

ROCHESTER INSTITUTE OF TECHNOLOGY

Statutory Benefits

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Important Note About Passwords

Password security is critical due to the confidential, private, and financial data that is available online. The employee/participant/covered family member is responsible for maintaining security of their passwords and adhering to RIT information security policies and standards.

Family Medical Leave Act (FMLA)

The Federal Family and Medical Leave Act (FMLA) was signed into law in 1993, for the purpose of guaranteeing job protection to eligible employees who are absent from work due to specified family, family military and medical reasons defined in the law.

Eligibility

Eligible employees are:

- All employees*
- Who worked at least 1,250 hours during the 12 months prior to the first day of leave
- Who completed 12 months of employment at RIT prior to the first day of leave

**Regular part-time employees, student employees, and adjunct employees are not typically eligible because of the hours-worked requirement.*

Benefits

FMLA provides up to 12 work weeks of unpaid leave during a 12 month period. If an employee qualifies for paid leave for the absence (such as sick leave, short-term disability or workers compensation), the paid leave and unpaid leave will run concurrently.

If the FMLA-qualifying absence is for a reason that does not qualify for pay continuation as outlined above, the employee may either use vacation time, if available, or take the leave without pay. If the employee has a grandfathered sick leave bank, they may use this time to care for an eligible family member who has a serious health condition when approved under the FMLA or for their own serious health condition when approved under FMLA but not under short-term disability (STD).

During FMLA leave, an employee's job is protected. This means that when you return from an absence covered by FMLA, you must be restored to your original job, or to an equivalent job with equivalent pay and benefits. In addition, your use of FMLA leave cannot result in the loss of any employment benefit that you earned or were entitled to before you used the time off. To qualify for FMLA job protection, you are required to report your absence to Prudential as soon as possible, but without exception, no later than two business days after learning of the need for leave. Refer to the Short-Term Disability summary for details on reporting absences.

For FMLA eligibility purposes, the 12-month period is a rolling 12 months, counted backward from the first day an employee takes FMLA leave.

Qualifying Absences

FMLA provides job-protected leave under the following situations:

- Care of the employee's newborn child, within the first 12 months following birth.
- Placement of a child with the employee for adoption or foster care, within the first 12 months following the placement.
- Care of the employee's spouse, child or parent who has a serious health condition.
- Inability of the employee to perform one or more essential functions of his or her own job due to the employee's own serious health condition.

- Any qualifying exigency arising out of the fact that a spouse, son, daughter or parent of the employee is on active duty (or has been notified of an impending call or order to active duty) in the National Guard, Reserves or from military retirement status in support of a contingency operation and for members of the regular Armed Forces deployed to a foreign country. Leave may be taken for (1) short notice deployment; (2) military events and related activities; (3) childcare and school activities; (4) financial and legal arrangements; (5) counseling; (6) rest and recuperation; (7) post-deployment activities; (8) parental care for the service member's parent who is not capable of caring for him or herself if the care is necessitated by the service member's absence due to active duty; and (9) additional miscellaneous activities. The limit for qualified exigency leave is to a maximum of 15 days.
- Military Caregiver Leave provides employees up to 26 work weeks of leave during a single 12 month period to care for a spouse, son, daughter, parent or nearest blood relative ("next of kin") who is a covered current service member or a covered veteran. A "covered current service member" is a member of the Armed Forces, including a member of the National Guard or Reserves, who is undergoing medical treatment, recuperation, or therapy in outpatient status, or on the temporary disability retired list, for a serious injury or illness that occurred in the line of duty while on active duty or includes injuries that preexisted that service member's active duty that were aggravated by service in the line of duty on active duty. A "covered veteran" is a member of the Armed Forces, including the National Guard or Reserves who was discharged or released under conditions other than dishonorable and was discharged within the five year period before the eligible employee first takes FMLA military caregiver leave who is undergoing medical treatment for an injury or illness incurred in the line of duty on active duty in the Armed Forces or one that preexisted active duty which was aggravated by service in the line of duty on active duty. The injury or illness may manifest itself either before or after the member became a veteran and must fit one of the four categories of injuries/illnesses enumerated in the Final Rule. Service Member Family Leave will only be available during a single 12 month period. Service Member Family Leave may be taken intermittently, but must be taken within 12 months of when it begins. During the single 12 month period, an eligible employee is entitled to a total of 26 work weeks of leave under both FMLA and Service Member Family Leave.

