



SHORT TERM DISABILITY HANDBOOK

The Unified Government of Athens-Clarke County

**Human Resources Department
*Benefits & Wellness Division***

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This packet is intended to provide information only. It is not intended and should not be taken as a statement of legal rights and responsibilities. The legal documents that govern employee and retiree benefits are the Unified Government of Athens-Clarke County Personnel System and the policies for its administration are noted in the official Summary Plan Document for each benefit plan offered. The Summary Plan Documents from which the information provided in this packet is taken, is subject to change at any time by the Unified Government of Athens-Clarke County, and the Mayor and Commission.

SHORT TERM DISABILITY PROGRAM

The Unified Government of Athens-Clarke County provides Short Term Disability (STD) benefits to employees subject to the availability of funds and subject to policies, which are adopted by the Mayor and Commission upon the recommendation of the Human Resources department. The Short Term Disability program is administered by the Benefits and Wellness Division of the Human Resources Department with no premium cost to employees. STD benefits are paid to eligible employees through ACCUG's Short Term Disability fund.

PLAN OF BENEFITS

ELIGIBLE CLASSES

All **active regular full-time** and employees with benefits are eligible.

BENEFIT ELIGIBILITY

An employee will become eligible for Short Term Disability benefits on the first day of the month following a full month of continuous service.

BASIS OF THE COST OF THE BENEFIT

The Short Term Disability benefit is provided by the Unified Government of Athens-Clarke County for eligible employees at no cost to them.

DISABILITY BENEFIT

The bi-weekly disability benefit is 60% of the employee's regular earnings not to exceed \$1,000 bi-weekly. Regular earnings refer to the employee's base salary and does not include bonuses or overtime pay.

ELIMINATION PERIOD

The period of 6 continuous weeks (30 consecutively missed working days) from the original disability start date, as certified by the Health Care Provider (HCP), during which the employee must be under the care of said HCP.

MAXIMUM BENEFIT PERIOD

26 weeks total benefit period

MAXIMUM PAID BENEFIT PERIOD

20 weeks total paid benefit

SHIFT WORK SCHEDULES

Any employee on a “shift work schedule” will be transferred to a 40 hour work week upon completion of the Elimination Period. This applies to any employee using paid and/or unpaid STD benefits.

The employee may be returned to their regular schedule upon approved return to work status.

EXCLUSIONS

Benefits will not be paid through the ACCUG self-funded Short Term Disability program if the illness or injury is sustained during or in connection with:

- a. ACCUG employment
- b. Any work for pay or profit in which you receive other disability pay or worker's compensation pay.
- c. Service in the armed forces

STARTING DATE FOR BENEFIT PAYMENTS:

Payments begin 31 consecutive working days (6 weeks) following the employee's personal injury or onset of illness. If the employee elects to use their accrued leave time, and annual leave exceeds 30 working days, then the STD benefit payments begin at the expiration of the leave time, (for a period of up to, but not to exceed, 26 weeks total).

Employee disability will be deemed to have begun as of the date certified by the HCP documented on the Certification of Health Care Provider form.

ILLNESS VS ACCIDENT

A disability shall be deemed to be caused by illness and not by accident if:

- a. It is caused or contributed to by:
 - any condition, disease or disorder of the body or mind; OR
 - any infection, except an infection from an accident, cut, or wound; OR
 - hernia of any type; OR
 - any disease of the heart; or any medical treatment for items listed above
- b. It is caused directly or indirectly by accident; but commences more than 30 days after the date of the accident; OR
- c. It is caused by, or contributed to, complications of pregnancy.

MENTAL ILLNESS

A mental illness is an ongoing medical condition that impacts a person's thinking, feeling or mood, or behavior in a way that affects their ability to complete standard job functions on a daily basis. A short term disability qualified mental illness must involve inpatient care, or continuing treatment by a health care provider.

