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4.717 Short-Term Disability and Pregnancy Disability

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ANTIOCH UNIVERSITY

Type of Policy <input checked="" type="checkbox"/> University <input type="checkbox"/> Interim		Short-Term Disability and Pregnancy Disability Benefits Policy 4.717	
Human Resource Policies		Effective date: June 2, 2014	
Policy History:	Approved by:	Resolution #	Date:
Approved	Chancellor	N/A	May 29, 2014
Revised			February 13, 2017
Responsible Office:	Responsible Administrator:	Contact information:	Applies to:
Office of Human Resources	Chief Human Resources Officer	937-769-1375	All Non-California Benefited Employees

I. Introduction

A. **Purpose.** Antioch University (“University”) recognizes the importance of providing a degree of income replacement for employees when they are unable to work due to illness or injury. This policy defines and delimits the rights to benefits in the event of short-term disability (“STD”), including incapacity from illness, injury, pregnancy or childbirth. The benefits, commonly referred to as” STD benefits” are provided via different products depending upon whether the employee is exempt or non-exempt. This policy describes the benefits for both exempt and non-exempt employees other than in California. The University may maintain STD benefit plans to provide coverage for these benefits. While this policy is an attempt to summarize those benefits, the plan documents shall prevail in the event of any conflict.

B. **Coordination with Leave Policies.** This is a benefits policy only and does not define or delimit the right to a “leave of absence”, the right to return to work thereafter, or the right to other employer-paid benefits during the disability. Those rights are defined in various leave policies maintained by the University. The fact that an employee is entitled to short-term disability benefits does not mean that s/he is entitled to a leave of absence, the right to return to work after the disability, or the right to accrue other benefits.

C. **Application.** This policy is applicable to all employees, other than those employed in California, and those represented by a recognized union to the extent that the collective bargaining agreement expressly conflicts with and supersedes these provisions. In California, exempt and non-exempt employees are eligible for the state-funded short-term disability insurance and are therefore not entitled to University paid or sponsored short-term disability benefits. Those California benefits are not described in this policy. For the description of those benefits, please contact Human Resources.

II. Definitions:

A. **Disability.** The term “disability” means an illness or injury of the employee, including incapacity due to pregnancy or child-birth, resulting in a total incapacity to work beyond the waiting periods as defined below:

Type of Absence	Waiting Period
Illness not resulting in hospitalization	Benefits start on the 8 th day
Illness resulting in hospitalization	Benefits start on the 1 st day of any hospital confinement

B. **Total Incapacity.** The term “total incapacity” means an inability to perform each of the essential duties of the employee's job.

III. Benefits for Non-California Employees

A. **Eligibility.** All employees employed other than in California are eligible for employer-sponsored short-term disability leave insurance benefits. These benefits are currently self-insured and administered by a third-party administrator. The purpose of this policy is to briefly summarize those benefits. However, to the extent this policy conflicts with the insurance plan documents, the terms of the insurance plan are controlling.

B. **Use of STD Benefits.** Employees may use STD benefits for periods of disability resulting in total incapacity from work beyond the waiting periods described above.

C. **Amount of Benefits.** The amount of STD benefits is equal to 67% of the salary of the employee during the period of the incapacity. However, employees may request, and the University may require, that accrued and accumulated paid sick leave and vacation leave be used to supplement the difference between the STD benefits and the employee's regular salary up to 100% of the normal daily rate of pay.

D. **Maximum Benefits.** Employees are entitled to up to 26 weeks of STD benefits for each period of disability. A "period of disability" is defined as any continuous absence from active work due to total disability. If two or more absences are due to the same disability, they will be considered as one period of disability. Maximum weekly benefits for employees paid on an hourly bases is \$600 per week. Maximum weekly benefits for employees paid on a salary basis is \$2,500 per week.

IV. **Medical Certification**

A. Short-term disability benefits are employer paid. Therefore, employees may be required, at the sole discretion of the University, to present written certification from an acceptable health care provider regarding the illness or injury and the incapacity to work. The University may also require that the employee submit to a second opinion examination by a health care provider of the University's choosing. Such a second opinion examination would be at the University's expense. The University may also require employees to provide medical recertification.

B. Failure to provide required medical certifications upon request will disqualify the employee from paid STD benefits and may subject the employee to discipline for absenteeism, among other things.

C. Upon return to work, the employee may be required to provide certification from the treating physician regarding fitness for duty.

V. **Outside Employment Prohibited.** Employees using paid STD benefits are prohibited from working in any outside employment including self-employment during the period of disability (see Outside Employment Policy #4.205). Violation of this policy may result in disciplinary action, up to and including termination.

VI. **Effect of Termination.** An employee who is involuntarily terminated or voluntarily quits from employment while already on STD benefits may continue to receive STD benefits for that illness or disability until the disability is resolved or until they have exhausted the maximum benefits set forth above, whichever first occurs. Thereafter, the right to STD benefits ceases. Because employees lose any accrued sick leave upon termination from employment they may not supplement their STD benefits with sick leave after the date of termination.

Policy Cross References

Outside Employment	Policy #4.205
Paid Sick Days	Policy # 4.415
Employee Day of Community Service	Policy #4.417
Family and Medical Leave	Policy # 4.419
Military Leave / Reemployment Rights	Policy #4.421
Discretionary Leave	Policy #4.423
Bereavement Leave	Policy # 4.425
Court and Jury Duty Leave	Policy # 4.427
Time Off to Vote	Policy # 4.431
Vacation	Policy # 4.433
Benefits Eligibility	Policy # 4.701