

Subject: **Sick Leave Plan for Short-Term Disability**

Applies to: Faculty and Staff

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

I. Policy: The Sick Leave Plan for Short-Term Disability pays all or part of basic salary for an eligible faculty or staff member who has a disability which is not job-related and which prevents the individual from carrying on University duties and responsibilities. Benefits may be payable for a period of days, weeks, or months and are determined by the individual's position, service date and length of service.

II. Guidelines:

A. Benefits Provided by the Plan. See attached schedules entitled as follows:

— Schedule of Sick Leave Benefits Provided for Staff in Nonexempt Positions

— Schedule of Sick Leave Benefits Provided for Faculty and Professional, Administrative, and Supervisory (PAS) Staff

— Schedule of Sick Leave Benefits Provided for Strong Memorial Hospital Residents and Fellows

B. Sick leave may not be used to cover absence caused by illness of a member of the family, nor for absences other than those caused by personal disability of the faculty or staff member.

C. Coverage During Job-Related Disability

In the case of a job-related disability, Workers' Compensation may provide lower payments than the Sick Leave Plan. In such instance, the University will pay the higher benefit and the Sick Leave Plan benefit will be reduced accordingly. However, if a non job-related disability then occurs within the same plan year (based on service date), the Sick Leave Plan will be no less than statutory pay required by New York State. See Policy 271, Workers' Compensation.

D. Coverage During Long-Term Disability

For regular full-time faculty and staff members, another plan, the University's Long-Term Disability (LTD) Plan, may provide protection for longer periods. Long-Term Disability benefits start after six months or when sick pay runs out after that time, whichever provides the greater benefit. See the LTD Summary Plan Description for further details.

E. Coverage During Leave of Absence

During an approved leave of absence, faculty and staff members who become disabled within four weeks of the effective date of leave may qualify for statutory sick leave benefits during the period of disability.

F. Coverage During Layoff*

During a temporary or indefinite layoff, an individual who becomes disabled within four weeks of the effective date of layoff may qualify for statutory sick leave benefits during the period of disability.

*This section does not apply to faculty.

G. Coverage on Retirement, Termination or on Change to Ineligible Status

Faculty and staff members who become disabled within four weeks after retirement, termination of employment or change to an ineligible status may qualify for statutory sick leave benefits during the period of disability.

H. Status of Other Benefits During Sick Leave

Active** faculty and staff receiving benefits under the Sick Leave Plan continue eligibility for enrollment in the following benefit plans: Health Care Plan, Dental Plan, Flexible Spending Account (FSA), Long-Term Disability, Life Insurance, Retirement Program, and Tuition.

Vacation does not accrue and Holiday pay does not apply.

**For individuals whose statutory sick leave 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.

III. Procedures:

- A. Effective 2/1/09, a faculty or staff member who becomes disabled and cannot work is responsible for notifying Aetna at 1-866-326-1380.

Additionally, he or she is responsible for informing his or her supervisor or department head as soon as possible (generally within one hour of scheduled reporting time). Based on departmental requirements, notice earlier than one hour may be required. An individual who is disabled for several days should notify the supervisor or department head, of prognosis on a regular basis and when possible, of the anticipated return to work date.

- B. Staff in Nonexempt Positions, and Professional, Administrative, and Supervisory (PAS) Staff salary grades 50 - 59: For an absence involving more than seven calendar days, Aetna must be contacted by the faculty or staff member. Aetna will take the claim information over the telephone. This will enable Aetna to initiate

claim processing. The claim form will be sent to the staff member for approval and for completion by the employee's physician. (For those of the Christian Science faith, a statement from a Practitioner may be substituted for the physician's statement.) The completed claim form should be returned to Aetna.

Aetna will advise the employee, the supervisor and the Leave Administration division of the Office of Human Resources of the approved period of disability benefits. Based upon this approval, the appropriate sick leave benefits will be included in the employee's pay.