Care of an employee's domestic partner with a serious health condition does not qualify for FMLA leave under the Federal law. However, RIT strives to treat domestic partners similarly to spouses whenever legally possible. Therefore, RIT will provide leave that is equivalent to FMLA leave for absences taken to care for an employee's domestic partner with a serious health condition. In order to use this benefit, the employee must have an Affidavit of Domestic Partnership on file with RIT Human Resources. Information about domestic partner benefits and the process for completing the affidavit can be found on the Human Resources website at www.rit.edu/benefits.

Care of another individual, such as a parent-in-law, grandparent, grandchild, etc., does not qualify for FMLA leave under the Federal law. This type of leave is granted at the discretion of the employee's supervisor, and is not eligible for FMLA job protection.

"Absence" includes full and partial days of absence. It also includes intermittent leave, in as little as 1-hour blocks, or a reduced leave schedule, under certain circumstances described in the law.

Employee Responsibilities

Employees must provide 30 days advance notice of the need to take FMLA leave when the need is foreseeable. When 30 days' notice is not possible, the employee must provide notice within two business days of learning of the need for leave and generally must comply with RIT's normal call-in procedures.

Employees must provide sufficient information to determine 1) if the leave qualifies for FMLA protection and 2) the anticipated duration of the leave. Sufficient information may include that the employee is unable to perform

job functions, the family member is unable to perform daily activities, the need for hospitalization or continuing treatment by a health care provider, or circumstances supporting the need for military family leave. Employees must also identify if the requested leave is for a reason for which FMLA leave was previously taken or certified. Employees may also be required to provide a certification and periodic recertification supporting the need for a leave.

Employer Responsibilities

Covered employers must inform employees who are requesting leave whether or not they are eligible under FMLA. If the employee is eligible, the notice must specify any additional information required as well as the employees' rights and responsibilities. If the employee is not eligible, the notice must provide a reason for ineligibility.

Covered employers must inform employees if leave will be designated as FMLA-protected and the amount of leave counted against the employee's leave entitlement. If the employer determines that the leave is not FMLA protected, the employer must notify the employee.

Unlawful Acts by Employers

FMLA makes it unlawful for any employer to:

- Interfere with, restrain, or deny the exercise of any right provided under FMLA
- Discharge or discriminate against any person for opposing any practice made unlawful by FMLA or for involvement in any proceeding under or relating to FMLA

Enforcement

An employee may file a complaint with the U.S. Department of Labor or may bring a private lawsuit against an employer. FMLA does not affect any Federal or State law prohibiting discrimination, or supersede any State or local law which provides greater family or medical leave rights.

Absence Reporting Process

Employees who will be absent are required to call (or have someone else call) their immediate supervisor or the department head within a minimum of one hour of their scheduled reporting time. You do not need to give details about your medical condition, just let him or her know that you are unable to work.

Prudential, RIT's insurance company for short-term and long-term disability benefits (as well as life insurance and accidental death & dismemberment insurance), provides disability management services to RIT and its employees. You should also contact Prudential by phone or through their website to report your absence.

