


POLICY

	Policy:	Disability Waiting Period Self Insurance Policy		
	Department:	CAO		
	Division:	Human Resources	By-Law No.:	2017-88
	Prepared For:	Michelle Rose	Approval Date:	September 11, 2017
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1. POLICY STATEMENT

- 1.1. The Corporation of the Town of Amherstburg is committed to providing employees with short term disability benefits with a fourteen day wait period for employees before disability benefit payments commence.

2. PURPOSE

- 2.1. This policy defines the way eligible employees will be paid during the fourteen day wait period for disability benefit payments to commence; such that the employee is subject to a maximum of seven days unpaid during that period.

3. SCOPE

- 3.1. This policy applies to full time non-union employees, full time IBEW unionized employees, and full time Police Services employees.
- 3.2. The policy does not apply to part-time employees.
- 3.3. This policy shall be reviewed every 5 years from the date it becomes effective, and/or sooner at the discretion of the Manager of Human Resources.

4. **DEFINITIONS**

- 4.1. **Accrual** for the purpose of this policy, accrual refers to an employee's accumulated sick time or vacation time.
- 4.2. **Council** refers to the current elected Council for the Corporation of the Town of Amherstburg. This includes, as an entirety, the Mayor, Deputy Mayor and Councillors.
- 4.3. **Manager** reports directly to a Director (or the CAO in some instances) and who is responsible for a department within a division of the Corporation, as defined on the Town's organizational structure.
- 4.4. **Police Services Employees** refers to any employee who qualifies for short term and long term disability benefits.
- 4.5. **Short Term Disability** provides benefit coverage when an employee becomes totally disabled.
- 4.6. **Top Up Pay** refers to the difference between the Short Term Disability coverage and the employee's base pay.
- 4.7. **Total Disability** for the purposes of Short Term Disability coverage, an employee is considered totally disabled while he/she is continuously unable due to an illness to do the essential duties of his/her own occupation.
- 4.8. **Town** is the Corporation of the Town of Amherstburg.
- 4.9. **Wait Period** refers to the fourteen day period of time before disability benefit payments commence.

5. **INTERPRETATIONS**

- 5.1. Any reference in this Policy to any statute or any section of a statute shall, unless expressly stated, be deemed to be reference to the statute as amended, restated or re-enacted from time to time. Any references to a By-law or Town policy shall be deemed to be a reference to the most recent passed policy or By-law and any replacements thereto.

6. **GENERAL CONDITIONS**

6.1. **Payment of Salary/Wages**

- 6.1.1. When an employee becomes totally disabled, the employee may be eligible for short term disability benefit payments after fourteen days of uninterrupted total disability or the first day the employee consulted a doctor whichever is later. During the period of time before disability benefit payments commence (subject to the approval of the disability claim by the insurer), the employee will be compensated his/her full weekly salary/wages as follows:

- 6.1.1.1. Week 1 – The Town will pay the employee by drawing from either a sick leave or vacation accrual as per the collective agreement or Town policy, as the case may be, for which the employee belongs. If there is no accrual to draw from, the employee will be unpaid.
- 6.1.1.2. Following Week 1, the Town will self-insure payment to the employee subject to the Town's limitations listed in 6.1.1.3 until the commencement of disability benefit payments subject to the approval of the disability claim by the insurer.
- 6.1.1.3. The Town will not pay an employee during the wait period:
 - a. who is not under the care of a licensed physician;
 - b. whose illness or injury is covered by workers' compensation, the Canada Pension Plan, or the Quebec Pension Plan;
 - c. whose illness or injury is intentionally self-inflicted;
 - d. whose illness or injury results from service in the armed forces;
 - e. whose illness or injury results from war or participation in a riot or a disturbance of the public order;
 - f. whose illness or injury occurs while on leave of absence or paid vacation;
 - g. who is receiving maternity, parental, compassionate care or parents of critically ill children benefits under the Employment Insurance Act;
 - h. who is ill or injured as a result of committing a criminal offence;
 - i. who is engaged in employment for wage or profit while receiving disability benefits;
 - j. who is ill or injured during a strike or lockout at the place of employment (if the right to benefits is reinstated on the employee's return to active employment);
 - k. who is serving a prison sentence;
 - l. who is not entitled to EI income benefits payable because he or she is outside Canada;
 - m. whose illness results from the use of drugs or alcohol and who is not receiving continuing treatment for the use of these substances;
 - n. whose illness results from an illness or injury from a motor vehicle accident and who receives benefits under a provincial motor vehicle insurance plan that does not take EI benefits payable into account when paying their benefits;
 - o. who receives a retirement pension from the same employer;
 - p. who has plastic surgery solely for cosmetic purposes, except where attributable to illness or injury; or
 - q. who, in the case of a recurring disability, is receiving benefits according to a reinstatement provision of a group long-term disability plan (as long as the reinstatement period does not exceed six months).

- 6.1.1.4. Upon the commencement of disability benefit payments from the insurer, the Town will 'Top Up' pay as per the collective agreement or policy, as the case may be, for which the employee belongs.

7. RESPONSIBILITIES

7.1. **Council** has the authority and responsibility to:

- 7.1.1. Approve funds in the budget to self-insure payments to employees until the disability benefit payments commence.

8. REFERENCES AND RELATED DOCUMENTS

- 8.1. Employee Benefits and Sick Leave policy
- 8.2. Sun Life Benefit Booklet Class A – Administration
- 8.3. Sun Life Benefit Booklet Class C – Police
- 8.4. Sun Life Benefit Booklet Class D – IBEW Union
- 8.5. IBEW Collective Agreement
- 8.6. Uniform Collective Agreement (Police)
- 8.7. Civilian Collective Agreement (Police)