eighth consecutive calendar day of a disability absence**, for up to 6 months (Employees must have at least 4 weeks of service at the time of the disability to be eligible).

NOTE: Months of disability pay renew each 52-week look back period if you are actively at work in a benefit-eligible position. If disability is separated by less than three months, successive periods of disability caused by the same or a related injury or illness are considered a single period of disability and a new elimination period does not have to be met. (No employee shall be entitled to benefits for more than the period stated above during any 52- week period or during any one period of disability. In addition, utilization of Paid Family Leave may impact the disability entitlement.)



# Coverage upon Retirement, Termination, or on Change to Ineligible Status

Covered employees who become disabled within four weeks after retirement, termination of employment, or change to an ineligible status may qualify for statutory disability benefits during the period of disability.

## Reporting Process

A covered employee who becomes ill and cannot work is responsible for notifying his or her supervisor or department head as soon as possible, generally at least one hour prior to their scheduled reporting time. Based on departmental requirements, earlier notice may be required. Although individuals who are out on disability leave are not expected to, and should not, work during their approved leave, it is expected that the individual will update his/her supervisor(s) as to the anticipated return to work date.

Individuals who have been on disability **may** be required to be examined by a University Health Service or Employee Health physician before being permitted to return to duty. This health evaluation is often required when an individual is returning to work after an extended illness and/or the nature of the position requires such an examination before returning to work.

# Reporting for Payment of Benefits

The Hartford, the Third-Party Administrator (TPA) for the University's Short-Term Disability Plan, insures our New York State statutory disability and provides disability management services for all covered employees. The Hartford claims analysts review medical information from providers and approve periods of absence related to non-occupational illnesses or injuries. The Hartford advises the covered employee, the supervisor and Leave Administration of the approved period of disability benefits. Based upon this approval, the New York State statutory and the enhanced disability benefits will be paid through the University Payroll System. Payments for an approved period of disability absence are based on codes entered into HRMS Time & Labor and are normally received in an employee's regular pay cycle (bi-weekly, semi-monthly, monthly). The time reporting code "DBL" is used for a full day of disability.

## **For an absence involving more than seven calendar days:**

- **Covered Employees must contact The Hartford at (866) 548-3101 (tel:8665483101) to open a disability claim.** Claims should not be called in more than 30 days in advance. The Hartford will send the covered employee an Attending Physician Statement, which must be completed by the individual and their treating physician, and returned to The Hartford. (For those of the Christian Science faith, a statement from a Practitioner may be substituted for the physician's statement.) While out on Short-Term Disability, covered employees must keep their supervisor advised of their anticipated return to work date. Covered Employees must also make sure that The Hartford is receiving up to date information on their condition. Individuals who do not work in New York State should notify The Hartford, at the time that the claim is reported, the state in which they work. Each state's disability regulations are different. The Hartford and Leave Administration will provide details

as to how the disability will be processed for those working out-of-state.

The Hartford will ask for the following claim information to open a disability claim:

- Employee ID (can be found on your pay stub)
  - Manager's or immediate supervisor's name and phone number
  - Diagnosis, symptoms, and medical history
  - Doctor's name, phone number, fax number, and scheduled appointments
  - Your general work duties
- Supervisors will receive updated notices from The Hartford regarding the disability approval period and expected return to work.

*Please note that The Hartford administers Short-Term Disability only and does not administer Workers' Compensation. If you are trying to report a work-related injury or illness, please do so to your manager or immediate supervisor and complete the incident report (<https://www.safety.rochester.edu/SMH115.html>).*

## **Denial and Appeals Process**

If a disability claim is denied, then the employee will receive a letter outlining the denial and the reason for the denial from The Hartford. If a claim were to be denied, neither the payment of the statutory nor the enhanced benefit would occur.

If a denial occurs, then The Hartford will provide the employee with appeal instructions in writing. The employee should read the appeal procedures carefully before proceeding with the appeal request.

## **Continuation of Other Benefits During Disability**

The following plans continue for active\* covered employees receiving benefits under the Short-Term Disability, if the employee is eligible and enrolled prior to going out on disability: Health Care Plans, Dental Plans, Health Care FSA, HSA, Long-Term Disability, Life Insurance, Retirement Program, and Tuition Benefits. While on disability, you continue to pay your normal share of the premium. Vacation does not accrue and Holiday pay does not apply. Please see [Appendix A](#) for further details on the effect on benefit plans while receiving benefits under the Short-Term Disability.

\* For individuals whose statutory disability benefits begin after the effective date of leave of absence, layoff, retirement, termination or change to an ineligible status, benefit plans' suspension or cancellation dates(s) will apply.

## **Returning to Work After Short-Term Disability**

When your treating physician has authorized your return to work, you should notify your supervisor of your return date. When returning to work, your supervisor should complete the [return to work form \(https://www.rochester.edu/human-resources/benefits/leave-disability/return-from-disability-workers-compensation-report/\)](https://www.rochester.edu/human-resources/benefits/leave-disability/return-from-disability-workers-compensation-report/) and submit it to Leave Administration.