COVERAGE DATES

BENEFIT ELIGIBILITY DATE

An employee is eligible for Short Term Disability benefits on the date he/she completes the eligibility period. The effective date is the first of the month after the employee has completed a full month of continuous full-time service.

DEFERRED ELIGIBILITY DATE

If an employee is absent from work due to a serious health condition on the date that he/she would become eligible for coverage under this program, the date will be deferred. An employee's eligibility date will then become effective the first of the month after he/she returns to work and completes a full month of continuous service. Only illnesses and/or injuries occurring after the benefit eligibility date will be eligible for this benefit.

BENEFIT TERMINATION

TERMINATION DATE OF BENEFIT

An employee's Short Term Disability benefit will terminate:

- a. at the end of a 26-week period that started at the onset of a disability; OR
- b. on the date which the disability has ended in accordance with a HCP's Fitness for Duty certificate, or date listed on the *Health Care Provider's Statement Form* of the Short Term Disability application regarding disability duration; OR
- c. failure to recertify every 30 days or provide a signed HCP's statement as required

Since this benefit is provided under a self-contained plan administered by the Unified Government of Athens-Clarke County, there are no rights of continuation of this benefit after FMLA exhaustion or termination of an employee's active employment.

EMPLOYMENT WHILE ON SHORT TERM DISABILITY

An employee who is on Short Term Disability leave through the Unified Government of Athens-Clarke County may not participate in any job related functions including training courses nor engage in any employment for pay or profit with an outside employer in a capacity representing ACCUG. If it is determined that an employee engaged in work activities while on STD, he/she may be required to reimburse the self-funded STD fund for any STD or insurance benefits received.

DISABILITY BENEFITS

The benefit plan will pay a bi-weekly Disability Benefit as shown in the Plan of Benefits. **However, no benefit will be payable for any day on which the employee is not under an HCP's care.**

The bi-weekly disability benefit is payable beginning with the 31st business day (or after 6 weeks) following a covered accident or serious health condition and for a maximum period thereafter of 20 weeks. The bi-weekly benefit is paid via the published payroll schedule, thus it is possible that an employee may receive a partial paid benefit for the eligible paid benefit days in a pay period.

An employee may use his/her sick leave or annual leave for the first 30 business days of the disability period, also called the elimination period. If the employee does not have sufficient leave accruals, he or she may be placed on a leave without pay (LWOP) status. An employee may elect continuation of health, dental, vision and life insurance coverage during the elimination period. If the employee is paying him or herself with leave accruals, premiums will be deducted from his or her paycheck each pay period. However, if the employee is on a LWOP status, he or she must remit premium payments to ACCUG on a bi-weekly basis according to the payroll schedule for continuation of benefit coverage. Failure to pay may result in termination of benefits.

SUCCESSIVE PERIODS OF DISABILITY

If successive periods of disability are:

- a. due to the same cause; OR
- b. due to a related cause; AND
- c. separated by less than 3 months of active, full-time work

then they are considered one period of disability.

In any event, an employee is only entitled to 26 weeks of disability (6 weeks non-paid disability benefits, 20 weeks with disability payment benefits) for the same serious health condition in a 12 month period.

No disability benefit shall be paid for any of the following:

- a. a serious health condition that is not treated by an HCP
- b. any loss caused or contributed to by:
 - war or act of war (declared or not)
 - illness contracted or injury sustained while engaged in the armed forces of any country engaged in war or other armed conflict
- c. any illness for which Workers' Compensation benefits are paid or may be paid, if duly claimed;
- d. any injury sustained intentionally
- e. any injury sustained as the result of doing any work for pay or profit
- f. any loss caused by or contributed to by a vehicle with less than 4 wheels, if the employee is not wearing a safety helmet approved by the Georgia Department of Transportation.

APPLICATION REQUESTS

A Short Term Disability application consisting of three forms is required in order for short term disability pay to be considered. All forms are required even if you elect to utilize leave accruals to pay yourself.

