The purpose of this job aid is to outline an employee’s entitlements when out on Workers’ Compensation, Short-term Disability Leave – Pay Status, Short-term Disability – Regular, Family Medical Leave Pay, Family Medical Leave without Pay (LWOP), Military Return to Active Duty (RAD) – Pay Status and 30-day Calendar, and Extended Military Active Duty and other Military LWOP. It covers eligibility for items such as accrued leave, longevity, service credits, and health benefits

**Use the following links to jump directly to the information on each subject:**

## [Workers’ Compensation](#_Workers’_Compensation)

## [Short-Term Disability Leave – Pay Status](#_Short-Term_Disability_Leave)

## [Short-Term Disability – Regular](#_Short-Term_Disability_–)

## [Family Medical Leave Act (FMLA) – Pay Status](#_Family_Medical_Leave)

## [Family Medical Leave Act (FMLA) – LWOP](#_Family_Medical_Leave_1)

## [Military/Return to Active Duty (RAD) Leave – Pay Status and 30 Calendar Days](#_Military/Return_to_Active)

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## [Extended Military – Extended Active Duty and Other Military LWOP](#_Extended_Military_–)

# Workers’ Compensation

|  |  |  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| **Type of Action** | **Accrue Leave** | **Longevity Paid** | **Eligible for Holidays** | **Burn Leave** | **Creditable (Retirement) Service** | **Earn Aggregate Service (Leave Earning Rates)** | **State Health Plan Benefits Paid by Agency (EE Only)** | **State Health Plan Benefits Paid by Active EE for Family** | **NC Flex Benefits Paid by EE** | **Appt Status** |
| **On leave entire 40 hours** | Leave continues to accrue.  Added to balance when return to work permanently.\* | Yes (EE and Retirement) | Yes | Supplement only (Exception: Supplement cannot be used during A/A 9685 - Salary Continuation/Injury Leave exhaustion.) | No, may purchase when return FT | Yes | Yes | Yes | EE pays directly to vendor(s) | Perm Full/Active |
| **Working less than 20 hours** | Pro-rated, Leave continues to accrue in proportion to hours worked.  Added to balance when return to work permanently. | Yes (EE and Retirement) | Yes (Prorated if applicable) | Can burn leave only for the scheduled work hours  | Cannot contribute | Yes. If pro-rated, must monitor for any accrual rate changes. Requires manual update when return to work permanently. | Yes | Yes | EE pays directly to vendor(s) | Perm PT/ Active |
| **working 20-29 hours** | Pro-rated, Leave continues to accrue in proportion to hours worked. Added to balance when return to work permanently. | Yes (EE and Retirement) | Yes (Prorated if applicable) | Can burn leave only for the scheduled work hours | Cannot contribute | Yes. If pro-rated, must monitor for any accrual rate changes. Requires manual update when return to work permanently. | Yes | Yes | EE eligible to re-enroll in NC Flex Plans held prior to LOA | Perm PT/ Active |
| **Working 30-39 hours** | Pro-rated, Leave continues to accrue in proportion to hours worked. Added to balance when return to work permanently. | Yes (EE and Retirement) | Yes (Prorated if applicable) | can only burn leave for the scheduled work hours  | Yes | Yes. If pro-rated, must monitor for any accrual rate changes. Requires manual update when return to work permanently. | Yes | Yes | EE eligible to re-enroll in NC Flex Plans held prior to LOA | Perm PT/ Active |

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**Workers’ Compensation Notes:**

State Health Plan

* Employer contribution will continue as long as the employee is on WC and has not been separated from employment.
* Employees on LOA WC are responsible for sending any dependent premiums and/or any employee only costs to BEST Shared Services.

# Short-Term Disability Leave – Pay Status

|  |  |  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| **Type of Action** | **Accrue Leave** | **Longevity Paid** | **Eligible for Holidays** | **Burn Leave** | **Creditable (Retirement) Service** | **Earn Aggregate Service (Leave Earning Rates)** | **State Health Plan Benefits Paid by Agency (EE Only)** | **State Health Plan Benefits Paid by Active EE for Family** | **NC Flex Benefits Paid by EE** | **Appt Status** |
| **On leave entire 40 hours** | Yes | Yes | Yes | Yes | Yes | Yes | Yes | Yes | N/A | Perm Full/ Active |

**Short-Term Disability Leave – Pay Status Notes:**

* LI Increase - Is subject to LI legislation rule.

