Policy 4.92
Salary Continuation

Responsible Official: VP for Human Resources
Administering Division/Department: Leave Policies
Effective Date: April 02, 2007
Last Revision Date: June 25, 2018

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Overview

All regular, full-time or part-time faculty or those non-faculty employees grandfathered as principal employees who become disabled due to an injury, illness and childbirth will have full university salary, less payments from Worker's Compensation, continued for the duration of the period of disability or for six consecutive months, whichever is shorter. However, grandfathered principal employees are required to exhaust all accrued sick and vacation leave before long term disability payments begin.

Applicability

n/a

Policy Details

LONG-TERM DISABILITY INSURANCE
If the employee's health care provider certifies that the employee's disability may not allow him/her to return to work within the six month disability period, or on a partial basis after the six month disability period, the employee must apply for disability income through the long-term disability group policy offered by Emory.

At the time that disability income benefits begin, salary continuation will end. However, if the employee returns to work on a partial basis, university salary will continue on a pro-rated basis with disability income from the long-term disability group policy.

If the employee drawing disability income recovers and is released by his/her health care provider to return to work on a part-time or full-time basis, but subsequently becomes disabled from the same medical condition, the employee must notify the long-term disability carrier in order for consideration of returning disability income payments.

No further continuation of university salary will be made if the employee becomes disabled again from the same medical condition.

**FAMILY AND MEDICAL LEAVE (FMLA)**

FMLA leave of absence period will run concurrently with the salary continuation period. The employee and department must follow the usual FMLA procedures and submit the appropriate paperwork.

**CHILDBIRTH**

Salary Continuation would apply with the birth of the employee's child.

Employees on leave for the care of a newborn child must use applicable paid leave in accordance with Emory's sick and vacation leave policies and follow the FMLA guidelines. Intermittent leave may be used prior to the birth. With supervisory approval following the medical recovery period, a birth mother may use reduced schedule and intermittent FMLA leave to transition back to her regular percent time appointment during the bonding period and first year following the birth. Employees who require intermittent leave or a reduced work schedule must try to schedule the leave so that it will not disrupt the department's operation.

**BENEFITS**

While university salary continues, all applicable benefits and payroll deductions will continue unless modified or cancelled by the disabled employee.

### SALARY CONTINUATION FOR VARIOUS DISABILITY SITUATIONS

<table>
<thead>
<tr>
<th>Situation</th>
<th>Salary Continuation</th>
</tr>
</thead>
<tbody>
<tr>
<td>A. Disability is less than 6 months, employee returns to work and becomes disabled again from the same condition:</td>
<td></td>
</tr>
<tr>
<td>1. Within 14 days of returning to work</td>
<td>Salary is continued; days at work not counted toward the six month limit.</td>
</tr>
<tr>
<td>2. More than 14 but less than 30 days after returning to work</td>
<td>Salary is continued; days at work not counted toward the six month limit.</td>
</tr>
<tr>
<td>3. More than 30 days after returning to work</td>
<td>Salary is continued for up to six months for both disability periods but combined salary continuation period may not be more than six months. Note: this may not cover the full elimination period for long-term disability.</td>
</tr>
</tbody>
</table>

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B. Disability is less than 6 months, employee returns to work and becomes disabled again from a **different condition**:

<table>
<thead>
<tr>
<th>Event</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Within 14 days of returning to work</td>
<td>Salary is continued until the long-term disability elimination period is completed (up to six months)</td>
</tr>
<tr>
<td>2. More than 14 but less than 30 days after returning to work</td>
<td>Salary is continued; days at work not counted toward the six month limit.</td>
</tr>
<tr>
<td>3. More than 30 days after returning to work</td>
<td>Salary is continued for up to six months for both disability periods but combined salary continuation period may not be more than six months. <strong>Note:</strong> this may not cover the full elimination period for long-term disability</td>
</tr>
</tbody>
</table>

C. Disability is more than 6 months and employee receives long-term disability. Employee returns to work on a full time basis and becomes disabled again from the **same condition**:

<table>
<thead>
<tr>
<th>Event</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Within six months of returning to work</td>
<td>NA</td>
</tr>
<tr>
<td>2. More than six months after returning to work</td>
<td>No salary continuation</td>
</tr>
</tbody>
</table>

D. Disability is more than 6 months and employee receives long-term disability. Employee returns to work on a full time basis and becomes disabled again from a **different condition**:

<table>
<thead>
<tr>
<th>Event</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Within six months of returning to work</td>
<td>NA</td>
</tr>
<tr>
<td>2. More than six months after returning to work</td>
<td>Salary continuation is available for six months</td>
</tr>
</tbody>
</table>

If medical determination is required to determine if the condition is a different condition or the same condition, requests will be reviewed with Emory’s Employee Health/Centralized Leave Department. All requests should be reviewed with the appropriate School/Divisonal Human Resources contact along with Central Human Resources Employee Relations who will take the request to Employee Health (Cynthia Hall at Cynthia.hall@emoryhealthcare.org).

**Definitions**

n/a

**Related Links**
Contact Information

<table>
<thead>
<tr>
<th>Subject</th>
<th>Contact</th>
<th>Phone</th>
<th>Email</th>
</tr>
</thead>
<tbody>
<tr>
<td>Clarification of Policy</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Revision History

- Version Published on: Jun 25, 2018
- Version Published on: Dec 12, 2013
- Version Published on: Apr 16, 2013
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