If you are able to return to work, but you are working reduced hours or have physical restrictions, the University has a [Return-to-Work Program \(RTW\)](https://www.rochester.edu/human-resources/benefits/leave-disability/return-to-work/) (<https://www.rochester.edu/human-resources/benefits/leave-disability/return-to-work/>).

The RTW Program is designed to help an employee to reach full recovery following illness or injury by allowing timely and appropriate treatment while he or she continues in meaningful work. Information about this program is available on the Leave Administration website page. Your supervisor should note any restriction when completing the return-to-work form.

Note: A return to work in **any** capacity ends the short-term disability benefit.

## **Family and Medical Leave Act (FMLA)**

An individual's disability absence covered under the Short-Term Disability runs concurrently with FMLA leave as applicable. Therefore, time away from work on an approved Short-Term Disability may count toward the 12-week annual entitlement under the FMLA. Additional Information about FMLA is available on the Leave Administration website.

*The University reserves the right to interpret, modify, amend, or terminate the Short-Term Disability at any time, including actions that may affect coverage, cost-sharing, or covered benefits, as well as benefits that are provided to current and future retirees. A paper copy of this information is available for free from the Leave Administration Office. The plan documents will govern in the event of any discrepancies.*

# Appendix A

## Summary of Benefits for Regular Full-time and Part-time Active\* Faculty & Staff Members While Receiving Benefits under the Short-Term Disability

*Individuals represented by collective bargaining agreements receive benefits in accordance with those agreements.*

<p><b>Health Care Plans</b></p> <p><b>Dental Plans</b></p>	<p>Coverage continues.</p> <p>Faculty/staff members must continue to pay their normal share of the premium(s). Premiums will be deducted from paychecks. If disability payments do not cover the deduction(s) for premium(s), they will be deducted from the faculty/staff member's University paycheck upon return to work. If the faculty/staff member does not return to work, they will be billed for the premiums due.</p>
<p><b>Health Care Flexible Spending Account (FSA)</b></p>	<p>Participation continues</p>
<p><b>Health Saving Accounts (HSAs)**</b></p>	<p>Participation continues.</p>

<p><b>University-Paid Basic Term Life Insurance</b></p> <p><b>University-Paid Basic Accidental Death &amp; Dismemberment (AD&amp;D)</b></p>	<p>University-Paid Basic Term Life Insurance and University-Paid Basic Accidental Death &amp; Dismemberment (AD&amp;D) insurance will be continued.</p>
<p><b>Group Universal Life (GUL) Insurance</b></p> <p><b>Optional Accidental Death &amp; Dismemberment Insurance (AD&amp;D)</b></p> <p><b>Dependent Group Term Life Insurance</b></p>	<p>Any Group Universal Life (GUL), Optional Accidental Death &amp; Dismemberment (AD&amp;D), and/or Dependent Group Term Life insurance coverage that a faculty/ staff member has elected will be continued.</p> <p>Faculty/staff members must continue to pay premiums for their employee paid coverage(s). Premium(s) will be deducted from paychecks. If disability payments do not cover the deduction(s) for premium(s), they will be deducted from the faculty/ staff member’s University paycheck upon return to work. If the faculty/staff member does not return to work, they will be billed by Securian Financial for premium(s) due.</p>
<p><b>Paid Time Off Plan</b></p>	<p>The PTO bank remains active.</p> <p>Employees absent from work at the beginning of the PTO Plan Year due to Short-Term Disability will be eligible to have PTO banks reset upon return to work. PTO hours will be a pro-rated allocation based on the pay period of return to work.</p>

<p><b>Long-Term Disability</b></p>	<p>Coverage continues.</p> <p>Full-time faculty/staff members who elected Full LTD coverage and part-time faculty/staff members who elected LTD coverage must continue to pay their normal share of the premium. Premiums will be deducted from paychecks. If disability payments do not cover the deduction for premium, they will be deducted from the faculty/staff member's University paycheck upon return to work. If the faculty/staff member does not return to work, they will be billed for the premiums due.</p>
<p><b>Retirement Program</b></p>	<p>Eligibility for the University's Direct Contribution continues. Faculty/staff members also may continue to make Voluntary Contributions to the Retirement Program through payroll deductions.</p>
<p><b>Vacation/Holidays</b></p>	<p>Vacation does not accrue. (University service continues to accrue during a Short-Term Disability absence.) Holiday pay does not apply and pay is unaffected by a Holiday that occurs during the disability absence.</p>
<p><b>Tuition Benefits</b></p>	<p>Eligibility for employee and dependent children tuition benefits is continued.</p>



