

Subject: NON-INDUSTRIAL DISABILITY INSURANCE (NDI)

REFERENCES	SECTIONS
<p>Law & Regulation http://leginfo.legislature.ca.gov/faces/codesTOCSelected.xhtml</p> <p>http://weblinks.westlaw.com/toc/default.aspx?Abbr=ca%2Dadc&Action=ExpandTree&AP=I6C9E45D0D48E11DEBC02831C6D6C108E&ItemKey=I6C9E45D0D48E11DEBC02831C6D6C108E&RP=%2Ftoc%2Fdefault%2Ewl&Service=TOC&RS=WEBL13.04&VR=2.0&SPa=CCR-1000&pbcc=DA010192&fragment#I6C9E45D0D48E11DEBC02831C6D6C108E</p>	<p>GC: 19878-19886.2</p> <p>Rules: 599.770 – 599.778</p>
<p>Memo of Understanding (MOU) http://www.calhr.ca.gov/state-hr-professionals/Pages/bargaining-contracts.aspx</p>	<p>Refer to Employee's MOU</p>
<p>Responsible Control Agency and Program www.edd.ca.gov</p>	<p>Employment Development Department (EDD)</p>
<p>Other: DPA Benefits http://www.calhr.ca.gov/employees/Pages/non-industrial-disability-insurance.aspx</p> <p>http://www.calhr.ca.gov/state-hr-professionals/Pages/benefits-administration-manual-workers-compensation.aspx</p>	<p>NDI</p> <p>Workers Compensation</p>

Non-industrial Disability Insurance (NDI)

Policy The Department of General Services (DGS) follows the rules and regulations put forward by the California Department of Human Resources (CalHR) and the Department of Employment Development Department (EDD) in the application and administration of the Non-Industrial Disability Insurance (NDI) program.

**Definition/
Explanation** NDI may apply when a non-work related illness or injury prevents a represented employee (bargaining units 2, 5, 6, 7, 8, 9, 10, 12, 13, 16, 18, 19), or a non-represented employee (bargaining units 1 – 21), or an excluded employee (supervisor, manager, confidential designation) from performing his/her regular job duties due to his/her physical or mental condition.

NDI is a wage continuation program completely paid for by the State, provided the employee meets established status criteria.

“Disability” or “disabled” includes mental or physical illness or injury, including any injury or illness resulting from pregnancy, childbirth, or related medical condition. An employee is deemed disabled on any day when, because of his/her physical, mental, or medical condition he/she is unable to perform his/her regular customary work.

Benefits under the NDI program is payable for a period not exceeding 26 weeks for any one disability. The 26 week benefit period shall be equivalent to 182 calendar days. The payment is limited to \$125 or \$135, depending on the collective bargaining agreement that covers the employee.

**Enhanced
NDI** Annual leave employees receive 50% of their gross salary in NDI benefits for up to 26 weeks. Employees in the annual leave program must elect to receive the 50% NDI benefits only (excluded employees receive a maximum of \$135 per week) or to supplement at a rate of 75% or 100% income replacement at the time they file a claim for NDI. Employees who are in the Annual Leave Program receive NDI payments equal to half pay with the ability to supplement up to 75% or 100 % of income with leave credits.

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Non-industrial Disability Insurance (NDI), Continued

Eligibility

An employee must be a current active member of the CalPERS, the State Teachers' Retirement System (STRS), full-time or part-time State Officer or employee of the Legislature. An employee must be in "compensated employment" (in pay status and not separated by a formal leave of absence).

All permanent part-time and full-time employees, probationary employees, and State Officers are covered under the program. Permanent part-time and permanent intermittent employees and State Officers who have at least six monthly compensated pay periods of service in the 18 months immediately preceding the pay period in which the disability begins, may also be eligible for NDI benefits on a pro-rated basis. Intermittent employees must have a total of 960 hours.

Waiting period

There is a seven-day waiting period for the majority of represented and all excluded employees covered by NDI. To determine the waiting period, the appropriate bargaining agreement for the employee should be reviewed. This waiting period will be waived if the employee is hospitalized. Emergency room care does not constitute hospitalization and will not waive the waiting period.

Procedure

Step	Action
1	Employee notifies his/her immediate supervisor s/he is filing for NDI benefits
2	Employee requests a "First Claim for NDI," form DE 8501 from his/her Attendance Clerk or the Senior Personnel Specialist in the Disability Transactions Unit (DTU) Note: the Attendance Clerk or Senior Personnel Specialist must complete Part A before providing the form to the employee. If Attendance Clerk completes Part A, s/he must insert the Senior Personnel Specialist's name and telephone number NOT the Personnel Specialist
3	The Attendance Clerk notifies the Senior Personnel Specialist that the employee has filed for NDI or vice-versa and makes two copies, 1 for him/herself and 1 for the Senior Personnel Specialist
4	Attendance Clerk returns DE 8501 to employee to complete Part B and submit to his/her physician to complete Part C

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Non-industrial Disability Insurance (NDI), Continued

Procedure
(continued)

Step	Action
5	<p>Employee ensures DE 8501 is completed and mailed to the following (if any item is not completed on the form, it will be returned for completion and the benefit payment may be delayed for the employee):</p> <p style="text-align: center;">State of California Employment Development Department NDI P.O. Box 2168 Stockton, CA 95201-2168</p>
6	<p>The Attendance Clerk provides the employee with the Enhanced Non-Industrial Disability Insurance (NDI) Annual Leave Election, DGS OHR 101 form to indicate his/her level of supplementation</p>

NDI claim responsibility

The Senior Personnel Specialist in the DTU is responsible for all NDI claims. S/he will document the employee's claim including pay and any other pertinent information received for the employee from the onset of the approval for NDI benefits until the claim is closed.

Pending workers' compensation claim

An employee may file a claim for NDI benefits while his/her Workers' Compensation claim is pending.

Links To Useful Forms	<p>Annual Sick Vacation Leave Election Form Enhanced NDI Election Form NDI Application (DE8501) NDI EE Responsibilities</p>
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