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# Short-Term Disability – Regular

| **Type of Action** | **Accrue Leave** | **Longevity paid** | **Eligible for Holidays** | **Burn Leave** | **Creditable (Retirement) Service** | **Earn Aggregate Service (Leave Earning rates)** | **State Health Plan Benefits Paid by Agency (EE only)** | **State Health Plan Benefits Paid by Active EE for Family** | **NC Flex Benefits Paid by EE** | **Appt Status** |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| **On leave entire 40 hours** | No | Partial on front end or when they come back | No | No | Non-contributory (Agency requests reimbursement after 12-month period) | No | Yes, if receiving the STD benefit and meet the 5 yrs. Creditable service (\*see Notes below) | Deduct from ST benefit (\*see Notes below) | EE pays directly to vendor(s) | Perm Full/ Active |
| **Working less than 20** | No | No | No | No | Non-contributory (Agency requests reimbursement after 12-month period) | No | Yes, if receiving the STD benefit and meet the 5 yrs. Creditable service (\*see Notes below) | Deduct from ST benefit (\*see Notes below) | EE pays directly to vendor(s) | Perm PT/ Active |
| **Working 20-29** | Prorated | Based on salary at the time | Prorated (can earn it, but not burn it if ST benefit is more) | No, if receiving ST Benefit | Non-contributory (Agency requests reimbursement after 12-month period) | Yes, must work at least 1/2 working days & holidays, in pay status: account for hours scheduled | Yes, if w/in the 12-month period & meet the 5 yrs. (\*see Notes below) | Deduct from ST benefit (\*see Notes below) | EE eligible to re-enroll in NC Flex Plans held prior to LOA | Perm PT/ Active |
| **Working 30-39** | Prorated | Based on salary at the time | Prorated (can earn it, but not burn it if ST benefit is more) | No, if receiving ST Benefit | Non-contributory (Agency request reimbursement after 12-month period) | Yes, must work at least 1/2 working days & holidays, in pay status: account for hours scheduled | Yes (\*\*see Notes below) | Deduct from ST benefit (\*see Notes below) | EE eligible to re-enroll in NC Flex Plans held prior to LOA | Perm PT/ Active |

**Short-Term Disability – Regular Notes:**

* Cannot exhaust leave while receiving ST benefit for that day. EE can come back and earn leave, but not exhaust leave.
* \* State Health Plan Benefits: Effective 9/1/2011, employee's in the 80/20 plan who don't pay their premium will be reduced to the 70/30 plan.
* \*\*If working 30 hours or more, STD must be forfeited in order to be eligible for health insurance.
* LI Increase – is subject to LI legislation rule.

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# Family Medical Leave Act (FMLA) – Pay Status

|  |  |  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| **Type of Action** | **Accrue Leave** | **Longevity Paid** | **Eligible for Holidays** | **Burn Leave** | **Creditable (Retirement) Service** | **Earn Aggregate Service (Leave Earning Rates)** | **State Health Plan Benefits Paid by Agency (EE only)** | **State Health Plan Benefits Paid by Active EE for Family** | **NC Flex Benefits Paid by EE** | **Appt Status** |
| **On leave entire 40 hours** | Yes | Yes | Yes | Yes | Yes | Yes | Yes | Yes | N/A | Perm Full/ Active |

**FMLA – Pay Status Notes:**

* LI Increase – Is subject to LI legislation rule.

