



NONINDUSTRIAL DISABILITY INSURANCE

Nonindustrial Disability Insurance (NDI) provides income for an eligible employee who is disabled from work due to a non-work related medical condition and is suffering wage loss as a result. It is a fringe benefit completely paid for by the State; there are no employee contributions. This program should not be confused with Workers' Compensation or Industrial Disability Leave (IDL) coverage for work-related injuries. The basic provisions of the program are described below. **NOTE:** This handout is a summary of applicable laws and regulations only, and therefore leaves out important details. If statements in this handout differ from legal provisions, any decisions will be based on the law and not this material. The provision of the collective bargaining agreement pertaining to your classification may also supersede the statements in this handout. This material is subject to revision and reissue as legal and other changes occur.

ELIGIBILITY

To be eligible, a CSU employee must be an **active** member of the Public Employees' Retirement System (PERS) or State Teachers' Retirement System (STRS) who is disabled from work and is either:

1. A **full-time permanent or probationary** employee; or
2. A **part-time permanent** employee; or
3. An employee **appointed half time or more for at least one year** of service or **one academic year**.

As mentioned above, there must be a wage loss suffered due to the disability. Furthermore, an employee who is **disabled during his/her normal non-work period** -- for example, an academic year employee during the summer quarter off, a ten-month, 10/12 or 11/12 employee, during the non-work period -- is not eligible for NDI payments until the work period for the appointment recommences. An AY employee, who is otherwise eligible, is entitled to continuation of NDI benefits during periods designated on the academic calendar as midyear recess or academic holiday.

Determination of the employee's eligibility, disability, and period of disability is made by the State Employment Development Department (EDD) in Sacramento.

PAYMENT AND LENGTH OF BENEFITS

All eligible employees are entitled to a maximum of up to 26 weeks of NDI benefits for any one disability period. The benefits amounts are as follows:

- ¾ **Unit 1** (Physicians) - an amount equal to one-half full pay **not to exceed \$135 per week** for any one disability period.
- ¾ **CSUEU (2,5,7,9), Confidential (C99) and MPP (M80, M98)** - an amount equal to one-half full pay **not to exceed \$250 per week** for any one disability period.
- ¾ **All other eligible employees** - **\$125 per week** for any one disability period.

An employee who is still disabled after 26 weeks may request a medical leave of absence without pay, retirement, or other options. If the disability continues after 26 weeks and retirement is not an option, the **Benefits & Workers Comp Specialist** in Human Resources should be contacted to arrange for direct payment of insurance premiums. See contact list on back of flyer.

A temporary employee will not be eligible to receive NDI benefit payments after his/her appointment ending date has been reached. In no case shall benefits be payable for any day on or after separation or retirement from state service.

Return to Work: You must notify the **Benefits & Workers Comp Specialist in Human Resources of your return date and provide a written release from your physician to the Coordinator.** The note should include the date of your release and, if applicable, any restrictions and the duration of those restrictions.

Partial Return to Work: If an employee receiving NDI benefit payments obtains a medical clearance to return to work on a part-time basis, and is otherwise eligible for NDI and is disabled for four or more hours per day (or a minimum of 50% of their assigned time base), he/she may continue to receive full NDI benefits for the portion of his/her normal work time that he/she cannot work due to the disability. In no case shall the employee receive gross pay (salary plus NDI benefit payments) which exceeds his/her monthly salary.

NDI and OTHER DISABILITY BENEFITS

Workers' Compensation Temporary Disability IDL/TD:

Employee's whose workers' compensation claim is being delayed and are losing time from work, may apply for NDI benefits until a determination is made on their workers' compensation claim.

SDI (State Disability Insurance): CSU Channel Islands does not participate in SDI; however, some employees may be eligible to receive SDI benefits concurrently with NDI benefit payments if they paid into SDI under a prior employer. If you think you may be eligible for SDI benefits, contact EDD directly for an application.

NDI WAITING PERIOD

There is a seven-day waiting period starting on the first full day of disability for each period of disability before NDI benefit payments can begin. However, if the employee is confined in a hospital or EDD-approved nursing home for one full day, the waiting period may be waived. The waiting period may be served while sick, vacation or other leave credits are being used.

USE OF SICK LEAVE, VACATION AND CTO

An employee must use all accrued sick leave before any NDI benefits may be paid. Use of accrued vacation or CTO credit during a disability is optional. However, if the use of vacation leave or CTO is elected, all of the accrued time must be used before NDI benefits will be paid.

Employees do not accrue vacation credits, sick leave, or retirement credit during an NDI benefit period. Time spent in an NDI leave normally will not count as part of any required probationary period or as qualifying service for a salary service increase (SSI), where applicable. However, NDI leave may count toward the accumulation of seniority points depending on collective bargaining unit.

CATASTROPHIC LEAVE PROGRAM

An employee who accrues sick and/or vacation leave credits may elect to receive leave donations from co-workers if she/he has a catastrophic illness or injury and has exhausted all CTO, vacation and sick leave available for use during the absence. Contact the Disability Programs Analyst in Human Resources for details.

APPLICATION PROCEDURES

Contact the **Benefits & Workers Comp Specialist** in Human Resources to begin the application process. Your Technician in Payroll Services will complete the Payroll section of the application and you will complete the Employee section, then give the application to the attending physician for certification of disability. The physician sends the form directly to the EDD. EDD will make the determination of eligibility and notify the employee and Benefits & Workers Comp Specialist in Human Resources. The **Benefits & Workers Comp Specialist** authorizes Payroll Services to issue an NDI benefit payment.

If the disability continues longer than the physician first anticipated, extensions up to the maximum period may be granted. The EDD customarily mails a form to the physician prior to the end of the initial period of disability, which may be used to indicate a further period of disability.

Because several steps are involved in the NDI application approval process, there is usually a lag between the beginning of a period of disability and receipt of the first NDI payment. If you anticipate a disability, i.e., surgery or birth of a child, you should contact the **Benefits & Workers Comp Specialist** as soon as possible but no later than the day before the start of the disability period. *It is your responsibility to follow-up with your physician's office to make sure that they have completed and mailed your NDI Application form to NDI as quickly as possible.*

PAYMENT OF BENEFITS & PAYROLL DEDUCTIONS

PLEASE NOTE: Disability pay is a benefit and not a wage. After NDI benefit authorization is received from EDD, Payroll Services will process documentation to initiate NDI payments through the State Controller's Office. Disability pay is issued by the Controller's Office about the 10th of each month after the regular pay cycle. NDI payments are subject to Federal and State income taxes and Social Security taxes. PERS or STRS retirement contributions are not deducted because employees do not earn retirement service credit while on NDI leave. All voluntary deductions such as health, dental, vision and life insurance premiums, tax sheltered annuity and charitable contributions, credit union payments and parking fees will automatically be deducted from the NDI check as long as the net NDI payment is large enough to cover these deductions, unless such benefits are cancelled by the employee in a timely manner.

MATERNITY LEAVE BENEFITS

Sick leave and NDI benefits are available to female employees for maternity leave purposes, but only for the period of disability as determined by the attending physician and authorized by the EDD (normally 6-8 weeks following a normal birth). The NDI regulations stated above also apply to maternity disabilities. Permanent or probationary employees may request a leave without pay for up to one year if an extended leave beyond the period of disability is desired.

Other employees may also be eligible to request an extended leave without pay.