Prudential's toll-free phone number is 1-877-908-4778 and their website address is www.prudential.com/mybenefits. Contact Prudential for your absence in the following situations:

First, report your absence for leave or disability to your supervisor. Then report it to Prudential when:

- You will be absent for more than three days and are under a physician's care
- You are hospitalized for any amount of time
- You are caring for an ill or injured qualified family member (spouse, parent, or dependent child)
- You are pregnant or are absent from work due to pregnancy complications
- You will be absent periodically due to a chronic or permanent disabling condition of your own or a qualified family member
- You are caring for a newborn child, recently adopted child, or new foster child.
- You are absent due to a lost-time, work-related injury - after first reporting it to your supervisor
- If your absence is planned in advance, you may contact Prudential before your absence begins. This may be the case, for instance, if you are undergoing elective surgery, or for a maternity disability.

The sooner you call, the better. If you don't call Prudential, your pay may be delayed for days you qualify for Short-Term Disability benefits.

If you are unsure whether you should call Prudential to report your absence, go ahead and call. The Prudential representative will review your situation and determine what the next steps are.

Terms to Know

The following are definitions of commonly-used FMLA terms. Please note that many of these definitions are directly from the law.

Child - The employee's child (including adopted, foster, stepchild and child for whom the employee has been appointed legal guardian) who is under age 18, or age 18 or over if the child has a serious health condition and is incapable of self-care due to a mental or physical impairment that substantially limits one or more of his or her life activities.

Chronic condition - An ongoing medical condition which:

- Requires visits from time to time for treatment by a health care provider or by a nurse or physician's assistant under direct supervision of a health care provider
- Continues over an extended period of time
- May cause occasional rather than a continuing period of incapacity (e.g. asthma, diabetes, epilepsy)

Disability - An illness or injury that is not work related, and results in absence from work which is certified by a physician. Pregnancy-related conditions resulting in absence are also considered disabilities by law.

Family member - The employee's spouse, domestic partner (for whom an Affidavit of Domestic Partnership is on file with RIT Human Resources), child (including adopted, foster, stepchild and child for whom the employee has been appointed legal guardian), and parent.

FMLA - The Family and Medical Leave Act of 1993, a Federal law.

Intermittent leave - FMLA leave taken in separate blocks of time due to a single qualifying reason.

Reduced leave schedule - A reduction in the employee's usual number of working hours per work week, or hours per work day, for a period of time, normally from full time to part time.

Serious health condition - An illness, impairment, physical or mental condition that involves:

1. inpatient care in a hospital, hospice or residential medical care facility, or any subsequent treatment in connection with such inpatient care
2. continuing treatment by a health care provider. This includes, but is not limited to:
 - a. A period of incapacity of more than three consecutive calendar days and any subsequent treatment or period of incapacity that also involves continuing treatment by a health care provider
 - b. A period of incapacity due to pregnancy or prenatal care
 - c. A period of incapacity or treatment for such incapacity due to a chronic serious health condition
 - d. A period of incapacity which is permanent or long-term due to a condition for which treatment may not be effective
 - e. A period of absence to receive multiple treatments, including any period of recovery, for restorative surgery after an accident or other injury or for a condition that would likely result in a

period of incapacity of more than three consecutive calendar days in the absence of medical intervention or treatment

Work week - Your scheduled hours per week based on your schedule in Oracle.

Workers Compensation - Provides benefits for an illness or injury that occurs on the job.

Reporting Absences

Refer to the Sick Time and Short-term Disability summary for details on reporting absences.

New York State Paid Family Leave (NYS PFL)

New York's Paid Family Leave (NYS PFL) provides job-protected time away from work with partial pay for eligible employees for qualifying reasons. Employees are also guaranteed to be able to return to their job and continue benefits, including health insurance. Employers may not retaliate or discriminate against an employee because they have taken Paid Family Leave.

The following information provides details of NYS PFL. For at-a-glance information, refer to the **New York State Paid Family Leave Fact Sheet** posted in the New York State Paid Family Leave page (www.rit.edu/humanresources/pfl).

Who is eligible?

All RIT employees, including adjunct employees and student employees are eligible for the benefit, provided they meet certain criteria as defined by New York State:

- Employees scheduled to work 20 or more hours per week are eligible once they have worked for RIT for 26 consecutive weeks
- Employees scheduled to work less than 20 hours per week are eligible once they have worked for RIT for 175 days

Service prior to January 1, 2018 counts toward these service requirements.

