

Frequently Asked Questions (FAQs) – Short Term Disability (STD)

1. How many days must I be disabled to qualify for Short Term Disability (STD)?

You must be continuously disabled for 44 days to qualify for STD.

2. If I am ill for 14 days at the beginning of the academic year and then I become ill several months later in the year and miss 30 days, have I met my waiting period (elimination period) to qualify for STD?

No, in order to meet your elimination period, you must be under the care of a physician and be ill or injured for 44 consecutive days in order to qualify for STD.

3. What is the appropriate process for me to follow if I am seriously ill or injured?

- a. You must notify your Program Director AND Program Coordinator of any serious illness or injury.
- b. For unplanned absences that extend beyond three consecutive days, you must contact Human Resources/Regulatory Compliance at 713-798-3310 or leaveofabsence@bcm.edu so that they can determine what type of leave (if applicable) you may qualify for such as Family Medical Leave Act (FMLA) or Medical Leave.
- c. For planned absences like surgeries or recovery from childbirth, you must contact Human Resources/Regulatory Compliance at 713-798-3310 or leaveofabsence@bcm.edu approximately 30 days prior to the first day off work or as soon as practical for emergent situations so that they can determine what type of leave (if applicable) you may qualify for such as Family Medical Leave Act (FMLA) or Medical Leave.
- d. Failure to notify Human Resources/Regulatory Compliance as outlined above under items 3b and 3c may result in forfeiture of your rights under BCM's leave of absence policies which may include certain provisions as it pertains to the continuance of employee/employer paid benefits.**
- e. If your illness or injury is expected to extend beyond more than 44 consecutive days, you need to complete the STD application relating to your disability. If your disability is planned such as elective surgery or pregnancy, you should apply for STD benefits about 2 weeks prior to the date of surgery/delivery. The application form appears on the HR Intranet /Benefits website. Once you have applied for STD coverage you can call UNUM about an existing claim at 800-858-6843.
- f. In order for your disability to be approved, you must be under the continuing care of a treating physician who has certified the nature and duration of your disability.
- g. On average, STD claims are approved within five (5) business days.

4. What is FMLA? What is Medical Leave?

- FMLA (Family Medical Leave Act) is not a paid leave of absence. It is a federally mandated law that affords job protection for up to 12 weeks of leave of absence due to a FMLA qualifying event. FMLA qualifying events are defined as the birth of a child, or the placement of a child with you for adoption or foster care; or a serious health condition that makes you unable to perform the essential functions of their job (includes recovery period from childbirth); or a serious health condition affecting your spouse, child, or parent, for which you need to provide care.

- Medical leave is a leave of absence designation that is used for those who do not qualify for FMLA or have exhausted the 12 week allotment of FMLA.
5. **What is the difference between a Medical Leave and FMLA (Family Medical Leave Act)?**
 Leave of absence options due to recovery from childbirth, surgery, or extended illness are either classified as FMLA or Medical leave (not eligible for FMLA). FMLA and Medical leave (non-FMLA) serve as the leave designation reason that is used for recording the absence and for formal notifications that are sent to the employee/department. Pay during these leave of absences is not driven by the leave type but by the Resident's classification and eligibility for pay and/or STD. A Resident who exhausts available pay and/or STD can still remain on either leave of absence up to the designated time frames allowed for each leave.
 6. **Do I have to be on FMLA or Medical Leave in order to receive Short Term Disability?**
 Both FMLA and Medical leave are unpaid leave of absences. To ensure you are eligible to receive the benefits afforded under the STD program, you will need to be placed on leave of absence (FMLA or medical leave (not eligible for FMLA)). Being on one of these leave of absences ensures that BCM and UNUM are aware of your medical inability to be in the workplace when you apply for STD.
 7. **If I am incapacitated or unconscious at the commencement of my disability, can a family member apply for STD benefits on my behalf?**
 Yes, your family member can apply on your behalf. Your family can also obtain a medical conservatorship at the hospital if you are not capable. This conservatorship will allow them to make medical decisions while you are incapacitated; however, this conservatorship is not required by UNUM to get your claim started.
 8. **How will I be compensated for pay while I am in my 44 day elimination period?**
 Residents and clinical postdoctoral fellows are provided with a pool of 44 days for time off per academic year (July 1 – June 30). This pool includes:
 - 21 vacation days
 - 14 sick days
 - 9 paid off days which includes holidays, educational leave and personal days
 If you are seriously ill or injured AND have vacation and sick leave available, you can utilize this time to be compensated during your elimination period of 44 days. It is possible, that you will not have enough sick and vacation time available to cover the 44 day elimination period and you could go unpaid for a period of time.
 9. **Once approved for STD, what weekly benefit will I receive?**
 If you meet the definition of disability, you could receive a weekly benefit equal to 60% of your weekly earnings, to a maximum of \$750 per week. As long as you continue to meet the definition of disability, you may receive benefits for 20 weeks.
 10. **How often are STD benefits paid once you qualify for disability?**
 Once a participant has been approved for STD, the STD payments are paid weekly based on the date of disability.
 11. **Is STD payment made in the form of a check or direct deposit?**

Either form of payment is acceptable based on the preference of the participant. This is discussed at the time of claim approval.

12. How will my elimination period of 44 days be handled if I become disabled at the end of one academic year but my disability continues into the next academic year?

If you become disabled at the end of an academic year, you will not be promoted until you return to work. Therefore, if you have a serious car accident in mid-June and you only have 10 days of sick leave and no other vacation time available, you would be eligible to receive compensation for the 10 sick days but you would not get additional sick leave, vacation time or paid time off until you return from your leave and are promoted.

13. How will UNUM determine if I am disabled and qualify for Short Term Disability?

- a. You must be a full-time resident or clinical post-doctoral fellow working a minimum of 30 hours per week and be actively at work when coverage commences,
- b. You must be under the continuous care of a physician treating your medical condition,
- c. You must complete all documentation that is required by UNUM, and
- d. You must meet the definition of disabled as determined by UNUM. You are disabled when UNUM determines that, due to sickness or injury you are limited from performing the material and substantial duties of your regular occupation and you have a 20% or more loss in weekly earnings due to the same sickness or injury.

14. Will my time off be carried over from one academic year to another?

No.

15. Will my STD benefit be taxable income?

Yes. Since this is a CORE benefit and you do not pay any of the cost for the coverage, the benefits are taxable, per IRS guidelines. You will receive a W-2 reflecting your STD earnings.

16. Is there a process UNUM will follow to determine when I am ready to return to work from STD?

Yes, this is handled through claim management process. UNUM will work with treating physician directly to determine if you are capable of returning to work and have been released to return to work.

17. If I am released to return to work after STD and I find within a few days that I am unable to work, do I have to re-qualify for STD with 44 more days of continuous disability?

No. If you return to work and within 14 consecutive calendar days or less from the end of your STD claim you are unable to work due to the same illness/injury, you do not need to meet a second 44 day elimination period. Your original STD benefit will reopen based on your physician's and UNUM's approval. If you return to work for 15 or more consecutive calendar days and are again unable to work due to illness/injury, you will have to meet a second 44 day elimination period.

18. When I leave the BCM residency program, may I take this Short Term Disability policy with me?

No, it is not a portable policy that you can elect after termination.