



CITY OF SAN RAFAEL POLICIES AND PROCEDURES

Subject:	Temporary Disability Leave Policy
Resolution No.	N/A
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Prepared By	Leslie Loomis, Human Resources Director
Approved By:	

TEMPORARY DISABILITY LEAVE POLICY

PURPOSE:

To provide guidance on when and how temporary disability is administered in accordance with applicable workers compensation laws.

RESPONSIBILITY:

Human Resources is responsible to provide guidance to supervisors and employees on all temporary disability related issues.

REFERENCES:

Labor Code Section 4650 (Non-safety) and 4850 (Safety).

DEFINITION:

Temporary Disability Leave is a leave of absence available to industrially injured disabled employees. Temporary Disability payments cannot exceed two (2) years in the aggregate.

POLICY:

Temporary disability payments shall be in accordance with applicable California State Labor Code sections at the rate determined by law.

PROCEDURES:

Miscellaneous Employment

1. For non-safety personnel, once a claim is accepted, the employee receives full 100% salary continuation for 90 calendar days. The check is mailed to the employee's home address, or via direct deposit (determined by employee).

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2. If the employee is still on temporary disability after 90 days, the employee receives 3/4 of salary continuance for an additional six (6) calendar months. The employee may use their accruals for the remaining 1/4 of their salary, deducted in this order:
 - a) Sick Leave
 - b) Vacation
 - c) Compensation Time
 - d) Admin Leave (Management/Mid-Management)

3. If employee is still temporarily disabled after 90 days, REMIF (or the current workers' compensation third party administrator) will issue a biweekly (every 14 days) voucher for the amount of temporary disability due to the employee. The voucher is sent to the Human Resources Department and, per the City of San Rafael's Rules & Regulations 13.8, the City MUST integrate accruals with the temporary disability voucher to total the employee's regular full salary. In such cases, the employee continues to accrue leave time and receives all applicable City benefits. When Human Resources receives the voucher, they will immediately attach the voucher to the employee's workers compensation timesheet for Payroll to know how much time to debit from the employee's accruals. Sick leave is debited first, then vacation, then compensation time.

4. If an employee exhausts his/her accruals and is therefore eligible for temporary disability payments only, then the employee shall receive a temporary disability check directly from REMIF for the amount owed for temporary disability (determined by State Law). The employee is taken off payroll and is put on Leave without Pay status by Human Resources (no longer eligible for benefits and accruals, but is eligible for direct pay for health benefits or COBRA). Human Resources must initiate the COBRA process within the required time frames unless on FMLA.

5. For safety personnel, Labor Code Section 4850 applies.

APPROVED BY:



Ken Nordhoff, City Manager

8-28-2009

Date