Please be advised that RIT will voluntarily provide New York State Paid Family Leave benefits coverage to RIT employees in the State of New York engaged in a professional or teaching capacity for whom coverage is not otherwise required by law. Eligibility for these benefits will be subject to all other applicable regulations, policies and/or plan documents. Any future guidance about these benefits will be provided by RIT Human Resources.

Who pays for this benefit?

New York State allows employers to deduct the cost of this benefit directly from employee paychecks. **RIT has made the decision not to take deductions from employees' pay in 2021**, and will, instead, pay the insurance premiums to Prudential on behalf of employees. This position will be evaluated annually and RIT reserves the right to introduce this payroll deduction in the future.

The premium amount that RIT pays on your behalf will be reported as taxable income to you. You will see this in the earnings section your paystub as imputed income and applicable taxes will be withheld.

What are the qualifying reasons for NYS PFL?

There are several reasons for NYS PFL, as described below. Please note that NYS PFL cannot be used for your own disability or military event.

Bonding Time for a New Parent

NYS PFL begins after birth and is not available for prenatal conditions. A parent may take Paid Family Leave during the first 12 months following the birth, adoption, or fostering of a child.

Caring for a Close Relative with a Serious Health Condition.

The employee must be in close and continuing proximity to the recipient of care. A close relative includes:

- Spouse/Domestic Partner
- Child (includes foster, step, legal ward, domestic partner's)
- Parent/Parent-in-Law/Step-Parent
- Grandparent
- Grandchild

A serious health condition is an illness, injury, impairment, or physical or mental condition that involves:

- inpatient care in a hospital, hospice, or residential health care facility; or
- continuing treatment or continuing supervision by a health care provider.

Active Duty Deployment

Paid Family Leave is available for families eligible for time off under the military provisions in the federal Family and Medical Leave Act (FMLA) when a spouse, child, domestic partner or parent of the employee is on active duty or has been notified of an impending call or order of active duty.

Do I need supporting documentation for a NYS PFL claim?

Yes, you will be required to present documentation based on the reason for the leave as described below.

For Birth

The birth mother will need the following documentation:

- Birth Certificate, or
- Documentation of pregnancy or birth from a health care provider (includes mother's name and due/birth dates)

A second parent will need the following documentation:

- Birth certificate, or if not available, a voluntary acknowledgment of paternity or court order of filiation; or
- A copy of documentation of pregnancy or birth from a health care provider (includes mother's name and due/birth dates) and a second document verifying the parent's relationship with the birth mother or child. An example would be a marriage certificate or evidence of a domestic partnership.

For Foster Care:

- Letter of placement issued by county or city department of social services or local voluntary agency
- If second parent is not named in documentation, a copy of that document plus a second document verifying relationship to the parent named in the foster care placement.

For Adoption:

- Legal evidence of adoption process
- If second parent is not named in legal documents, the second parent must provide a copy of the legal evidence of adoption process and a second document verifying the relationship to the parent named in the document.

For Serious Medical Condition:

- Certification from the Care Recipient's Health Care Provider

For the Military:

- US Department of Labor Military Family Leave Certification (Federal Military Leave Form)
- Copy of Military Duty Papers
- Other documentation supporting the reason for the leave (copy of meeting notice, ceremony details, rest and recuperation orders, etc.)

How much NYS PFL is available and how can it be used?

In 2020, NYS PFL will provide up to 10 weeks of job-protected partial paid leave in a rolling 52-week period. The time can be used intermittently or in blocks of time and must be taken in full-day increments. Please note, people who work for multiple employers may take NYS PFL from both employers, but they must do so with both employers at the same time.

Please note that the maximum combined New York State Disability and NYS PFL is 26 weeks within a 52 week period.

