

Subject: STATE DISABILITY INSURANCE (SDI)

REFERENCES	SECTIONS
Human Resources Policy Memos <a href="http://www.dgs.ca.gov/ohr/Resources/HRPolicyMemos.aspx">http://www.dgs.ca.gov/ohr/Resources/HRPolicyMemos.aspx</a>	HR 06-028
Laws and Rules <a href="http://leginfo.legislature.ca.gov/faces/codes.xhtml">http://leginfo.legislature.ca.gov/faces/codes.xhtml</a>	Unemployment Insurance (UI) Code: 2601-2614, 2625-2630, 2652-2658, 2701-2714, 3300-3306
Memo of Understanding (MOU) <a href="http://www.calhr.ca.gov/state-hr-professionals/Pages/bargaining-contracts.aspx">http://www.calhr.ca.gov/state-hr-professionals/Pages/bargaining-contracts.aspx</a>	Refer to Employee's MOU
Responsible Control Agency and Program <a href="http://www.calhr.ca.gov/Pages/home.aspx">http://www.calhr.ca.gov/Pages/home.aspx</a> <a href="http://www.sco.ca.gov/">http://www.sco.ca.gov/</a> <a href="http://www.edd.ca.gov/Disability/">http://www.edd.ca.gov/Disability/</a>	CalHR  SCO EDD Disability
SPB/DPA Policy Memos <a href="http://www.calhr.ca.gov/state-hr-professionals/Pages/policy-memos.aspx">http://www.calhr.ca.gov/state-hr-professionals/Pages/policy-memos.aspx</a>	PML: 2006-042
<b>Other:</b>	
State Controller's Office (SCO) Payroll Letter <a href="http://www.sco.ca.gov/ppsd_sco_letters.html">http://www.sco.ca.gov/ppsd_sco_letters.html</a>	06-005, 06-025, 06-028

## State Disability Insurance (SDI)

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**Policy** It is the policy of the DGS, effective January 1, 2006, to implement and administer State Disability Insurance (SDI) for its employees as agreed to by the Department of Personnel Administration (DPA) and the SEIU, Local 1000.

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**Definition/ Explanation** The SDI Program is a wage continuation for employees who have been certified for a nonwork-related illness or injury. The program has two components, Disability Insurance (DI) and Paid Family Leave (PFL).

**DI** – is a wage continuation program for employees who incur a nonwork-related injury or illness, for up to 52 weeks.

**PFL** – is extended compensation provided to employees who are SDI covered. PFL is for employees who take time off work to care for a seriously ill child, spouse, parent, domestic partner, or to bond with a new minor child or adopted child. PFL is limited to a six-week paid benefit within a 12-month period.

An employee cannot receive both DI and PFL simultaneously.

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**Background** The SDI benefit was established through a side letter dated March 3, 2004, between the Department of Personnel Administration (DPA) and SEIU, Local 1000.

SEIU contract changes (2005-2008) resulted in the following:

**Health Insurance Coverage:** Effective July 1, 2006, the State employer will continue up to 26 weeks of health, dental, and vision coverage while the employee is receiving SDI benefits (refer to PML 06-042 for further clarification)

**Supplementing SDI Benefits with Leave Credits:** Effective July 1, 2006, an employee may use up to a maximum of 40 hours of leave credits per month to supplement his/her SDI benefits. This is separate from using leave credits to cover the waiting period. The leave credits combined with SDI benefits cannot exceed the employee's monthly gross.

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## State Disability Insurance (SDI), Continued

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### Bargaining units impacted

SDI benefits apply to employees in SEIU-represented bargaining units 1, 3, 4, 11, 14, 15, 17, 20, and 21.

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### To receive benefits

In order to receive benefits an employee must file an SDI claim with EDD. Employees must also be on a leave of absence while they are receiving SDI benefits. In order to receive an approved leave, employees must provide his/her supervisor with a **written** request for a leave, using the *Formal Leave of Absence Request* form (DGS OHR 28) at <http://www.documents.dgs.ca.gov/dgs/fmc/dgs/ohr028.pdf> along with supporting documentation (physician's note, etc.) to substantiate the request.

A leave of absence removes the employee from active pay status and considers them to be on a temporary separation. Although employees are on a temporary separation, they maintain eligibility to apply for SDI benefits. The leave of absence will be granted for the length of the SDI claim or if the illness or injury continues to exist after the SDI benefits end. The leave of absence may be terminated:

- On the expiration date of the leave;
- Before the leave expires with 30 working days' notice from the employer; or
- The employee may terminate the leave when the employee becomes medically certified to return to full employment.

Upon termination of the leave of absence, permanent or probationary employees have a mandatory right to his/her former position.

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## State Disability Insurance (SDI), Continued

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**Process**      The following chart depicts the process of an SDI claim.