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# Family Medical Leave Act (FMLA) – LWOP

|  |  |  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| **Type of Action** | **Accrue Leave** | **Longevity paid** | **Eligible for Holidays** | **Burn Leave** | **Creditable (Retirement) Service** | **Earn Aggregate Service (Leave Earning Rates)** | **State Health Plan Benefits Paid by Agency (EE only)** | **State Health Plan Benefits Paid by Active EE for Family** | **NC Flex Benefits paid by EE** | **Appt Status** |
| **On leave entire 40 hours** | No | No | No | No | No | No | Yes | Yes (\*see Notes below) | EE pays directly to vendor(s) | Perm Full/ Active |
| **Working less than 20** | No | No | No | No | No | No | Yes, must notify BEST Benefits  | Yes (\*see Notes below) | EE pays directly to vendor(s) | Perm PT/ Active |
| **Working 20-29** | Prorated | In pay status for one-half or more regular workdays/holidays in pay period (based on current salary) | Prorated | Yes | No | Yes | Yes, must notify BEST Benefits | Yes (\*see Notes below) | EE eligible to re-enroll in NC Flex Plans held prior to LOA | Perm PT/ Active |
| **Working 30-39** | Prorated | In pay status for one-half or more regular workdays/holidays in pay period (based on current salary) | Prorated | Yes | Yes | Yes | Yes | Yes (\*see Notes below) | EE eligible to re-enroll in NC Flex Plans held prior to LOA | Perm PT/ Active |

**FMLA – LWOP NOTES:**

* \*State Health Plan Benefits: Effective 9/1/2011, employees in the 80/20 who don’t pay their premium will be reduced to the 70/30 plan.
* LI Increase – is subject to LI legislation rule.

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# Military/Return to Active Duty (RAD) Leave – Pay Status and 30 Calendar Days

|  |  |  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| **Type of Action** | **Accrue Leave** | **Longevity Paid** | **Eligible for Holidays** | **Burn Leave** | **Creditable (Retirement) Service** | **Earn Aggregate Service (Leave Earning Rates)** | **State Health Plan Benefits Paid by Agency (EE only)** | **State Health Plan Benefits Paid by Active EE for Family** | **NC Flex Benefits Paid by EE** | **Appt Status** |
| **On leave entire 40 hours** | Yes (Prorated for PT) | Yes (Prorated for PT) | Yes (prior to 30 days of full pay) | Yes (prior to 30 days of full pay) | Yes | Yes | Yes | Yes | N/A | Perm Full or PT/ Active |

# Military/Return to Active Duty (RAD) (on 31st day AFTER 30 Calendar Days of Full Pay)

|  |  |  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| **Type of Action** | **Accrue Leave** | **Longevity Paid** | **Eligible for Holidays** | **Burn Leave** | **Creditable (Retirement) Service** | **Earn Aggregate Service (Leave Earning Rates)** | **State Health Plan Benefits Paid by Agency (EE only)** | **State Health Plan Benefits Paid by Active EE for Family** | **NC Flex Benefits Paid by EE** | **Appt Status** |
| **On LOA-LWOP (Do not push 9400s because it will stop longevity pay)** | Yes (Prorated for PT) | Yes (Prorated for PT) | No | No | Yes | Yes | Yes, 30 days from date of military orders or end of the month after exhaustion of the 30 calendar days | Yes | EE pays directly to vendor(s) | Perm Full or PT/Active |

**Military RAD Notes:**

* State Duty – the State continues to pay for health coverage for National Guard.
* Federal Active Duty – the State will pay for health coverage while exhausting leave and for at least 30 days from the date of active service.
* LI Increase – Is subject to LI legislation rule.
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# Extended Military – Extended Active Duty and Other Military LWOP

|  |  |  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| **Type of Action** | **Accrue Leave** | **Longevity Paid** | **Eligible for Holidays** | **Burn Leave** | **Creditable (Retirement) Service** | **Earn Aggregate Service (Leave Earning Rates)** | **State Health Plan Benefits Paid by Agency (EE Only)** | **State Health Plan Benefits Paid by Active EE for Family** | **NC Flex Benefits Paid by EE** | **Appt Status** |
| **On LOA-LWOP** | No | Prorated (balance paid when EE returns and completes a full year) | No | No | Yes, Non-contributory (must apply for it) | Yes (if reinstated within the time limits) | Yes, 30 days from date of active service | No  | EE pays directly to vendor(s) | Perm Full or PT/Active |

**Extended Military Notes:**

* State Duty – the State continues to pay for health coverage for National Guard.
* Federal Active Duty – the State will pay for health coverage while exhausting leave and for at least 30 days from the date of active service.
* LI Increase – Is subject to LI legislation rule.

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