



Short-Term Disability (STD) plan

Table of Contents

Floyd County Short-Term Disability (STD) Plan	1
Eligibility and participation	2
How the plan works	3
When coverage begins	3
Elimination/Waiting period	3
STD payment calculation	4
Partial days worked	4
Vacation and Holidays while on STD	5
Deductions and Withholding	5
When coverage ends	5
Leaving employment while on STD	6
Application for STD	6
No Right to guaranteed employment while on STD	6
Administration of Plan	6

Floyd County Short-Term Disability (STD) Plan

FC's Short-Term Disability (STD) Plan provides income protection if you are ill or injured and unable to work

Through FC's Short-Term Disability (STD) Plan, the County offers you the security of continuing a reduced income on a short-term basis if you are ill or injured and are unable to work. STD benefits are generally available for up to 60-days a year, beginning on the first regularly scheduled workday you are unable to work after a specified waiting period (an Elimination period). STD is for personal injuries or illnesses, there is a separate program for those injured at work and have a work related injury.

Floyd County administers the STD Plan and funds the full cost of STD coverage (Self-Funded – Self Administered).

Floyd County reserves the right to interpret the provisions of its policies and plans and such interpretation will be final and binding. Notwithstanding anything contained herein to the contrary, this plan is not intended to constitute an express or implied promise or contract between Floyd County and an employee of the County. Also, each employee is an "at-will" employee. Just as any at-will employee may terminate his/her employment at any time for any reason, Floyd County may terminate any at-will employee at any time, with or without cause and without prior notice.

Floyd County reserves the right to amend or terminate a plan at any time without advance notice. The decision to do so may be a result of changes in federal or state laws governing benefits, or any other factor.

Publication date: December 2018

Learn about the eligibility rules governing the short-term disability plan

Who is eligible

You are eligible to participate in the STD Plan if you are classified as a Floyd County Government full-time benefits eligible employee. Part-time or temporary employees to include Full-Time and Part-Time elected officials are not eligible for consideration for the STD plan.

Full-time employee: An employee assigned to a position that:

- Role is determined and classified as a full-time benefits eligible.
- Position is determined to be a Regular employee with a set work schedule.
- Is expected to continue for an indefinite period of time in a FT role.
- Is PERF eligible.
- Is eligible to earn sick days as part of their FT status

Who is not eligible

Part-time employee: An employee assigned to a position that is:

- Regular and ordinary in nature;
- Expected to continue for an indefinite period of time; and
- One in which the employee works a schedule that is less than 30 hours per work week.
- Is not considered a benefit eligible employee
- Is not considered as being in a PERF authorized position

Temporary, Seasonal, or Occasional employee: An employee assigned to a position that:

- Is in a full-time or part-time Seasonal, project related, or Temporary replacement related role as determined by Floyd County.
- Is regularly scheduled to work or on call such as election workers etc.
- Will continue for a specified period of time or until the occurrence of a specified event, such as the return to work of a regular employee, the completion of a special assignment or project, or the seasonal need for services end.

Interns, paid or unpaid, are considered occasional employees.

Part-Time and Full-Time Elected Officials are in positions that:

- Are in a full-time or part-time position in which they ran for a recognized office, or are caucused in to their positions outside of a regular election cycle.
- Do not have set work schedules requiring them to be at County offices on a set and regular basis.
- Periods of work are determined by term limits or they must run for office for another term.

How to enroll

You do not have to enroll for coverage. As an eligible employee as described under **Who Is Eligible** above, you are automatically covered.

Paying for coverage

Floyd County funds the full cost of your STD coverage and payments to you.

Qualified for Payments under STD

STD is considered and paid only for employees as listed under Who Is Eligible above. STD is considered and paid only for an eligible employee's non-work related injury or illness and cannot be used for the condition or illness of a dependent or family member such as those in which FML may be granted.

When coverage begins

If you are a Regular Full-Time employee that fits the category under **Who is Eligible** above, coverage eligibility begins after 90-days of continuous employment. You must be actively at work for coverage to begin.

Your STD coverage ends as of the earliest of the following events:

- You have received the maximum STD Plan benefits as designated by Floyd County and this plan document.
- You are no longer injured or ill and unable to work or considered “temporary disabled.”
- You fail to provide required medical documentation within the required time period for the County to process your claim.
- You fail to return to work after being offered a light-duty assignment that meets your medical restrictions.
- You fail to obtain and follow medical advice or treatment that is recommended by a competent medical authority.
- You fail to keep all scheduled appointments with physicians or providers treating you for a temporary disabling condition.
- You are using Vacation Benefits.
- Your Floyd County employment ends
- You start receiving Social Security or PERF related Disability related payments.
- You cease to be in an eligible employee class.