<p><b>YOUR Benefits Extras</b></p> <ul style="list-style-type: none"> <li>• <b>VSP Vision Care</b></li> <li>• <b>MetLife Legal Plan</b></li> <li>• <b>Group Auto &amp; Home Insurance</b></li> </ul>	<p>Eligibility for VSP Vision Care, MetLife Legal Plans and Auto &amp; Home insurance will be continued. Faculty/staff members must continue to pay their premiums for coverage. Premiums will be deducted from paychecks. If the faculty/staff member does not return to work, coverage for VSP Vision Care and MetLife Legal Plans will be suspended. Faculty/staff members who do not cancel their Auto &amp; Home insurance coverage will be billed directly by Liberty Mutual, MetLife or Travelers.</p>
<p><b>University Home Ownership Incentive Program</b></p>	<p>Eligibility is continued.</p>
<p><b>Travel-Accident Insurance</b></p>	<p>Travel-Accident Insurance (including medical and travel-related assistance services) is suspended.</p>

\*For individuals whose statutory disability benefits begin after the effective date of leave of absence, layoff, retirement, termination or change to an ineligible status, benefit plans' suspension or cancellation date(s) will apply.

\*\* Only faculty and staff who are enrolled in an HSA-eligible plan and satisfy certain other requirements can make contributions to an HSA. If you are enrolled in an HSA-eligible plan and eligible to contribute to an HSA, you may contribute directly to your HSA, outside of payroll deductions, at any time, as long as you do not exceed the annual maximum.

Detailed information on the benefit plans is available on the [Total Rewards website \(https://www.rochester.edu/human-resources/benefits/\)](https://www.rochester.edu/human-resources/benefits/). A paper copy of this information is available for free from the Office of Total Rewards.

*The University reserves the right to modify, amend, or terminate the Sick Leave Plan and Short-Term Disability at any time, including actions that may affect coverage, cost-sharing, or covered benefits, as well as benefits that are provided to current and future retirees. A paper copy of this information is available for free from the Leave Administration Office. The plan documents will govern in the event of any discrepancies.*

## **ABOUT THIS POLICY**

### **Policy Number**

339

### **Policy Group**

Human Resources

### **Issuing Authority**

Human Resources

### **Responsible Officer**

Kathy Miner

### **Contact Information**

[kathy.miner@rochester.edu](mailto:kathy.miner@rochester.edu) (mailto: kathy.miner@rochester.edu)

## **ADDITIONAL RESOURCES**

**[Human Resources: Leave and Disability \(https://www.rochester.edu/human-resources/benefits/leave-disability/\)](https://www.rochester.edu/human-resources/benefits/leave-disability/)**

**[Career Path Modernization Project \(https://www.rochester.edu/human-resources/professional-success/career-path-modernization\)](https://www.rochester.edu/human-resources/professional-success/career-path-modernization)**

## **RELATED POLICIES**

**[Sick Leave Plan \(https://www.rochester.edu/policies/policy/sick-leave-plan/\)](https://www.rochester.edu/policies/policy/sick-leave-plan/)**

**[Reassignment/Absence to Prevent Contagion Due to Workplace Exposure \(https://www.rochester.edu/policies/policy/reassignment-absence-to-prevent-contagion-due-to-workplace-exposure/\)](https://www.rochester.edu/policies/policy/reassignment-absence-to-prevent-contagion-due-to-workplace-exposure/)**

**[Hiring Replacements for Staff Members on an Approved Work-Related or Non-Work-Related Illness or Injury Absence \(https://www.rochester.edu/policies/policy/replacements/\)](https://www.rochester.edu/policies/policy/replacements/)**

**[Attendance Control \(https://www.rochester.edu/policies/policy/attendance-control/\)](https://www.rochester.edu/policies/policy/attendance-control/)**

**[Reinstatement of Previous Service Time When Rehired \(https://www.rochester.edu/policies/policy/rehire-service-time/\)](https://www.rochester.edu/policies/policy/rehire-service-time/)**

**[Family Medical Leave \(https://www.rochester.edu/policies/policy/family-medical-leave/\)](https://www.rochester.edu/policies/policy/family-medical-leave/)**

**[Paid Family Leave \(PFL\) \(https://www.rochester.edu/policies/policy/paid-family-leave/\)](https://www.rochester.edu/policies/policy/paid-family-leave/)**

**[Vacation \(https://www.rochester.edu/policies/policy/vacation/\)](https://www.rochester.edu/policies/policy/vacation/)**

**[Paid Time Off \(PTO\) \(Effective 01/01/2021\) \(https://www.rochester.edu/policies/policy/pto/\)](https://www.rochester.edu/policies/policy/pto/)**

## **POLICY KEYWORDS**

**[Benefits \(https://www.rochester.edu/policies/all/?filter%5Btopics%5D=306\)](https://www.rochester.edu/policies/all/?filter%5Btopics%5D=306)**

**[Compensation \(https://www.rochester.edu/policies/all/?filter%5Btopics%5D=326\)](https://www.rochester.edu/policies/all/?filter%5Btopics%5D=326)**

**[Payroll \(https://www.rochester.edu/policies/all/?filter%5Btopics%5D=506\)](https://www.rochester.edu/policies/all/?filter%5Btopics%5D=506)**

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