- Example: John takes 8 weeks of NYS PFL to care for his sick father, June 1 – July 26. On October 1, he becomes disabled. His short-term disability benefits will run out on February 4, after 18 weeks, since he will have reached the 26 week NYS maximum combined benefit.

How much does NYS PFL pay?

For leaves that begin in 2021, your benefit is paid at 67% of your average weekly wage up to \$971.61, which is 67% of the New York State Average Weekly Wage (NYAWW).

- Your average weekly wage is the average of your gross weekly wage for the last 8 weeks preceding the NYS PFL start date. The average weekly wage includes all pay, including overtime.
- An employee whose annualized pay is over \$75,408.84 will receive the maximum weekly benefit, \$971.61.

How is the benefit paid?

Prudential insures this benefit and administers and pays claims directly to the eligible employee. ***It can take up to 18 days from the date the claim is submitted to receive the approval from Prudential. Any pay supplement as described below will not be paid until Prudential approves the NYS PFL claim.***

- Since the exempt faculty and staff payroll (paid on a semi-monthly basis) runs before the end of the pay period, it is possible that an exempt employee may be overpaid in a pay period in which they request NYS PFL.

Information about the payment from Prudential is as follows:

- You can receive a check or elect to have direct deposit to your bank.
- You can elect to have taxes withheld.
- Since this payment is not considered wages, there will be no employee contributions or RIT matching contribution to the RIT Retirement Savings Plan for NYS PFL payments.
- Benefits deductions are not taken out of NYS PFL payments. If you receive supplemental pay as described below, there will be deductions for your various RIT benefits. If the supplemental pay is too small to take the benefits deductions, or if you do not receive supplemental pay, you will have "catch up" deductions taken from future pay until all missed deductions are caught up.
- For income tax purposes, you will receive a 1099-MISC form from Prudential by January 31 after the calendar year in which you received NYS PFL payments.

Can I supplement the NYS PFL pay?

Yes, NYS PFL may be supplemented if the employee is eligible and has available time, as described below. The employee should contact the RIT benefits specialist to make a request to supplement the NYS PFL benefit. RIT will pay the supplemental amount with the next available payroll run after Prudential has approved the NYS PFL payment.

Types of Supplement	Which Employees Qualify	Rules
Vacation	Nonexempt & exempt regular staff and 12-month faculty	Employees are allowed to supplement with annual fiscal year vacation, based on the dollar value (if pay over NYS average weekly wage); no manager approval required; employee makes request to benefits specialist, who will coordinate with supervisor and payroll; in cases where the absence crosses fiscal years, employees cannot use the new fiscal year vacation until they have returned to work from NYS PFL. If employee returns to work, the accrual is from July 1 forward; if they don't return to work, there is no vacation owed for the new fiscal year.
Sick Leave	Nonexempt staff and co-op students	A nonexempt employee may supplement with available Sick/Personal Leave. A co-op student may use their available sick time hours to supplement NYS PFL benefits. Employee and co-op student makes request to the benefits specialist, who will coordinate with the supervisor and payroll. In cases where the absence crosses fiscal years, employees cannot use the new fiscal year Sick/Personal Leave time until they have returned to work from NYS PFL. If employee returns to work, the Sick/Personal Leave time becomes available; if they don't return to work, there is no Sick/Personal Leave time owed for the new fiscal year. A similar rule applies for the sick time for co-op students.
Sick Leave	Exempt regular staff & faculty	Regular exempt staff and faculty are allowed to supplement with their available Sick Leave to care for a sick family member. The employee makes request to the benefits specialist, who will coordinate with the supervisor and payroll.
Grandfathered Sick Leave	Nonexempt & exempt regular staff and faculty who had sick leave remaining as of 6/30/2005 (and have not used it all)	Employees are allowed to use up to full amount banked; used 1:1. Nonexempt employees are required to use current year Sick Leave first. The employee makes request to the benefits specialist, who will coordinate with the supervisor and payroll.

