

CHAPTER:	5 - EMPLOYEE BENEFITS	ADOPTED:
SECTION:	9 – DISABILITY BENEFITS	REVISED: 5/22/24

Disability benefits for an employee who cannot work because of sickness or injury NOT caused by the employee's job (including pregnancy and childbirth) are available to Gloucester County employees that qualify. These disability benefits are categorized into two main types: **temporary disability** through the State of New Jersey and **elective disability** insurance which is available for purchase by the employee. *In case of disability due to illness or injury as a result of, or arising from, an employee's job, please also see HR 5.6 and HR 8.2.*

Temporary Disability

Program Governed by State Law - The Temporary Disability Benefits Ordinance adopted by the County shall be governed by N.J.S.A. 43:21-25 et seq. of the laws of the State of New Jersey, and any inconsistencies existing between this and state laws shall be governed by state law.

Voluntary Participation – The temporary disability plan shall be voluntary for all eligible employees. All full-time employees wishing to participate must advise the Human Resource/Payroll Department at initial hire date or during open enrollment period of each calendar year. Employees wishing to terminate their coverage may do so at any time by notifying the Human Resource/Payroll Office in writing.

Annual Contribution – The annual contribution by each employee shall be the maximum amount permitted under the state plan.

Benefits and Limits – The maximum benefits paid to any employee shall be determined and promulgated to match the state plan, but not to exceed the maximum weekly benefit as determined by the state plan disability insurance. "Average weekly wage" shall be defined as the amount derived by dividing the wages earned during the eight (8) calendar weeks immediately preceding the calendar week in which the disability commenced by the number of said weeks. The limit payable to any employee shall be the maximum benefit as determined and promulgated under the state plan (by the Commissioner of Labor and Industry in accordance with N.J.S.A. 43:21-3(c)).

Eligibility – Employees participating in the disability plan shall be eligible for benefits immediately upon the occurrence of an accident provided the employee is absent from work at least five (5) consecutive work days because of the accident. In the event of sickness, participating employees shall be eligible for benefits on the expiration of a "waiting week" consisting of the first seven (7) consecutive days of each period of disability. However, if eligible for benefits in each of the three (3)

consecutive weeks next following the waiting week, benefits shall also be payable retroactively with respect to the waiting week. Employee's participating in the County Disability Plan will be required to complete and submit all County provided forms.

In order to be eligible, an employee must have worked at least twenty weeks earning at least a minimum set annually by the State in each of those weeks, or have earned at least a minimum set annually by the State in earnings during the fifty-two calendar weeks prior to the week in which his/her disability commenced. Call the Payroll Office for the current year's minimums.

Before an employee is eligible for benefits, he or she must use up to two (2) work weeks of accrued sick time before receiving temporary disability benefits, however an employee shall not be required to use their last work week of accrued sick time before receiving benefits.

Childbirth – Female employees participating in the disability plan shall be entitled to disability benefits for pregnancy, childbirth or related medical conditions for a period commencing four (4) weeks prior to the expected date of confinement and continuing until six (6) weeks (in the case of a normal delivery) or eight (8) weeks (if complications or Caesarian section delivery) after the expected date of confinement. If, however, there are complications, employee shall be entitled to disability benefits for up to a period of twenty-six (26) weeks, including the weeks prior to the expected date of confinement.

Physical Examination – Employees may be required to submit to a physical examination by a medical professional to support their disability claim at no cost to the employee. Failure to submit to an examination is cause for the denial of further benefits.

Return to Work – Employees qualifying for disability must submit a medical certificate in order to return to work. The medical certificate must state that the employee's disability no longer inhibits the employee's ability to perform the essential functions of the job. The employee will not be permitted to return to work without the medical certificate. The County reserves the right to have an independent medical evaluation performed by a professional chosen by the County at the County's expense.

Elective Disability Insurance

The County provides for voluntary disability insurance at the employee's expense. Several different types of short-term and/or long-term insurance policies are available to supplement the State's disability program. Some restrictions may apply. New employees may enroll through orientation. Other employees may enroll during open enrollment or by appointment with a representative. Employees may contact the Human Resources Department for the name and telephone number of the representative.

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Disability insurance is designed to serve the employee by mail. Claims are filed by mailing the application for benefits, form DS-1, to the Disability Insurance Office in Trenton. Form DS-1 may be obtained through the website:

https://www.nj.gov/labor/myleavebenefits/worker/tdi/?_gl=1*1c5gumm*_ga*NTU5MDk2NTk0LjE3MTM1MDUzMzY.*_ga_N8RFJ4LE4D*MTcxNTI4MDMzNy4yLjAuMTcxNTI4MDMzNy4wLjAuMA..*_ga_2F7W0D0NDJ*MTcxNTI4MDMzNy4yLjAuMTcxNTI4MDMzNy4wLjAuMA..&_ga=2.1955633.1436013751.1715276984-559096594.1713505336

Or, by writing or telephoning the employee's department, union, One Stop Office, or the Division of Temporary Disability Insurance, PO Box 387, Trenton, New Jersey 08625-0387, (609) 292-7060.

The application for benefits consists of three segments: the employee, the employee's Department and the employee's treating physician. Under N.J.A.C. 12:18-1.6, medical practitioners are prohibited from charging a fee for completing this form. The claim must be submitted to the Division of Temporary Disability Insurance within 30 days of the onset of the disability. If a claim is submitted late, a written explanation as to why the claim was delayed will be considered.