

The Medical Leave Puzzle

Understanding how the pieces
fit together to benefit you ...



Presented by the Office of Human Resources

- Family Medical Leave
- Short and Long Term Disability
- Sick Leave Pool
- Disability Retirement

The possibility of being out on leave for an extended period of time can create uncertainty and raises questions regarding your employment with Palm Beach State College as well as the benefits available. The Office of Human Resources is here to help you navigate through the possibilities and to help you make the best decisions for you and your family.

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If a situation occurs where you need to be out for more than ten working days for medical reasons, You must complete the following steps:

1. As soon as you know that you need to be out, contact your direct supervisor to discuss the dates you will be out and the anticipated date of return. You are not required to tell your supervisor the details of your medical condition. You can submit medical documentation directly to Human Resources. In some cases a supervisor may be able to adjust your schedule to allow you to return part time, provided you are physically able to perform the essential job duties and that the schedule meets the needs of the department.
2. Log on to the [Employee Web](#) and review your available leave balances and current payroll deductions on your paystubs. (Please remember that leave balances are accurate as of the last payroll submission date.)
3. A doctor's statement is required in order for medical leave to be considered. The "Illness/Medical Leave Verification" form can be found on the web at <https://www.palmbeachstate.edu/hr/>.
4. Make an appointment with Melissa Solla-Gibble or Donna Agard in the Office of Human Resources to discuss your situation.

The following pages are only brief descriptions of some of the policies and benefits that may be discussed and may not be applicable to all employees as each employee situation is unique.

If you have worked for the College for at least one year and have worked a minimum of 1,250 hours during the past 12 months, you may be eligible for Family Medical Leave.

Under the Family Medical Leave Act, the College will grant up to 12 weeks of family medical leave to eligible employees within a 12-month period for the following purposes:

- ◇ To care for a child following birth, adoption, or foster care placement into the employee's home within a year of the child's arrival.
- ◇ The employee's own serious medical condition.
- ◇ To care for a spouse, child, or parent with a serious health condition.



You may have up to 12 weeks of family medical leave within a "rolling year". This means that the year begins with the date the leave begins. For example, if you are approved for medical leave beginning on October 1, you may take up to 12 weeks of leave between October 1 and September 30.

Family Medical Leave can be continuous or intermittent. Intermittent leave can be granted when a serious medical condition requires sporadic care. An example of intermittent leave is a cancer patient needing periodic chemotherapy treatments. The patient may be able to return to work in the time period between treatments.

Family Medical Leave is usage will be concurrent with other paid. This means that you may not take sick or vacation time and then start Family Medical Leave once your sick leave and/or vacation days are utilized. You must exhaust all of your paid leave before unpaid leave is granted.

The college requires an “[Illness/Medical Leave Verification](#)” form to be completed by the attending physician in cases involving the employee’s own serious medical condition or the serious medical condition of a family member. This document is submitted to Human Resources for initial consideration of leave, monthly updates while on leave, and prior to returning to work. The College may require additional medical opinions to support the employee’s request at the college’s expense.

If you are requesting leave in order to care for another person, you will be required to document your relationship to that person and the medical reason why you are needed to provide care.

You must request leave at least 30 days in advance if the leave is foreseeable.

If leave is approved, the Office of Human Resources will issue a letter which includes the date the leave begins as well as other information.

During family medical leave the College continues its contribution to the employee’s health, dental, long term disability, and life benefits.

Health and voluntary insurance deductions that you are paying for must be maintained while on leave. If you receive a paycheck for sick or vacation time, the deductions will be taken from your check. Once you are in non-paid status, you must pay the deductions to the College on a monthly basis.

These may include:

- ◇ HMO coverage for more than just the employee
- ◇ PPO coverage

- ◇ HMO Dental for more than just the employee
- ◇ PPO Dental
- ◇ Optional Life Insurance
- ◇ Short Term Disability
- ◇ Other voluntary coverage (AFLAC, long term care insurance, etc.)