How do I apply for New York State Paid Family Leave?

Inform your supervisor about your upcoming plans for absence. For foreseeable absences you should notify your supervisor 30 days in advance. For unforeseeable absences, you notify your supervisor as soon as you are able to do so.

- Employees who fail to contact their supervisor will be considered to be on unauthorized leave. If the unauthorized leave continues for three working days, there may be disciplinary action.

You must contact Prudential 30 days in advance for foreseeable absences or as soon as possible for unforeseen absences.

Contact Prudential at their toll-free phone number (1-877-908-4778/V) to report your absence. Once you have started your claim, you can check on your claim by logging in to their secure website at www.prudential.com/mybenefits and click on the “Register Here” button. You can follow the instructions to set up your user ID and password. We recommend you first report your leave by telephone; updates to your claim may be easily reported by telephone or through Prudential’s secure website. You will be asked to provide the following information.

- Employer Name
- RIT Control Number – 50757
- Employee Number
- Reason for your Absence
- First day absent
- Work Schedule
- Applicable documentation for the event (refer to the section of this document called “Do I need supporting documentation for a claim?”)

Once you have supplied the required information Prudential, they will contact RIT benefits to determine eligibility and pay information. The employee should contact the RIT benefits specialist to make a request to supplement the NYS PFL benefit. RIT will pay the supplemental amount with the next available payroll run after Prudential has approved the NYS PFL payment.

How does the NYS PFL benefit work with New York State Disability, RIT New Parent Leave, and Federal Family Medical Leave (FMLA) for an expectant mother?

If you are expecting a baby, please read the separate [Fact Sheet: When You Are Expecting a Baby](#), which will help you understand how the various benefits work together.

Short Term Disability (STD) – Short-term disability is paid leave for your own health condition; NYS PFL is paid leave related to your eligible family members. There isn’t any overlap in these benefits.

RIT’s New Parent Leave –You are eligible to use RIT’s New Parent Leave, if eligible, to supplement the amount of the benefit paid under NYS PFL. RIT’s New Parent Leave cannot be taken separately, unless you are not eligible for NYS PFL because you do not meet the requirement of working in New York State.

Federal Family and Medical Leave – In certain situation FMLA will run concurrently with NYS PFL. These situations are:

- Care of the employee's newborn child, within the first 12 months following birth.
- Placement of a child with the employee for adoption or foster care, within the first 12 months following the placement.
- Care of the employee's spouse, child or parent who has a serious health condition.

- Any qualifying exigency arising out of the fact that a spouse, son, daughter or parent of the employee is on active duty (or has been notified of an impending call or order to active duty) in the National Guard, Reserves or from military retirement status in support of a contingency operation and for members of the regular Armed Forces deployed to a foreign country. Please find additional information regarding this under RIT's FMLA policy.
- If the benefits are running concurrently you will be using both NYS PFL and FMLA time for the same period of absence.

Do supervisors and managers have any responsibility?

Yes, it is important that supervisors and managers understand the possible situations in which NYS PFL apply. If an employee notifies their supervisor or manager that they will be out for a reason that is covered by NYS PFL, the supervisor/manager is to inform the employee that an absence may qualify for NYS PFL and suggest they contact Prudential.

What if I do not work in New York State?

New York State Paid Family Leave is not available to those who work outside of New York State. If you live and work in another state that has its own paid family leave benefit, contact Prudential to understand how the benefit may fit your situation.

An employee with an out of state home address may be eligible for coverage, depending on several factors. Generally, an employee will be covered if their

- work is performed entirely within New York State; or
- work is performed both in and out of New York State but the work performed out the state is
 - incidental to the employee's service in state, or
 - temporarily or transitional in nature, or
 - consists of isolated transactions.

New York State Leave Laws

In addition to NYS PFL, New York State employers with 20 or more employees are required to comply with state leave laws. To be eligible for these unpaid leaves from work, an employee must be scheduled to work an average of 20 or more hours per week. New York State has the following state leave laws.

