

We are wondering how others determine when Short Term Disability (excluding Maternity Leave) goes into effect for salaried employees. Is there a standard like “after 5 consecutive days of illness/absence”? Are employees required to use sick time and vacation time before Short Term Disability goes into effect?

Summary: the timeframes with the most mentions were five days (business or calendar), 8 days and two weeks.

The first week of our STD plan is the waiting week. It is unpaid for hourly nonexempt. For salary nonexempt and exempt employees, it is paid at 100%. The STD plan pays starting the 8th calendar day.

We do not have "sick pay" for our employees at the present time; and none of our employees are required to use their vacation pay to cover the waiting week for STD.

Our STD policy goes into effect after 5 days for salaried employees if approved. The employee can choose to use vacation time or take it without pay during those 5 days.

I have not had a salaried employee use their Short Term Disability benefit. Our Short Term Disability benefit is voluntary and is 100% paid by the employee. The company does not contribute. Not all employees have elected this benefit.

The Short Term Disability kicks in on calendar day 8. For our hourly employees they can either take the first week unpaid or use any remaining PTO time. I would expect that salaried employees would also either use any remaining PTO time or take the first week unpaid.

Our STD begins after a five calendar day waiting period for non-exempt and exempt employees. In those instances they are also covered under FMLA. Under the State provisions of FMLA, you cannot require an employee to utilize earned, but unused time off benefits. We require that they supplement their STD with earned, but unused time off benefits after the initial two weeks as the state FMLA is exhausted and we are then complying with Federal FMLA regulations which all employers to require the earned, but unused benefits to run concurrent with FMLA.

Our Short Term Disability goes into effect for any employee at the same time. For Disability no wait period. For disability due to illness a 7 day wait time.

Owners, Key Personnel eligible for up to \$400/wk for 13 weeks. Then the Long Term Disability will kick in

All others eligible for up to \$200/wk for 13 weeks. LTD then goes into effect.

Any employee off for 3+ days deems as FMLA eligible. FMLA needs to be approved based on requirements.

Vacation (PT), FMLA and STD can run concurrently.

STD kicks in after 5 consecutive days of lost time for salaried employees. They are not required to use any other type of paid time before it kicks in.

Per our handbook

Short-Term Disability

After the completion of one continuous year of service, full time and flexible full time employee owners may be eligible for Short Term Disability benefits in the event they are unable to work due to their own serious health condition.

To be eligible for short term disability benefits:

1. The absence must be due to an injury or illness that meets the definition of a serious health condition under the Family Medical Leave Act.
2. The injury or illness cannot be due to a work-related injury or illness.
3. The absence must have extended longer than a seven (7) calendar day period (unless the absence qualifies as an intermittent absence under the Family Medical Leave Act).
4. The employee owner must not have utilized all of his/her short-term disability benefits in the current calendar year.

Short Term Disability pay, based on an employee owner's regular rate of pay, cannot be accumulated or rolled over into a new calendar year, paid in advance, nor can it be based on incentives or anticipated overtime pay.

The payout schedule for qualified absences (after the seven (7) day waiting period) will be as follows:

Hourly (Non-exempt employee owners)

Weeks 1 - 4 100% of pay (average hours up to 40 hours per week)

Weeks 5-11 60% of pay (60% of regular rate of pay based on average hours up to 40 hours per week)

Salaried (Exempt employee owners)

Weeks 1 - 4 100% of pay

Weeks 5-11 60% of pay

In the event of multiple qualifying absences in the same calendar year, benefits shall not exceed those listed above in a given calendar year.

Short-Term Disability:

Short-Term Disability Insurance pays out on the 8th day of disability.

If a salary employee would like to collect their salary while they are waiting for the Short-Term Disability Insurance to be paid they would need to use available sick or vacation days.

We do not require the employees to exhaust all of their available sick or vacation days due to them before the Short-Term Disability Insurance would pay out.

In addition if an employee was on Short Term Disability the time away from work is deducted for the following year's vacation time calculation.

Our STD policy states that there is a 2 week waiting period before benefits begin. We do not require employees to use PTO for those two weeks however they can if they want. It calculates from the first day off of work.

We self-fund short term disability for salaried people. After FMLA (12 weeks) runs out then they go on Long Term Disability. We also require the employee to draw down PTO to 40 hours. We have no sick pay policy.

Our STD is self-insured. Salaried employees get one week of paid Disability for every year of employment for up to 12 weeks. It starts from day one.

We do not have a carrier covered short term disability policy. The company provided policy for salaried employees depends on their length of service, less than five full calendar years or over. An associate would have to use sick days or vacation days or be off without pay.

In the little history we have with this situation, our employee takes it upon themselves to file a STD claim. We are then contacted by the carrier and answer interrogation questions, provide requested information, etc. The carrier makes all determinations. In my time dealing with this, I've never had a salary worker have a claim.

Our short term disability is defined by our plan document. It starts 14 days after time missed for an illness and after 1 day for an injury. Employees are required to use PTO before short term disability goes into effect. This is the policy for salaried and hourly employees.
