

# **Short-Term Disability Policy for Administrators and Staff**

## **Policy Statement**

Administrators and staff members who do not use all sick leave during a fiscal year accumulate the unused days in a Short-Term Disability Bank. In the event that an employee's own illness or disability causes the employee to exceed the employee's yearly sick leave, the days in the bank are made available.

An employee can accumulate a maximum of 130 days in the Short-Term Disability Bank. Any days over 130 go into an excess account and at retirement at 62 years or older, an employee will receive pay at his or her current salary for the number of days over 100 in the bank or excess account, up to a maximum of 50 days. Unused sick days as of the date of retirement will be added to the Short-Term Disability Bank and counted toward the 50 excess days.

If an employee becomes ill, she or he first uses the accrued sick leave for the current year; then, days accumulated in the Short-Term Disability Bank. An employee who is absent for his or her own serious health condition as defined by the Family and Medical Leave Act (and set forth below) may, upon written request to Human Resources, use available time in his or her Short-Term Disability Bank before using his or her current year sick leave allotment for that particular absence. A statement from the attending health care provider(s) is required.

Short-Term Disability is paid as follows:

|                    |             |
|--------------------|-------------|
| first 40 work days | 100% of pay |
| next 40 work days  | 75% of pay  |
| next 50 work days  | 60% of pay  |

Excess days, which are paid at 100%, may be used before 75% days or 60% days.

In the event that a period of Short-Term Disability overlaps a holiday, that holiday will be paid at 100%.

If a disability is expected to extend beyond 180 days, i.e., 130 work days, the employee should apply for benefits under the Long-Term Disability Insurance plan. Such application shall be made within 90 days of when Short-Term Disability will expire. The 180-day period will begin on the first day the employee is unable to work because of the illness.

## **Continuous Illness**

An employee who is back to work for 30 calendar days or less and becomes disabled from the same illness will be considered to have one continuous illness.

## **Relapse**

An employee who is back to work for more than 30 calendar days and becomes disabled from the same illness will be considered to have a relapse. The 180-day period will begin on the first day the employee is unable to work due to the relapse.

### **New Illness**

An employee who has returned to work for any length of time and becomes disabled from an illness unrelated to the previous periods of disability will be considered to have a new illness. The 180-day period will begin on the first day the employee is unable to work because of the new illness. Payment will be made for the new 130 work days as described above, regardless of how many days the employee used for prior disabilities, until the employee's Short-Term Disability Bank is exhausted.

In the event of an extended absence, the University may require a periodic examination by a health care provider of its choice.

Employees who have exhausted sick and bank days are considered to be on unpaid Short-Term Disability for the remainder of six months.

While on Short-Term Disability, the employee is responsible for keeping the immediate supervisor informed of his/her location and condition.

An employee on Short-Term Disability continues to be covered by hospitalization, life, accidental death and-dismemberment, and disability insurance for up to six months. At the end of six months, benefits are discontinued and an employee is no longer considered an active employee. In such cases, the individual is encouraged to re-apply for any open position for which s/he is qualified when the individual is medically able to return to work.

### **Serious Health Condition (FMLA)**

“A serious health condition is an illness, injury, impairment, or physical or mental condition that involves either an overnight stay in a medical care facility, or continuing treatment by a health care provider for a condition that prevents the employee from performing the functions of the his or her job.

Subject to certain conditions, the continuing treatment requirement may be met by a period of incapacity of more than three consecutive calendar days combined with at least two visits to a health care provider or one visit and a regimen of continuing treatment, or incapacity due to pregnancy, or incapacity due to a chronic condition. Other conditions may meet the definition of continuing treatment.”

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### **Related Policies**

- Short-Term Disability of Faculty Member
- Sick Leave
- Retirement Policy
- Family and Medical Leave Act
- Leave Donation Bank
- Long-term Disability Insurance

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## **History of Short-term Disability Policy for Administrators and Staff**

07/01/91 - Reaffirmed with publication of Personnel Manual 5.4

02/13/98 - Revised to clarify use of excess days before banked days; reference to health care providers; reference to long-term cases

01/30/06 – Cyclical review and updating of the policy was approved by the President of the University, including change of title from Short-term Disability Bank

05/10/16 – Revision made to clarify Serious Health Condition (FMLA) section. Revision approved by the President of the University as recommended by the Policy Committee of the University.

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MARYWOOD UNIVERSITY  
POLICIES AND PROCEDURES MANUAL

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