- **Bone Marrow Donor Leave** – provides up to 24 hours of unpaid leave to seek or undergo a medical procedure to donate bone marrow.
- **Witness or Victim Act** – provides unpaid leave to appear as a witness, consult with the DA, exercise legal rights in connection with criminal procedure law or Family Court.
- **Leave for Military Spouses** – provides up to 10 days of unpaid leave to an employee whose spouse is a member of the armed forces of the United States, national guard or reserves who has been deployed during a period of military conflict, to a combat theater or combat zone of operations, and is on leave while deployed.
- **Blood Donation Leave** – grants one leave of absence (up to 3 hours) of unpaid leave in any calendar year to an employee who seeks to donate blood off premises, or provides paid time to donate blood during working hours at least two times per year at an employer-sponsored blood drive at the workplace.

Workers' Compensation

RIT's workers compensation program is self-funded – that is, all benefits provided under the program are paid for by RIT from its general assets. RIT does not process the claims for Plan benefits; RIT has entered into a contract with Future Comp/USI to process these claims and to provide certain other services under the program. RIT is also a participant in the New York State Workers' Compensation Preferred Provider

Organization and provides the medical management for its program through its Preferred Provider Organization (PPO) also known as Future Comp/USI.

Procedures

RIT's Workers' Compensation benefits are provided to employees who are injured while performing the duties of their employment with RIT. In the event of a work-related injury, managers and employees need to follow the designated procedures to report the injury and access medical treatment. These procedures need to be followed in order for expenses associated with the injury (e.g., medical treatment, lost time wages) to be covered by RIT's plan.

Contact List

PJ Britt, Human Resources – 475-2429

Sue Hill, Nurse Case Manager – Future Comp – (716) 314-2077

Life Threatening/Serious Injury	Non-Life Threatening/Non Serious Injury – requiring medical care
<ul style="list-style-type: none"> • Immediately contact Public Safety at 475-3333. • Supervisor contacts PJ Britt by phone in RIT Human Resources immediately at (585) 475-2429. If after hours, leave a message. • If PJ is unavailable during business hours, contact Sue Hill at Future Comp at (716) 314-2077. • Complete Employee Accident Report in full and email (pjbpsn@rit.edu), fax (475-7170) or hand-deliver to PJ Britt. • Note: In these situations, the employee will most likely not be available to sign the accident report form...please forward the report anyway. Have the employee sign a copy when they are able to return to work. 	<ul style="list-style-type: none"> • Immediately call RIT's Case Manager, Sue Hill at Future Comp– (716) 314-2077. Sue will set up a medical appointment based on urgency of care required. • If you cannot reach Sue, call one of the following Urgent Care Facilities- Rochester Immediate Care (585) 225-5252 - 2745 W. Ridge Rd (585)444-0058 – 2685 E. Henrietta Rd. (585) 388-5280 - 2226 Penfield Rd • After Hours: Rochester Immediate Care M-F 9am-9pm/Weekends 9am-8pm • If employee is being directed immediately for medical care and cannot/should not drive, provide transportation to the appointment. • Complete Employee Accident Report and email (pjbpsn@rit.edu), hand-deliver or fax (475-7170) to PJ Britt. <p>Note: Waiting times in Urgent Care Facilities are generally much less than an ER. Please note-you may have a nominal wait time as these facilities do accept pre-scheduled appointments.</p>

You will also find these procedures in a flowchart format on the HR website at www.rit.edu/benefits.

