



NONINDUSTRIAL DISABILITY INSURANCE (NDI) FLYER

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 flyer is a summary of applicable laws and regulations only, and therefore leaves out important details. If statements in this flyer differ from legal provisions, any decisions will be based on the law and not this material. Provision of the collective bargaining agreement pertaining to the employee's classification may also supersede the statements in this flyer. 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:

- A full-time permanent or probationary employee; or
- A part-time permanent employee; or
- An employee appointed half time or more for at least one year or one academic year.

There must be a wage loss suffered due to the disability. Furthermore, an employee who is **disabled during his/her normal non-work period** is not eligible for NDI payments until they return to work – 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. An academic year (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 and Processing: The employee's eligibility, disability, and period of disability is determined by the State Employment Development Department (EDD) in Sacramento. The process to apply for these benefits is coordinated on behalf of the employee with assistance from the campus leave analyst, payroll services, and EDD via paper application processing. Upon request from the campus leaves analyst, the employee will need to have their doctor complete the paper application. These benefits are not available for processing via the internet.

PAYMENT AND LENGTH OF BENEFITS

All eligible employees are entitled to a maximum of up to 26 weeks (182 calendar days) in an amount equal to one-half full pay not to exceed a specified amount per week for any single disability benefit period.

The Collective Bargaining Agreements or Title 5 provide for a \$250.00 per week maximum benefit for the following employee groups:

- Unit 1 (Physicians)
- Unit 2 (Health Care Support)
- Unit 4 (Academic support)

- Unit 5 (Operations Support)
- Unit 6 (Skilled Crafts)
- Unit 7 (Clerical/Administrative Support Services)
- Unit 9 (Technical and Support Services)
- Unit 10 (Operating Engineer)
- C99 (Confidential)
- M80 (Management Personnel Plan -MPP)
- M98 (Executive Management)

All other eligible employees the benefits amounts are capped at \$125 per week for any single disability benefit period for the following employee groups:

- Unit 3 (Faculty)
- Unit 8 (Public Safety)
- Unit 11 (Teaching Associates)

An employee who is still disabled **after** 26 weeks may request a medical leave of absence without pay, retirement, or seek other options. In such situations, the employee is responsible for the full cost of their insurance premiums. If the disability continues beyond 26 weeks and retirement is not an option, please contact the Leaves Analyst in Human Resources (805-756-5395) to coordinate direct payment of insurance premiums.

Temporary and Separated Employees Temporary employees are ineligible to receive NDI benefit payments after their appointment end date. In no case shall benefits be payable for any day on or after an employee's separation or retirement.

Return to Work: Employees are expected to fully reinstate at the expiration of an approved NDI period. **Any work restrictions must be certified in writing by your doctor and submitted prior to your return.** Work restrictions will be reviewed against the essential functions of the job to determine whether or not reasonable accommodation(s) can be made.

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), they may continue to receive full NDI benefits for the

portion of his/her normal work time that they cannot work due to the disability. In no case shall the employee receive gross pay (salary plus NDI benefit payments) in excess of their monthly salary.

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. Sick, vacation or other leave credits are being used during the waiting period.

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 prior to NDI benefits is optional. If the use of vacation 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 retirement service credit, or as qualifying service for a salary service increase (SSI), where applicable. However, NDI leave may count toward the accumulation of seniority points (with respect to order of layoff), depending on collective bargaining unit.

PAYMENT OF BENEFITS & PAYROLL DEDUCTIONS

NOTE: NDI is a benefit and not a wage. AFTER NDI benefit authorization is received by the campus, Human Resources Disability Leaves will request Payroll Services processing to initiate NDI payments through the State Controller's Office (SCO). Normally, disability pay is issued by the SCO on or about the 10th of each month after the regular pay cycle. Payments can and will be delayed if benefit authorization is delayed. The campus CANNOT issue NDI benefit pay without authorization until authorized by both EDD and the SCO. The campus cannot issue payroll advances if the NDI benefit is delayed.

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 next 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.

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.

NDI AND OTHER DISABILITY BENEFITS

Workers' Compensation Temporary Disability IDL/TD: Employees whose workers' compensation claim is delayed and are unable to work, may apply for NDI benefits until a determination is made on their workers' compensation claim.

SDI (State Disability Insurance): Cal Poly and Cal Poly employees do not pay into 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 information and resources, contact EDD directly at https://www.edd.ca.gov/About_EDD/Contact_EDD.htm

APPLICATION PROCEDURES

Contact the Human Resources Disability Programs Analyst to begin the application process. There are three sections of the NDI application to be completed. Human Resources will work with Payroll Services to complete the Employer Information section. The employee must complete the applicant section and deliver the application to the treating physician for certification of disability.

NOTE: The application CANNOT be filed online—it MUST be sent by US Postal Service directly to the EDD office:

State of California, Employment Development Department,
NDI
PO Box 2168,
Stockton, CA 95201-2168

If the disability continues longer than the physician first anticipated, extensions up to the maximum period may be granted. 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 Disability Programs Analyst as soon as possible but no later than the day before the start of the disability period. It is the employee's responsibility to follow-up with the treating physician to ensure the NDI application has been submitted to EDD as quickly as possible.**

For additional information, please contact:

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