

Staff Short-Term Disability Policy

Office of Human Resources

Out Sick for 3 or More Days

Since you will be/have been out of the office on sick leave for three or more consecutive days, you will need to submit a doctor's note to The Office of Human Resources detailing your diagnosis, prognosis and expected date of return.

Out Sick for 7 or More Days

If, for whatever reason, you are out of the office on sick leave for seven or more consecutive days, JTS policy requires that you complete the following steps:

1. Immediately provide a doctor's note with a diagnosis, prognosis, and expected date of return.
2. Complete and submit the enclosed DB-450. You are responsible for **Part A** and your physician must fill out **Part B**. Please mail the completed form to our offices. Our mailing address is:

Office of Human Resources
3080 Broadway
New York, NY 10027

3. Provide us with your home e-mail address, if you have one, to ease the communication flow.
4. Submit an updated note from your doctor regarding your status once a month, if applicable.*
5. Submit a doctor's note clearing you to come back to work approximately two weeks prior to your expected date of return.*

* Policy reviewed and revised 1/18/2011. Original policy required submission of a doctor's note every two weeks.

The completion of the above steps entitles you to the short-term disability benefits (known as New York State Disability partial income replacement benefits) provided by JTS through Standard Security, our short-term disability carrier. It is very important to note that you **MUST USE ALL AVAILABLE SICK TIME BEFORE New York State Disability (NYSD) partial income replacement benefits are paid.**

Regardless of whether you have any sick leave available, there is a seven calendar-day waiting period for NYSD benefits. In other words, NYSD benefits will begin on the eighth consecutive day that you are unable to work.

Below, please see a summary of the federal Family and Medical Leave Act as well as more details regarding New York State Disability.

Out Sick for 180 or More Days

Should you be out of the office on medical leave for more than 180 days (or 6 months), you will become eligible to apply for long-term disability. The determination of whether or not you are eligible for long-term disability is made by your doctor together with the insurance company.

Please note that once you are out of the office on medical leave for more than 180 days, you will be removed from our payroll regardless of whether or not you have any additional time off remaining. This has no effect on whether or not you will be eligible for long-term disability.

Family and Medical Leave Act

Time absent from the workplace because of a documented temporary disability is counted as time taken under the federal Family and Medical Leave Act (FMLA). The FMLA grants an eligible employee up to a total of 12 work weeks of leave during any 12-month period (JTS calculates FMLA on a calendar basis) for one or more of the following reasons:

- For the birth and care of the newborn child of the employee;
- For placement with the employee of a son or daughter for adoption or foster care;
- To care for an immediate family member (spouse, child, or parent) with a serious health condition;
- or**
- To take medical leave when the employee is unable to work because of a serious health condition.

Upon return from FMLA leave, an employee must be restored to his or her original job, or to an "equivalent" job, which means virtually identical to the original job in terms of pay, benefits, and other employment terms and conditions.

I have attached a copy of the FMLA for your information. Please note that there is a question and answer section starting on page 7 of the FMLA document.

New York State Disability

While you are on medical leave, you must use all available sick time before New York State Disability (NYSD) partial income replacement benefits will be paid. Regardless of whether you have any sick leave available, there is a seven calendar-day waiting period for NYSD benefits. In other words, NYSD benefits will begin on the eighth consecutive day that you are unable to work. If you do not have any sick time available to cover the seven calendar-day waiting period, you may elect to use vacation time.

When you no longer have any available sick or vacation time you will only receive payment from Standard Security, our short-term disability carrier. Short-term disability payments are \$170.00 a week for a maximum of twenty-six weeks, counted from the first day of disability (which is usually the eighth calendar day from when you stopped working). These payments are not automatic, and you must complete the DB-450 in order for the insurance carrier to process your claim. Please note that during the time you receive sick leave pay, you are not eligible to receive the \$170.00 a week.