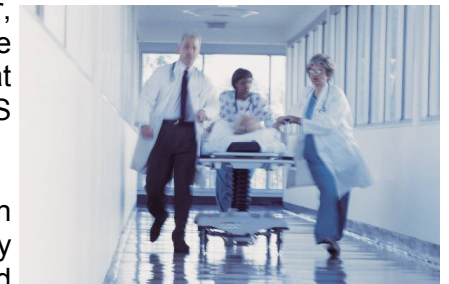
Flexible Spending Account and 403(b) contributions are deducted only if you are receiving a paycheck. These contributions cannot continue while in non-paid status.

While you are in paid status, the College continues to contribute to your retirement. These contributions cease once you are in non-paid status. If you are participating in the pension plan, you do not receive service credit when in non-paid status. However, you may purchase service credit from FRS for that time by contacting FRS directly.

If you are unable to return to work after Family Medical and Extended Medical leave expires, depending on the reason, the college may require you to repay the insurance premiums paid by the college during your leave.

If you continue on approved extended medical leave beyond the Family Medical Leave period, you are responsible for the entire amount of the health insurance premium each month which includes the portion that the college pays.

The corresponding FMLA board policy can be viewed at: <http://www.palmbeachstate.edu/boardoftrustees/>



SHORT TERM DISABILITY

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Short term disability is a voluntary benefit which may provide payment for up to 66.67% of your monthly salary. If you elected to participate in short term disability the payroll deductions show on your pay stub as "Short Term Disability".



There is an elimination period of 30 days after you are disabled until short term disability can take effect. This means that if you become disabled and are unable to work on March 1st the benefit would not begin until March 31st.

During the 30 day wait period you must utilize all sick and vacation time before going into an unpaid status. Payroll deductions are the same as under Family Medical Leave with one exception; if you are determined to be disabled, you do not need to make short term disability payments.

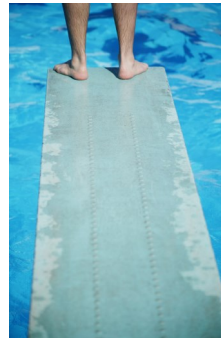
Short term disability is decreased by the insurance carrier if you receive salary, leave, or other disability payments.

The claim form for disability "Short Term Disability Claim" can be found at <http://www.palmbeachstate.edu/hr/>. You must complete the "claimant" sections, have your doctor complete the "physician" pages, and then return the form to the Office of Human Resources for completion of the "employer" section and submission to the company. The insurance company will notify you directly if you do or do not qualify and what the benefit will be. If the claim is approved, the carrier mails a check directly to you.

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SICK LEAVE POOL

As outlined in [Board Policy 6Hx-18-5.031](#), the Sick Leave Pool is designed to aid participating employees who have exhausted all of their own accrued sick and vacation leave during times of extended personal illness, as defined under the Family Medical Leave Act (FMLA). The purpose of this program is to provide protection to participants from the loss of income due to illness, accident or injury. It is a voluntary option that permits eligible employees to donate accrued sick leave hours to the Sick Leave Pool as outlined in the procedures.



Any sick leave drawn from the Sick Leave Pool by a member must be used for the member's own personal illness, accident or injury. Pregnancy is an eligible disability for withdrawing leave from the Sick Leave Pool, but only for such period of time that the employee is certified by a physician as physically unable to work. Sick leave may not be withdrawn from the Sick Leave Pool for the purpose of childcare or the care of other family members. The Sick Leave Pool does not cover cosmetic or reconstructive surgery unless it is the result of an injury or congenital defect. Elective surgery is excluded from usage of the Sick Leave Pool.

A member of the Sick Leave Pool may withdraw a maximum of sixty days during any twelve month period in increments of twenty days or less. The twelve-month period will commence on the day an employee first draws from the Sick Leave Pool. The maximum number of days a member may withdraw from the pool is ninety days within any three consecutive years of employment.