- a. *Employee's Statement Form*; AND
- b. *Health Care Provider's Statement Form*; AND
- c. *Employee Election Form*

The application must be submitted to the Benefits and Wellness Division of Human Resources within 20 days of the start of the disability. If foreseeable notice cannot be given, it must be given as soon as possible thereafter.

The Short Term Disability application forms require signatures from:

- the employee
- the employee's direct supervisor
- the department director
- the employee's HCP

Upon return of the completed Short Term Disability form, appropriate action will be taken based upon the diagnosis and prognosis furnished by the HCP.

ACCUG requires recertification every 30 days for any serious health condition for which Short Term Disability is taken. Failure to provide medical documentation signed by an HCP, as required, may result in the discontinuance of the paid Short Term Disability benefit or paid leave

Short Term Disability Applications may be obtained from the Human Resources Department or online at www.athensclarkecounty.com.

REPORTING REQUIREMENTS

Employees are required to provide all appropriate periodic recertification documents every 30 days to the Benefits and Wellness Division of the Human Resources Department.

RETURN TO WORK REQUIREMENTS

A medical statement from an HCP releasing the employee to return to work (sometimes referred to as a Return to Work Certificate) must be provided to the employee's department and the Benefits and Wellness Division, prior to the employee being allowed to return to work.

Employees who take “medically necessary” leave will not be permitted to return to work without a signed medical release. An employee must be fully released without restriction and be able to perform the essential functions of his or her job. An employee may be required to visit an ACCUG authorized HCP prior to returning to work depending on their job description and the cause for STD.

RETURN TO WORK ENTITLEMENTS

An employee on Short Term Disability may return to his/her former position, if available (within 6 months). If the position is not available, the employee may apply for other job vacancies in the government and compete with all other candidates for the position. Employees hired in this manner are subject to Section 1-9-5(b) of the Athens-Clarke County Code.

TRANSITION TO LONG TERM DISABILITY

If, based on the employees certified health condition, an employee is unlikely to be released to full duty once Short Term Disability expires, he/she may apply for Long Term Disability (LTD) if it is one of their already elected benefits. To be eligible for LTD, the employee must have been employed with ACCUG in a full time status for 2 consecutive years and be enrolled in the LTD plan.

The LTD program is administered by a third party vendor through the ACCUG Long Term Disability benefit package. Employees must complete an LTD application and submit to the Benefits and Wellness Division of the Human Resources Department. Applications may be obtained from the Human Resources Department or online at www.athensclarkecounty.com. Due to the length of time involved in the review and approval process, employees are advised to submit an application at least 45 days before STD expires. It is in the best interest of the employee to submit an application if there is any doubt about his/her ability to return to full duty. If the employee is able to return to full duty before the end of the STD period, he/she can request that the LTD application be rescinded.

For more information about LTD benefits, please refer to the Long Term Disability Plan document available at the Human Resources Department.

DEFINITIONS

HCP

HCP is abbreviation for Health Care Provider. The HCP is the treating physician(s) for the physical or mental illness causing the need for Short Term Disability.

DISABILITY

Disability means an employee is unable to perform the essential functions of the job to which he/she is assigned.

Disability may include:

- a. bodily malfunction
- b. accidental injury
- c. pregnancy complications
- d. mental illness
- e. other serious health condition

TOTAL DISABILITY

An employee is totally disabled if he/she is unable to engage in any substantial gainful activity by reason of any medically determinable physical or mental impairment and the employee is, therefore, unable to perform the essential functions of his/her job.

REGULAR EARNINGS

Regular pay, not counting

- a. commissions
- b. overtime pay; OR
- c. bonuses; OR
- d. any other pay or fringe benefit

ELIMINATION PERIOD

The period of 6 continuous weeks (30 working days) from the original disability start date, as certified by the HCP, during which the employee must be under the care of said HCP.

SHIFT WORK

All schedules outside of the traditional 40 hour, Monday – Friday, 8am-5pm work week.

NOTES