A manager or supervisor may require medical certification for a less-than-five-day absence when, in his or her judgment, there is a question of (1) illness or injury affecting the staff member's ability to perform safely on the job; (2) possible contagion; (3) possible work-relatedness of the disability; or (4) possible abuse of sick leave benefits.

- C. Faculty and Professional, Administrative, and Supervisory (PAS) Staff salary grades 60 and above: The individual should submit to the supervisor or department head, for forwarding to the Leave Administration division of the Office of Human Resources, a brief note giving the dates and cause of any disability which results in absence from regular work for longer than 30 days (or for a shorter period, if suggested by the department head).
- D. Individuals who have been on sick leave may be required to be examined by a University Health Service physician before being permitted to return to duty. This health evaluation is often required when the nature of the illness is such that University Health Service recommends it, and in cases when an individual is returning to work after an extended illness.
- E. The University reserves the right to modify, amend or terminate any or all of the Benefit plans at any time. For example, there may be such changes as reducing the coverage of a plan, requiring employee contributions, or increasing or decreasing benefit levels. If one or more plans is terminated, the termination will not affect those benefits which are being paid to employees prior to the termination but there will be no benefits paid to those who would have become entitled to payment after the date of termination.
- F. See attached Schedules of Sick Leave Benefits.

See also Policies:

- #265 Long-Term Disability Plan
- #271 Workers' Compensation Insurance
- #340 Paid Time Off (PTO) Plan
- #358 Family Medical Leave

SCHEDULE OF SICK LEAVE BENEFITS PROVIDED FOR STAFF IN NONEXEMPT POSITIONS

Days of Sick Pay Provided: For regular full-time and part-time staff in nonexempt positions whose primary appointment is in **divisions 10 (Central Administration), 20 (River Campus), 21 (College of Arts and Sciences), 22 (College of Engineering and Applied Science), 23 (Simon School), 24 (Graduate School of Education and Human Development), 30 (Eastman School of Music) or 70 (Memorial Art Gallery)**, 10 days of sick pay protection are available immediately upon appointment and at the start of each anniversary year, up to a maximum accumulation of 20 days.

A “day” of sick pay means one-fifth of the staff member’s standard weekly work hours. Sick days provide pay at the basic hourly rate (including shift differential where applicable) for normal hours lost due to non job-related disability during the first calendar week of such disability. (Sick pay does not apply to bonus hours.)

With advance approval from the supervisor, a staff member may use days or part-days of sick pay to make up for time lost from work for visits to the doctor or dentist.

PTO Plan Provided: For regular full-time and part-time staff in nonexempt positions whose primary appointment is in **divisions 40 (School of Medicine and Dentistry), 50 (Hospitals and Clinics), 60 (School of Nursing), 90 (Medical Center Administration), 91 (Faculty Practice), or 92 (Eastman Dental Center)**, one week of standard work hours are available at the start of each Plan Year. New employees are eligible for a pro-rated PTO allocation upon hire. See Policy 340, Paid Time Off (PTO) Plan.

Weeks of Sick Pay Provided: For regular full-time staff in nonexempt positions who have six months or more service, the University Sick Leave Plan provides weeks of sick pay benefits (including shift differential where applicable) beginning with the eighth calendar day of a disability absence. (Sick pay does not apply to bonus hours.) The weeks of full or half sick pay or both are shown on the following schedule.