Members who would like to withdraw sick leave from the Sick Leave Pool must complete the [Sick Leave Pool Request Form](#) and provide medical documentation to the Office of Human Resources. Upon receipt of the information, the Sick Leave Pool Board of Directors will review the requests, and the employee will be informed of the decision within five working days. If necessary the Board of Directors may require further medical documentation. If an employee requests additional increments from the Sick Leave Pool, the Board of Directors may also request further medical documentation.

An employee who is absent while using leave time withdrawn from the Pool is treated for all purposes the same as an absent employee on earned sick or vacation leave and will continue to accrue sick and annual leave. Sick leave and vacation leave will be used as earned before additional days from the pool are used.

A contractual employee is limited to drawing time from the Sick Leave Pool in accordance with his/her contract. For example, a faculty member cannot use the Sick Leave Pool during the summer terms.

Participants who are eligible for payment under the College's Worker's Compensation or Disability Plans are not eligible to receive sick leave from the Pool.

A participant's use of sick leave from the Sick Leave Pool shall terminate and any remaining balance of donated leave returned to the reserve under the following conditions: the recipient is medically released to return to work; the recipient's employment terminates; or the recipient fails to provide medical documentation as required under FMLA.



If your illness is anticipated to exceed 90 days, long term disability may apply. Coverage for long term disability is provided by the College for all full-time employees and provides replacement for up to 67% of your salary.

The elimination period for long term disability is 90 calendar days. This means that if you become disabled on January 1st, the long term disability could not take effect until April 1st.

The "Long Term Disability Claim" form can be found at <http://www.palmbeachstate.edu/hr/>. You must complete the "claimant" sections, have your doctor complete the "physician pages", and then return the form to Human Resources for completion of the "employer" section and submission. The insurance company will notify you directly if you do or do not qualify and what the benefit will be.

Long term disability is reduced by other income sources so the amount may not exceed the 66 2/3% of salary. Social Security, pension and workers' compensation are a few examples of the types of income that would reduce the amount paid under long term disability.

It is the carrier's policy that an employee on long term disability must also apply for social security disability once that option becomes available. The carrier may withhold payment if the employee does not apply.

During long term disability the college no longer contributes to health or dental premiums. You are responsible for paying the entire amount for insurance premiums to the college on a monthly basis.

There are two types of disability retirement under the Florida Retirement System (FRS):

- ◇ **Regular disability retirement** – if you become disabled due to an illness or injury not related to your employment at the College.
- ◇ **In-line-of-duty disability retirement** – if you are disabled due to an illness or injury that arises out of and during the performance of your duties as required by the College.

A College employee who is not in DROP may be eligible for FRS disability if he/she meets all of the following criteria:

- ◇ Be totally and permanently disabled,
- ◇ Must be a FRS Pension or FRS Investment plan member (employees participating in the CCORP are not eligible),
- ◇ Has completed 8 years of service within FRS, and
- ◇ Completes the necessary claim forms and documentation.

If you are participating in the FRS Investment Plan (or a hybrid member of both plans) all monies accumulated under the plan must be transferred to the FRS trust fund. Once approved for disability under FRS you become a member of the Pension Plan as of your effective disability retirement date.

Disability Benefit – The regular disability benefit is a minimum of 25% of your average final compensation. The benefit may be higher based upon the years of credible service. Steps to determine your FRS Disability Benefit under option 1 (your lifetime) are provided on the following page. (Please note that the following is for explanatory purposes only; exact determinations must be made by FRS.)

Determine the years of creditable service in each class or plan.

Jane was in the FRS with a school district for 3 years and for Palm Beach State for 15 years = 18 years.

Multiply the percentage value (normally 1.6% for regular class under age 62) by your years of service in that class/plan to obtain a subtotal for each class/plan.

If Jane is 43 and in the regular class we multiply $1.6\% \times 18 = 28.8\%$

Add the percentage values for each class/plan in which you had creditable service to determine your total percentage value for all classes/plans.

Jane was always in regular class so the percentage value is 28.8

Compare the percentage value derived under step 3 to the applicable minimum disability benefit multiplier (25 percent for regular disability, 42 percent for non-special-risk in-line-of-duty disability) and take the higher percentage.

