

## INDUSTRIAL DISABILITY PLAN FACT SHEET

Employee Name: \_\_\_\_\_

Date of injury: \_\_\_\_\_ First date of Lost Time: \_\_\_\_\_

Outlined below are highlights of the four available industrial disability plans available to PERS members. Non-members are eligible for Temporary Disability only. Please review the information provided on each of the plans. You will be selecting one of these plans to cover you for this industrial injury.

In each case, the benefit is available after serving a **three calendar day** waiting period. The waiting period is waived if:

- 1) Time lost exceeds **14 calendar days**
- 2) The injury/ Illness is caused by a criminal act of violence against you
- 3) You are hospitalized

You have fifteen days from the mailing of the notice of benefits eligibility to notify the Workers' Compensation Coordinator that you elect Workers' Compensation Temporary Disability benefits with or without supplementation rather than Industrial Disability Leave (IDL) benefits with or without supplementation. If you do not respond within the requested time limits, you shall be placed on Industrial Disability Leave Basic.

If you are released to return to work, and subsequent physical therapy or doctor's appointments are made during normal work hours, leave credits must be charged.

### Industrial Disability Leave Basic

Industrial Disability Leave (IDL) Basic is a benefit that pays up to 22 working days at "full pay". If time lost should exceed 22 working days, the IDL benefit drops to 2/3 of your normal monthly gross salary. IDL is available to you for a maximum of 52 weeks within the two year period beginning with your first day of lost time.

Should your period of disability exceed the maximum period of IDL benefit eligibility, you will be placed on "Temporary Disability" (TD) effective the day after exhaustion of IDL. TD may be supplemented with leave credits. In order to be eligible for supplementation, you must have enough leave credits to cover a full month's pay.

While on Industrial Disability Leave, your leave credits continue to accrue and you receive full PERS service credit. **No** taxes/ FICA are paid since IDL is a benefit and not considered taxable wages. Benefits and miscellaneous deductions (excluding tax shelter annuity and deferred compensation deductions) will be taken from your IDL check (s).

### Industrial Disability Leave Basic with Sick Leave Supplementation

Industrial Disability Leave (IDL) Basic is a benefit that pays up to 22 working days at "full pay". If time lost should exceed 22 working days, the IDL benefit drops to 2/3 of your normal monthly gross salary. IDL is available to you for a maximum of 52 weeks within the two year period beginning with your first day of lost time.

This plan allows you to supplement the 2/3 IDL payments with sick leave. Although sick leave continues to accrue each month, only the sick leave available as of the first day of lost time is allowed to be used. You are eligible to choose this option only if your available sick leave provides, in combination with IDL, an amount equal your regular daily salary or wage. (There is an exception if you apply for catastrophic leave.) The supplementation payments are subject to tax/ FICA withholdings.

Your sick leave balances as of \_\_\_\_\_ is/was \_\_\_\_\_ hours. Eligible? \_\_\_\_ Yes \_\_ No

**Temporary Disability**

Temporary Disability (T.D.) is a benefit that pays the employee a flat daily rate for each calendar day of lost time. The temporary disability rate is determined by multiplication of the average weekly earnings by two-thirds. The minimum is the lesser of 100% of the average weekly wage or \$194.91 per week and a maximum of \$1,299.43 per week set by state law for injuries occurring on or after January 1, 2020. The TPA (Third Party Administrator) will compute your daily T.D. rate. TD is available to you for a maximum of 52 weeks within a five year period from the date of injury.

While on Temporary Disability, PERS service credit contributions will not be deducted and you will not accrue leave credits. No benefit deductions or miscellaneous deductions are paid, but payments, including the state share, may be made directly by you. T.D. payments are non-taxable

**Temporary Disability with Leave Credit Supplementation**

This plan allows you to supplement your T.D. check(s) received by the TPA with your available leave credits. The amount of supplementation received depends upon how many hours of leave credits are available to you each month. TD is available to you for a maximum of 52 weeks within a five-year period beginning from the date of injury.

The supplementation payments are subject to tax/ FICA withholdings, and may or may not be subject to PERS withholdings, depending upon the gross amount to be paid. While on T.D. with Supplementation, you continue to accrue leave credits. In no case do you earn full state service credits while on this plan, but arrangements can be made by you with PERS to pay back the additional retirement amount due. Benefits deductions and miscellaneous deductions are taken if there is a sufficient amount of supplementation being paid.

**Please select an industrial disability plan by placing your initials on the line next to the description of the plan of your choice.**

I have reviewed and understand the "Industrial Disability Plan Fact Sheet". I understand that I am required to notify payroll if I begin to receive Social Security Disability Benefits.

**Signature:** \_\_\_\_\_

**Date:** \_\_\_\_\_

**Please return completed form to:  
CSU East Bay  
Risk Management & Internal Control Department  
25800 Carlos Bee Blvd SA1600  
Attn: Workers' Compensation Coordinator**

**Reviewed by:**

\_\_\_\_\_  
**Workers' Compensation Coordinator**

\_\_\_\_\_  
**Date**