Weeks of Sick Pay for Regular Full-Time Staff in Nonexempt Positions

<u>Length of University Service at Beginning of Disability</u>	<u>Weeks of Sick Pay Protection Available per Benefit Year</u>		
	<u>Full Pay</u>	<u>Half Pay</u>	<u>Total</u>
6 months but less than 1 year	—	26	26
1 year but less than 2 years	1	25	26
2 years but less than 3 years	2	24	26
3 “ “ “ “ 4 “	3	23	26
4 “ “ “ “ 5 “	4	22	26
5 “ “ “ “ 6 “	5	21	26
6 “ “ “ “ 7 “	6	20	26
7 “ “ “ “ 8 “	7	19	26
8 “ “ “ “ 9 “	8	18	26
9 “ “ “ “ 10 “	9	17	26
10 years but less than 11 years	10	29	39
11 “ “ “ “ 12 “	11	28	39
12 “ “ “ “ 13 “	12	27	39
13 “ “ “ “ 14 “	13	26	39
14 “ “ “ “ 15 “	14	25	39
15 years but less than 16 years	15	37	52
16 “ “ “ “ 17 “	16	36	52
17 “ “ “ “ 18 “	17	35	52
18 “ “ “ “ 19 “	18	34	52
19 “ “ “ “ 20 “	19	33	52
20 years and over	20	32	52

NOTE: Successive periods of disability caused by the same or a related injury or illness are considered a single period of disability if separated by less than three months.

For regular full-time staff members with under six months of service and for regular part-time staff members, statutory sick pay (sick pay required by New York State) begins with the eighth calendar day of absence. Statutory benefits provide half pay (up to \$170 per week) for as long as 26 weeks. The minimum statutory benefit is \$20 per week or the average weekly wage if it is less than \$20.

Temporary and, after 25 days of University employment, time-as-reported (TAR) staff members become eligible for statutory benefits beginning with the eighth calendar day of absence.

SCHEDULE OF SICK LEAVE BENEFITS PROVIDED FOR FACULTY AND PROFESSIONAL,
ADMINISTRATIVE, AND SUPERVISORY (PAS) STAFF

For regular full-time and part-time faculty (including faculty with visiting appointments) and professional, administrative, and supervisory (PAS) staff, full salary is continued during sick leave:

<u>for up to</u>	<u>if length of University service at beginning of disability is:</u>
2 months*	less than 2 years
4 months**	2 but less than 4 years
6 months	4 but less than 6 years
8 months	6 but less than 8 years
10 months	8 but less than 10 years
12 months	10 years or more

NOTE: Successive periods of disability caused by the same or a related injury or illness are considered a single period of disability if separated by less than three months.

- *plus four months of statutory sick leave benefits
- **plus two months of statutory sick leave benefits
(Statutory sick leave benefits provide half pay up to \$170 per week.)

Temporary staff members, and after 25 days of University employment, time-as-reported (TAR) professional, administrative, and supervisory staff members and individuals who are at the University primarily for furthering their education but are employees (for example, post doctoral research associates) become eligible for statutory sick leave benefits (benefits required by New York State) beginning with the eighth calendar day of absence. Statutory sick leave benefits provide half pay (up to \$170 per week) for as long as 26 weeks. The minimum statutory benefit is \$20 per week or the average weekly wage if it is less than \$20.

Many faculty are on an academic year schedule and are paid for the duties performed during the period September 1 to May 31. Payment for academic year duties is spread over a 12-month period beginning with the July 1 preceding the academic year and ending with the June 30 following the academic year. Because faculty on academic year schedules are not required to perform any duties in July and August preceding the academic year, or in June following the end of the academic year, inability to perform duties because of medical disability in those summer months results in no loss of income as long as the faculty member returns to performance of his or her duties beginning September 1. Consequently, no sick leave benefits are paid for such periods of disability.

For faculty members under the School of Medicine and Dentistry Faculty Compensation Plan (SMDFCP), salary means authorized 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.

SCHEDULE OF SICK LEAVE BENEFITS PROVIDED 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 sick leave for up to the full period of the one-year appointment or according to the following schedule, whichever provides the greater benefit:

<u>for up to</u>	<u>if length of University service at beginning of disability is:</u>
2 months*	less than 2 years
4 months**	2 but less than 4 years
6 months	4 but less than 6 years
8 months	6 but less than 8 years
10 months	8 but less than 10 years
12 months	10 years or more

NOTE: Successive periods of disability caused by the same or a related injury or illness are considered a single period of disability if separated by less than three months.

*plus four months of statutory sick leave benefits

**plus two months of statutory sick leave benefits

(Statutory sick leave benefits provide half pay up to \$170 per week.)