Stage	Description						
1	Employee gives written notice of an absence for illness, injury, pregnancy or a need to bond or care for a newborn or adopted child						
2	Using the Attendance Clerk (AC)/Supervisor SDI check list, located at: <a href="http://www.documents.dgs.ca.gov/ohr/SDI/SDI_Supervisor_Checklist_1.doc">http://www.documents.dgs.ca.gov/ohr/SDI/SDI Supervisor Checklist 1.doc</a> , s/he contacts his/her Personnel Transactions Specialist to verify FMLA eligibility <table border="1" data-bbox="565 716 1507 1087"> <thead> <tr> <th data-bbox="565 716 979 751">If</th> <th data-bbox="979 716 1507 751">Then</th> </tr> </thead> <tbody> <tr> <td data-bbox="565 751 979 940">EE eligible for FMLA</td> <td data-bbox="979 751 1507 940">AC provides EE with FMLA package accessed at <a href="http://www.documents.dgs.ca.gov/ohr/Supervisor/DGSFMLAPolicyProcedures.pdf">http://www.documents.dgs.ca.gov/ohr/Supervisor/DGSFMLAPolicyProcedures.pdf</a></td> </tr> <tr> <td data-bbox="565 940 979 1087">EE NOT eligible for FMLA</td> <td data-bbox="979 940 1507 1087">AC provides EE with a copy of the first page of appendix D of the FMLA package noting reason for not being eligible</td> </tr> </tbody> </table>	If	Then	EE eligible for FMLA	AC provides EE with FMLA package accessed at <a href="http://www.documents.dgs.ca.gov/ohr/Supervisor/DGSFMLAPolicyProcedures.pdf">http://www.documents.dgs.ca.gov/ohr/Supervisor/DGSFMLAPolicyProcedures.pdf</a>	EE NOT eligible for FMLA	AC provides EE with a copy of the first page of appendix D of the FMLA package noting reason for not being eligible
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EE NOT eligible for FMLA	AC provides EE with a copy of the first page of appendix D of the FMLA package noting reason for not being eligible						

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## State Disability Insurance (SDI), Continued

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### Process (continued)

Stage	Description
3	AC requests Formal Leave of Absence Request form OHR 28 and physician substantiation for SDI eligibility <a href="http://www.documents.dgs.ca.gov/dgs/fmc/dgs/ohr028.pdf">http://www.documents.dgs.ca.gov/dgs/fmc/dgs/ohr028.pdf</a>
4	AC verifies leave balance with Personnel Transactions Specialist
5	AC provides employee with the State Disability Insurance Employee Options Checklist (DGS OHR 100) accessed at: <a href="http://www.documents.dgs.ca.gov/dgs/fmc/dgs/ohr100.pdf">http://www.documents.dgs.ca.gov/dgs/fmc/dgs/ohr100.pdf</a>
6	EE submits SDI claim; links to claim processing and form are: <a href="http://www.edd.ca.gov/Disability/Disability_Insurance.htm">http://www.edd.ca.gov/Disability/Disability_Insurance.htm</a> and <a href="http://www.edd.ca.gov/pdf_pub_ctr/de2501.pdf">http://www.edd.ca.gov/pdf_pub_ctr/de2501.pdf</a>
7	If AC receives claim form, s/he immediately forwards it to his/her Personnel Transactions Specialist (DO NOT COMPLETE)
8	AC/Supervisor ensures time is posted in PAL correctly and approved

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### Attachments

Claim Filing and Processing

[http://www.edd.ca.gov/Disability/DI\\_Forms\\_and\\_Publications.htm](http://www.edd.ca.gov/Disability/DI_Forms_and_Publications.htm)

Claim for Disability Insurance Benefits

[http://www.edd.ca.gov/pdf\\_pub\\_ctr/de2501.pdf](http://www.edd.ca.gov/pdf_pub_ctr/de2501.pdf)

Formal Leave of Absence Request (DGS OHR 28)

<http://www.documents.dgs.ca.gov/dgs/fmc/dgs/ohr028.pdf>

State Disability Insurance (SDI) Checklist for Attendance Clerks and Supervisors [http://www.documents.dgs.ca.gov/ohr/SDI/SDI\\_Supervisor\\_Checklist\\_1.doc](http://www.documents.dgs.ca.gov/ohr/SDI/SDI_Supervisor_Checklist_1.doc)

State Disability Insurance Employee Options Checklist (DGS OHR 100)

<http://www.documents.dgs.ca.gov/dgs/fmc/dgs/ohr100.pdf>

Employee Responsibilities Checklist

[http://www.documents.dgs.ca.gov/ohr/SDI/sdi\\_ee\\_responsibilities.doc](http://www.documents.dgs.ca.gov/ohr/SDI/sdi_ee_responsibilities.doc)

SDI Questions and Answers [http://www.documents.dgs.ca.gov/ohr/sdi/SDI\\_QUESTIONS\\_AND\\_ANSWERS.doc](http://www.documents.dgs.ca.gov/ohr/sdi/SDI_QUESTIONS_AND_ANSWERS.doc)

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