

## SHORT TERM DISABILITY PROGRAM

Section 1.01 Type of Plan: Income protection plan for up to 90 days or eligibility for the Long Term Disability (LTD) program whichever comes first, for non job-related disabilities preventing a person from working; income protection plan for up to 42 days for care of a family member or bonding purposes.

Section 1.02 Eligibility Requirements:

- A. Eligible for inclusion are all regular full and part-time (1/2 time or more) employees in the Management, Attorney and Confidential units (8, 11, 13 and 14).
- B. Employees must have worked six months for the County to be eligible to receive this benefit.

Section 1.03. Definition of Terms:

- A. **Base Salary** means the salary range and step the employee had at the time of disability.
- B. **Disability Leave** means the period of time that an employee has a limited disability; has not been terminated; and receives benefits under the Short Term Disability Program.
- C. **Limited Disability** means a medical or physical inability to work in an employee's permanent County position whether on a full or light-duty basis due to injury or illness (excluding stress).
- D. **Total Disability** means a medical or physical inability, an inability to work in any position as defined by the Federal Social Security System due to injury or illness (excluding stress)
- E. **Physician** and **surgeon** means a licensed medical or osteopathic physician and surgeon.
- F. **Family member** means a person related by blood, marriage or adoption who is a husband, wife, son, daughter, sister, brother, mother, father, grandfather, grandmother, granddaughter or grandson or other relationship recognized by the California State Paid Family Leave Insurance Program.

All other terms in this program have the same meaning as found in the Personnel Rules and Regulations of the County of Yuba or as are commonly defined in the most recent unabridged edition of Webster's Dictionary.

Section 1.04 Plan Provisions:

- A. Benefits Payable: After seven (7) calendar days of absence for total or limited disability. An employee is not required to exhaust vacation and sick leave or compensatory time off before qualifying under this program.

**After a seven (7) calendar day waiting period, family leave benefits will be available to care for a seriously ill family member or bond with a new minor child.** An employee is not required to exhaust vacation and sick leave or compensatory time off before qualifying under this program.

The family leave benefits waiting period will be waived for employees who have previously satisfied the total or limited disability waiting period for the same or similar condition and immediately become eligible for and partake of the family leave benefits (i.e. an employee on pregnancy disability who immediately transitions to bonding family leave).

B. Duration and Amount:

**Disability benefits are paid at Seventy-Five percent (75%) of salary up to the current maximum weekly rate established by the State Disability Insurance Program up to a maximum of ninety days (90) while on disability leave for a limited or total disability.**

This benefit ceases upon eligibility for the Long-Term Disability (LTD) program or termination of employment with the County. The benefit period begins on the first day disability benefits begin. Benefits payable under this program shall be reduced when used to supplement, State Disability Insurance, or other supplemental pay which the employee might receive. If benefits are provided for a disability that is determined to be job-related, workers' compensation benefits will replace (and reimburse) those paid by this plan.

**Family leave benefits are paid at Sixty-Five percent (65%) of lost wages up to the current maximum weekly rate established by the State Disability Insurance Program for a maximum of 6 weeks of benefits in a 12-month period.** This benefit ceases upon termination of employment with the County. The benefit period begins on the first day family leave benefits begin.

C. Employment Status: While on the program, the employment status is disability leave as herein defined. The health plans shall be maintained as if the employee were at work.

D. Miscellaneous Provisions:

1. Calculations for this benefit are made on base salary at time of the disabling injury or accident, or at the time of family leave absence.
2. County will continue the health coverage benefits (medical, dental and vision) under the same conditions as when you are actively at work during the time the employee is drawing benefits under this program or until termination from County employment, whichever comes first.
3. Disability program premium is waived during the period of paid benefits under this program.
4. Benefits will cease at the earlier of 90 days on the program, eligibility for the LTD program, retirement from service, return to employment, or conclusion of disability. In the case of family leave benefits will cease at the earlier of 42 days on the program, retirement from service, return to employment or conclusion of the qualifying circumstance.
5. Successive periods of disability or qualifying circumstance due to the same or related causes not separated by six months of full-time work are considered as one period of disability with a 12 month maximum and without a new waiting period if it is determined to be related to the original injury/illness. A new 12-month eligibility period including a waiting period requires at least six months of full-time, continuous work.
6. Benefits shall be paid on regular County paydays.
7. Clerical errors shall not deprive an employee of coverage nor create an obligation to continue coverage.
8. The County may require the employee or qualifying family member to be seen by a Physician of the County's choosing to verify disability or qualifying status.

E. Reports: Medical reports and/or other information related to the limited or total disability status or qualifying circumstance may be required by the County and must be provided by the employee in order to continue to receive program benefits.

F. Exclusions: No benefits are payable for disabilities caused by any act of war or intentionally self-inflicted injury or during commission of a felony. No benefits are payable during confinement in penal or correctional institutions as a result of conviction. No benefits will be paid for injuries received while working for another employer. No benefits are payable for

periods of disability during which the employee is not under the care of a physician or surgeon. No benefits will be paid for any disability that is job-related.

1.05 Application for Benefits: For an employee who believes he or she qualifies for benefits under this program an application form is available in the Risk Management/Personnel Office. This form must be fully completed with the supporting material required and returned to the Risk Management/Personnel Office.

1.06 Plan Premium:

- A. The premium shall be one percent of employee's base salary to a maximum as established by the State Disability Insurance Program annually. The premium shall be paid by the employee.
- B. For new employees, premium begins the first pay period of employment.
- C. If the majority of a Unit votes to accept this benefit, all members of the unit will be included. The Unit may vote to remove themselves from this benefit during January of each year by a simple majority vote. After removal they would have no right to the associated benefits and will be required to immediately enroll in the State Disability Insurance Program.

1.07 Establishment of Fund. There is hereby established in the County of Yuba a separate interest-bearing fund entitled "Short Term Disability Inter-Governmental Service Fund".

- A. Purpose. Funds deposited in the Short Term Disability Fund shall be used solely for coverage including but not limited to:
  - 1. Direct short term disability costs according to the plan document.
  - 2. Direct family leave costs according to the plan document.
  - 3. Administrative costs including actuary studies and other costs associated with the administration of the program.
  - 4. Payment of LTD premiums.
  - 5. Payment of additional life insurance premiums.
- B. Fund Source. Funds shall be deposited by payroll deduction from employees in Units covered by the program.
  - 1. All interest received from the investment or reinvestment of monies within the fund.
- C. Payments and Withdrawals. No payments or withdrawals from the funds shall be made except by specific authorization of the County Risk Manager, in the manner prescribed by the Auditor-Controller's Office for the purpose set forth above.