Jane's value 28.8% vs. minimum 25% = she uses the 28.8%

If you began working in an FRS position prior to July 1, 2011, multiply the average of your highest 5 fiscal years of salary by the total percentage value obtained to determine the option 1 annual disability benefit based on service.

If you began working in an FRS position on or after July 1, 2011, multiply the average of your highest 8 fiscal years of salary by the total



percentage value obtained to determine the option 1 annual disability benefit based on service. There is no reduction for early retirement.

Selecting option 2, 3, or 4 would decrease the benefit amount to reflect the cost of the additional coverage.

If we use \$33,000 as the average salary of Jane's highest five years, then $\$33,000 \times 28.8\% = \$9,504$ annual benefit under disability retirement (option 1)

If you are considering disability retirement, you should obtain an estimate from FRS by calling the Disability Section at 877-738-3725 or inquiring via email at disability@dms.myflorida.com.

Disability retirees are eligible to receive a cost of living adjustment (COLA) July of each year. (The first year is normally not a full year and is prorated)

Disability retirees are eligible to continue the College's group health insurance plans at the full rate. FRS also provides a health insurance subsidy benefit based upon your service credit at retirement. (\$5 for each year of service – not to exceed \$150) You must apply for the subsidy and the application form is automatically mailed to you by the FRS after retirement. In the prior example Jane had 18 years service $\times \$5 = \90 health insurance subsidy benefit.



You may be eligible for Social Security benefits if you cannot work because of a medical condition that is expected to last at least one year or result in death. Federal law requires this very strict definition of disability.

Social Security Disability has an earnings requirement. You must meet two different earnings tests:

- A “recent work” test based on your age at the time you became disabled; and
- A “duration of work” test to show that you worked long enough under Social Security.

The amount for your Social Security Disability Benefit is based on your average lifetime earnings. The Social Security Statement you receive each year shows your lifetime earnings and an estimate of your disability benefit. You can also request an estimate from the Social Security web site or by calling 1-800-772-1213.

How to apply for benefits under Social Security:

- ◇ Apply at www.socialsecurity.gov; or
- ◇ Call the toll-free number, **1-800-772-1213**, to make an appointment to file a disability claim at your local Social Security office or to set up an appointment for someone to take your claim over the telephone. If you schedule an appointment, a Disability Starter Kit will be mailed to you. The Disability Starter Kit will help you get ready for your disability claims interview. If you apply online, the Disability Starter Kit is available at www.socialsecurity.gov/disability.

The College provides term life insurance coverage to all full-time employees. The amount of the insurance is equal to your annual salary with a minimum of \$20,000 to a maximum of \$50,000 of coverage.

The College continues to provide life insurance to employees on leave up to 180 calendar days after the leave begins. If you wish to continue the insurance past 180 days you have the option of converting the term life policy to a whole life policy and paying the provider directly for the premiums.

The pay out of the life insurance provided by the College is reduced beginning at age 65. The benefit payout and premiums of the voluntary life insurance are also reduced once you attain age 65.

If you elected voluntary life insurance in addition to the College provided life insurance, you may continue your coverage during leave by paying your monthly premiums. If you receive a paycheck for sick or vacation time, the deductions will be taken from your check. Once you are in non-paid status, you must pay the deductions to the College on a monthly basis.

You may have completed paperwork to name the beneficiaries of your life insurance some time ago. Please ensure that the beneficiaries we have on file are correct. You can find the form on our Human Resources webpage.



The prospect of being out of work with an injury or illness can create a great amount of stress, and other issues for you and your family members. Full-time and regular part-time employees and their household members are covered under the college's Employee Assistance Program. The program is designed to offer short-term counseling on all aspects of life at no cost to you (up to 5 sessions per issue, unlimited issues). If additional consultations are necessary, the counselor can refer you to providers that will coordinate with your medical benefits. Confidentiality is strictly maintained. Please visit the Employee Assistance Program webpage at:

www.palmbeachstate.edu/hr/benefits/employee-assistance-program for more information.



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