Reporting an Injury

Immediately following an accident or injury, the employee needs to report the incident to his or her supervisor. All accidents and injuries must be reported by the end of the work shift on the day of accident. At that time, the employee and his or her supervisor should complete an Employee Accident Report Form found on the HR website at www.rit.edu/benefits. It is important to complete this form completely, including information regarding medical treatment and lost time (i.e., time missed from work). This information is essential to properly administer benefits under this program. After the form is signed by the employee and supervisor, it should be faxed to the Human Resources Department at 585-475-7170. Failure to report a work related accident or injury or misrepresentation of information in reporting a work related accident or injury through communication to the employee's manager and/or on the RIT Workers' Compensation Accident/Injury/Illness Report Form, is a violation of RIT policy which may result in discipline up to and including termination of employment.

Medical Coverage

If an employee's injury requires medical treatment, the employee should contact the case manager at Future Comp/USI at (716) 314-2077/v, option #1 to arrange medical care. In the event of a serious or life threatening injury, the employee or supervisor should contact RIT Public Safety at (585) 475-3333 or 911 immediately to arrange for an ambulance to transport the employee to the nearest emergency room. It is important that all non-emergency medical care be handled through the Preferred Provider Organization; unauthorized medical care will not be covered by RIT's Workers' Compensation program.

Pay for Lost Time

New York State Workers' Compensation benefits provide income replacement payments for medically authorized lost time for work related injuries and illnesses. Following a one week waiting period, state benefits provide a maximum of two-thirds of the employee's base wages to a weekly maximum defined by New York State.

During the one week waiting period, a non-exempt employee will be paid with sick/personal time, if available and an exempt employee will be paid with salary continuation. If a non-exempt employee does not have sick/personal time, the employee will not be paid during the waiting period. Following the waiting period, RIT will supplement New York State Workers' Compensation benefits to bring an employee's pay to its regular amount for up to 8 weeks for disabilities authorized by a participating medical provider within RIT's PPO. If you remain disabled beyond 8 weeks, your benefit will be based on the New York State benefit.

Please Note –Injured or ill employees are required to obtain treatment from participating PPO providers for the first 30 days of treatment. Employees have the right to opt out of the PPO after 30 days of treatment; an employee who chooses to opt out will not receive RIT's supplemental workers' compensation benefits.

If an employee is eligible for Family Medical Leave, lost time for a work-related injury or illness will be applied under the Family Medical Leave Act. A position will be held for six months for an employee who is either totally disabled or on restricted duty.

When an employee is disabled and receiving workers' compensation benefits, the following additional rules apply:

- If lost time crosses over into a new fiscal year, the employee may not take vacation or sick/personal days accrued in the new fiscal year until they physically return to work.
- Employee's will not receive holiday pay during the period of disability.

- If a planned retirement or termination date occurs, supplemental pay will end on the retirement/termination date. The statutory workers' compensation benefit will continue if the employee remains disabled.

Worker's Compensation Claim Awards

Beginning July 1, 2021, injured employees who receive a monetary award from the Worker's Compensation Board have the right to elect direct deposit payments for:

- New lost time or death benefits awarded on or after July 1, 2021
- Lost time payments that extend beyond 26 six weeks and transition from RIT payment to Future Comp payment on or after July 1, 2021

To make this election, you must complete, sign and return the **Direct Deposit Authorization Form** to Future Comp at 726 Exchange Street, Suite 618 Buffalo, NY 14210. For questions about the form, please contact fmla@rit.edu, call (585) 475-2424 or Future Comp at (716) 314-2000.

New York State Disability

New York State Disability is described in the Sick/Personal Time and Short Term Disability summary.

FICA Tax (Social Security and Medicare)

As required by law, RIT matches the employee's FICA tax contributions. There are two components of the FICA tax: 1) Social Security, and 2) Medicare. The employee and RIT contributions for Social Security provide retirement, disability and dependent benefits. The employee and RIT contributions for Medicare fund Medicare Part A. The employee Social Security and Medicare deductions are made automatically each pay period and are combined with RIT's contributions and forwarded to the Federal Government for these programs.

Unemployment Insurance

Employees who terminate may be eligible for New York State unemployment insurance benefits. Employees should check with the New York State Department of Labor, Unemployment Insurance Division, to investigate possible eligibility.