There are no continuation or conversion provisions for STD coverage.

Important information about how the short-term disability plan works

Short-Term Disability (STD) pays you a percentage (75%) of your base pay if you are injured or ill and are unable to work. The benefit you receive depends on:

- Your base pay (this excludes projected overtime, shift differentials, or other forms of pay incentives).
- Meeting the administrative requirements and complying with the plan required documentation covered later in this plan document.
- Refusing to follow the plan documentation or other requirements and not follow the enclosed prescribed requirements will lead to STD benefit eligibility to not be considered.

Elimination/Waiting Period

There is an Elimination or waiting period from the time an employee first is unable to work due to an injury or illness and Short-Term Disability (STD) benefits beginning. This period is 14-Calendar days from the first day missed from working. During that elimination period, sick, personal days, and Comp Time must be used if an employee has them in their “bank.” If an employee does not have sick days or one of the other pay replacement hours, that time will be unpaid time until coverage begins under STD at the 15-day mark.

Short-Term Disability (STD) benefits are paid in a regular paycheck and will be direct deposited.

If there is a question whether your illness or injury is work related, you will receive STD benefits according to this plan. If it is later determined that your illness or injury is work related, you will be processed under the Workman’s Compensation Program and may receive work-related injury benefits reduced by the amount of non- work-related STD benefits you have already received, retroactive to the beginning of your STD benefit payments. The same illness or injury cannot be both work related and non-work related.

If your illness or injury is work related

For work-related incidents resulting in an illness or injury, employees will be processed under the State of Indiana and Floyd County Workman’s Compensation program. STD is not payable for work related or connected injuries or illnesses.

STD Payment Calculation

If your illness or injury is non-work related

For non-work-related illnesses or injuries, STD benefits equal a percentage of your base pay based on up to a maximum amount per week/pay-period. The maximum total benefit period is 12 weeks per year.

Example: Joan is a COMOT I that is at the base salary level of \$28,925 annually which is \$1,112.50 per pay period. Once Joan has presented the appropriate documentation described later in this plan document to make a determination on her need for STD, after the 14-day elimination period she would receive 75% of her bi-weekly salary or \$834.38 while she is unable to work. Between day 1 and day 14, Joan would be required to use any banked sick, personal or comp days that is accrued or credited to her account kept by her department.

STD benefit coverage for maternity will be for a maximum period of 6 weeks for a normal delivery and up to 8 weeks for a cesarean delivery. If complications develop with any means of delivery, the benefits could extend to the remaining maximum period allowed.

Benefits are based on a calendar year. This means you are eligible for up to 60-days of STD benefits on the first workday in January. If you are not actively at work, you are eligible for up to 12 weeks of STD benefits once you return to work.

STD benefits are described in hours and weeks based on a traditional full-time five-day per week eight-hour per day schedule.

Base pay is your salary for normal hours worked or straight-time pay, not including overtime, bonuses or incentives.

Working partial days during recovery, rehab etc.

If you are ill or injured and, due to the illness or injury, may only be able to work a portion of a workday during your recovery/return to work, your benefits will be paid as follows:

- **Hourly Non-Exempt Employees:** You will receive regular pay for all time worked and, if eligible, STD benefits for those regularly scheduled work hours that you are unable to work. At this point your available STD benefits are at **50%** of base pay, you will receive regular pay for all time worked and half pay for the work hours that you are unable to work. For example, if you work four hours out of an eight-hour day, you will receive four hours of regular pay and four hours of STD benefits at 50% of base pay, totaling six hours of full pay for the day.
- **Exempt and Salaried Non-Exempt Employees:** If the period during which you will work partial days is expected to exceed two-full pay periods, your employment status will be changed from exempt to non-exempt during this period and you will receive pay as described in the above "Hourly Non-Exempt" paragraph. When you are able to return to a schedule of full workdays, your prior status will be restored. If the period during which you will work partial days is expected to last less than two weeks, you will receive full pay for each day you work a partial day, even if your available STD benefits are at 50% of base pay.

Vacation and Holidays

During the elimination/waiting period, accrued vacation days an employee has on record cannot be used unless at the direct request, recorded in writing, from the employee. The intent of this is to follow the same guidelines as listed in the Floyd County Personal Policies Handbook on the use of sick, personal, comp time and vacation as it pertains to mandatory usage without the direct approval from the employee.

If a scheduled County holiday occurs while you are receiving STD benefits and you receive STD benefits for both regularly scheduled workdays before and after the holiday, you will receive STD benefits for the holiday (still at 75%) instead of holiday pay. Holiday pay is paid to those who would have otherwise been scheduled to work and were capable of doing so at the point of the holiday. For the purpose of "holidays," the rule used in calculating FML usage will be followed.

