

SUMMARY OF NONINDUSTRIAL DISABILITY INSURANCE

What is NDI?

The Nonindustrial Disability Insurance (NDI) is a wage continuation program. It is a fringe benefit completely paid by the State. There are no employee contributions, enrollment fees or medical examinations required in order to be covered. Eligible employees may receive benefit payments up to 26 weeks (182 calendar days).

Eligibility

A CSU employee who suffers a disability or injury which is not work-related may receive NDI benefits if all of the following conditions are met. The employee is:

- 1) An active member of PERS/STRS in compensated employment; AND
- 2) Has employment status as:
 - a. A permanent or probationary full-time CSU employee in compensated employment; OR
 - b. A permanent part-time CSU employee with at least the equivalent of 6 monthly compensated pay periods of service; OR
 - c. An employee appointed half-time or more for one year of service or one academic year or more; AND
- 3) Has a disability that has been verified and accepted by the Employment Development Department, NDI Unit.

Leave credits

All accrued sick leave must be used before ANY NDI benefits can be paid. Use of accrued vacation, Personal Holiday or CTO is optional. If the employee elects to use any of these credits, all of the selected credits must be used. For example, if the employee elects to use accrued vacation, all of the accrued vacation must be exhausted before NDI benefits will be paid.

NDI Benefit Payments

Although the Employment Development Department NDI Unit determines the period of eligibility and benefits, Payroll Services will request payment from the State Controller's Office based on the authorization issued by NDI. The chart below specifies the weekly benefit amount, as of January 2008, an eligible employee would qualify for based on employee category/collective bargaining identifier:

| NDI Weekly Benefit Amounts Per Employee Category | | |
|--|---------------------------------|--------------------|
| | Employee Category | Weekly NDI Benefit |
| Unit 3 | Faculty | \$125 |
| Unit 4 | Academic Support | \$125 |
| Unit 6 | Skilled Crafts | \$125 |
| Unit 8 | Public Safety | \$125 |
| E99 | Excluded | \$125 |
| Unit 1 | Physicians | \$135 |
| Unit 10 | Operating Engineers | \$135 |
| Unit 2 | Health Care Support | \$250 |
| Unit 5 | Operations Support | \$250 |
| Unit 7 | Clerical/Administrative Support | \$250 |
| Unit 9 | Technical and Support Services | \$250 |
| C99 | Confidential | \$250 |
| M80 | Management Personnel Plan (MPP) | \$250 |
| M98 | Executive Management | \$250 |

This summary of Non-industrial Disability Insurance benefits is not intended to be all inclusive of eligibility rules, claim, and procedural requirements or to be construed as a substitute for the Collective Bargaining Agreement.

Waiting Period

The employee must serve a seven (7) consecutive calendar day waiting period commencing on the first full day of disability for each period of disability. This waiting period may be waived if you are confined in a hospital or nursing home as a registered bed patient. Emergency room care does not constitute hospitalization and will not waive the waiting period. Any required waiting period may be served while you are receiving leave credits.

How to Apply

The employee will need to contact Human Resources at 278-2032 to schedule an appointment to discuss NDI benefits and obtain an NDI claim form. The employer, employee and physician will need complete a portion of the NDI claim form. The doctor certifying the NDI claim may be a licensed medical or osteopathic physician or surgeon, chiropractor, dentist, podiatrist, optometrist, designated psychologist, or an authorized medical officer of a U.S. Government facility (refer to Part C of claim).

Benefits Are Not Payable

- For any day during which you are entitled Industrial Disability Insurance or Temporary Disability payments for Workers' Compensation, unless the weekly rate for such benefits is less than your weekly NDI rate, the difference may be paid to you.
- For any day on and after death, separation or retirement from State service. It is permissible to delay the effective date of a disability retirement until you have exhausted your NDI claim.

Deductions

Generally, NDI benefits are sufficient to cover Health benefits (health, dental, and vision).

Human Resources recommends that you contact your voluntary plans to make other payment arrangement and cancel your pre-tax plans during your disability period. Voluntary deductions such as parking fees, long-term care, pre-tax savings plans, credit unions, bonds, or voluntary insurance premiums will NOT be deducted from the NDI benefit if the gross is not sufficient to deduct these voluntary plans. PLEASE CHECK YOUR NDI PAY WARRANTS EACH MONTH.

The Internal Revenue Service has ruled that NDI benefits are taxable wages, and as a result, state and federal taxes and Social Security contributions will be withheld. Employees will not earn retirement service credit and retirement contributions will not be deducted from NDI benefits.

| Type of Deduction | NDI | Deduction |
|---|------------------|-----------|
| Federal / State Income Taxes | Yes ¹ | |
| Retirement | No | CalPERS |
| Social Security / Medicare | Yes | |
| Flexible Benefits (medical, dental, and vision) | Yes ¹ | |
| Garnishments (exceptions) | No | |
| Order assigning salary or wages for Support | Yes | |
| Voluntary Child Support | Yes | |
| Earning Withholding Order For Support | Yes | |
| Dues (Unions/Fairshare) | Yes ¹ | |
| Deferred Compensation | Yes ¹ | |
| Tax Shelter | Yes ¹ | |
| Misc. Voluntary Deductions (long-term care, credit union, insurance premiums) | Yes ¹ | |
| Pre-TAX Plans (HRCA, DCRA, TAPP, Parking) | Yes | |
| <p>Yes¹ = If sufficient gross is available, it will be deducted automatically.</p> <ul style="list-style-type: none"> Misc. voluntary deductions and Pre-Tax Plans may be dropped while on NDI. Dental and vision plans are premium driven, please note that plan may reflect cancelled as premiums run in arrears. Please contact Benefits Services should you find services are not rendered due to cancellation of plan(s) by carrier(s). Please check your first pay warrant upon return from NDI. | | |

General Information

Appeal Rights – If NDI is declined, you may appeal the determination of your eligibility and obtain a hearing before an administrative law judge by informing the NDI office or any EDD office in writing that you wish to appeal.

Home Visits – Some claims will be subject to an unannounced home visit by an NDI representative.

Retirement Credit – You do not earn CalPERS service Credit for the NDI period. No CalPERS contributions will be made by you or your State employer while receiving NDI benefits.

Personal Insurance Policies – NDI payments are not affected by other disability or wage loss insurance you may carry. Please note that most wage loss insurance payments will be offset due to the NDI benefit.

Disability Summary

- Once sick leave is exhausted, employees may be eligible to receive NDI benefits for a maximum duration of six (6) months.
- Employees may be eligible for the Catastrophic Leave Donation Program (CLDP) which requires the exhaustion of all leave accruals and enrollment in the NDI program, if eligible.
- Once NDI benefits are exhausted, employees who are disabled may be eligible for a leave of absence without pay. Employees may also apply for disability retirement benefits if accumulated service credit equals five (5) years or more.
- During and after receipt of NDI benefits, employees may receive benefits from other voluntary disability plans if enrolled prior to the onset of disability.
- Employees are required to provide Human Resources a medical release from their physician prior to their return to work.
- Please contact Human Resources if you have any questions regarding your disability leave and coordination of benefits.