If a previously scheduled vacation was requested in advance, approved and recorded with a Department Head or Elected Official prior to the injury or illness, an employee on STD may request that those vacation days be used in place of the STD for that period. The use of vacation days in lieu of a reduced STD benefit does not extend the period of time in which STD benefits would be paid.

STD benefits stop as of the earliest of the following events:

- You have reached the maximum STD Plan benefit period per this STD plan document.
- You are no longer injured or ill and unable to work.
- You fail to provide required medical documentation within the required time period.
- You fail to return to work after being offered a light-duty assignment that meets your medical restrictions.
- You fail to obtain and follow medical advice or treatment that is recommended by a competent medical authority.
- You fail to keep all scheduled appointments with company-approved doctors, including a return-to-work physical.
- You begin a leave of absence.
- Your Floyd County Government employment ends.
- You start receiving Social Security Disability benefits.
- You cease to be in an eligible employee class.

Deductions and Withholding from STD payments:

Because Floyd County fully funds and pays the full cost of STD coverage, STD benefit payments are considered taxable income. Consequently, your normal authorized and required tax and other payroll deductions, including Social Security and Medicare, Deferred Compensation are withheld from your STD benefit payments. Also one of the advantages of STD payments is to ensure that any benefit premium payments to the County do not fall into arrears, all applicable benefit premiums will be withheld at the normal rates during an STD qualified absence. STD payments are considered as income and will be reflected as such on an employee's annual W-2 statement. STD benefits paid by Floyd County are considered as PERF eligible.

STD benefits will not be paid for any illness or injury resulting from:

- Working for another employer or yourself.
- Willful intent to hurt yourself or another person.
- Commission of a crime.
- Your intoxication or improper use of drugs (excluding any period during which you are participating in an approved rehabilitation program for substance abuse).
- Participation in an act of war or a riot, unless you are an innocent bystander.

In addition, you will not be eligible to receive STD benefits while you are on:

- Vacation.
- A leave of absence other than a family medical leave.
- Suspension.
- Layoff.

If you are ill or injured on the last workday in December and your absence carries over into a new calendar year, you will continue to be paid from the remaining prior year's 60-day allowance. You must return to active work duty before you are eligible for another 60-days of benefits to be paid in the following year, essentially starting a new benefit eligibility year.

If you qualify for Family Medical Leave for your personal injury or illness, your leave will run concurrently with your receipt of STD benefits.

What happens to benefits if you leave Employment

Continuation of coverage

You cannot continue your STD coverage if your Floyd County employment ends for any reason. STD benefits will not continue after an eligible person's last day of record of active employment with the County.

Conversion of coverage

Floyd County's STD coverage cannot be converted to an individual policy.

ERISA rights

The STD Plan is not governed by the Employee Retirement Income Security Act of 1974 (ERISA). This is a County funded and County self-administered plan.

How to file an application for STD with Floyd County

All claims or applications for consideration of STD benefits will be handled via the Federal Government, Department of Labor, Wage and Hour Division approved forms used for Family Medical Leave (FML). If an employee has reached the 12-month, 1,250 hour mark of employment, the application for FML will be treated as an FML related application and if approved a job protected FML absence.

An otherwise Full-Time benefits eligible employee that has not met the standard 12-month, 1,250 hour mark of employment, the same FML application forms and procedures for approval will be followed. This allows for a standard process and documentation format in order to ensure the same criteria is applied in each case.

With each application using the Wage and Hour Division FML forms, a formal written reply is provided to each applicant as to the status of their application, if it qualifies as job protected FML, and if STD payments from Floyd County will be granted.

If you have a dispute regarding your eligibility to receive STD benefits, contact the Floyd County HR Director.

No right to guaranteed continued employment

Your eligibility for or your right to benefits under Floyd County's benefit plans is not a guarantee of continued employment. Floyd County's employment practices are determined without regard to the benefits offered as part of your total compensation package. In addition, and subject to legal and contractual considerations, the current At-Will employment practice entered into between Floyd County and its employees does not change if an employee is on a non-FML related medical leave and the County reserves the right to terminate you're At-Will employment at any time or for any reason.

Future of the plan

Floyd County reserves the right to change or end the plan at any time without advance notice.

If you are disabled and receiving STD benefits when the plan ends, payments may cease.

Administration of the Plan

Floyd County Human Resources Administers the application process for all FML and STD determination

Floyd County Office of the Auditor (Payroll) Administers the payment processes for the STD payments.