

# University of California Retirement Plan (UCRP)



# Disability Return-To-Work Factsheet

## If you became a UCRP member before April 1, 1980

This factsheet answers some of the questions that arise when a member receiving UCRP disability income wants to return to work. The possibility of returning to work can be both exciting and challenging. It can be an exciting time because you have the opportunity to return to work and apply your unique talents to your workplace. It can be challenging, because returning to work may mean the long-term loss of your UCRP disability income, which you may have grown accustomed to receiving. UCRP disability income is designed to assist you in the transition between benefit status and your return to work.

**In general, you can work and continue to receive disability income if the following conditions apply:**

- you continue to be disabled (as defined by the Plan document), based on qualified medical opinion;
- you are able to perform the duties of the new position; and
- your earnings and/or combined income does not exceed the amount in question #1, below.

For definitions of terms and for more specific information, see the appropriate UCRP summary plan description or the *UCRP Disability Handbook*.

## Frequently Asked Questions

*Note: University final salary, as referenced below, includes adjustments for annual UCRP cost-of-living increases.*

### 1. How much can I earn from employment while I receive UCRP disability income?

- During the first two years on benefit status, your earnings from employment must be less than 80 percent of your University final salary.
- After the first two years, your earnings from employment at the University or elsewhere must be less than 70 percent of your final salary adjusted for UCRP cost-of-living increases.

If your combined income exceeds these levels, your UCRP income will stop.

### 2. Can I return to work at the University and continue to receive UCRP disability income?

If you want to return to work at the University, it is your responsibility to locate employment. If you need help, please check with your local Human Resources

Office, the Vocational Rehabilitation Counselor at your campus or laboratory, or a job placement agency.

If you return to UC employment, it must be in a position that is not eligible for UCRP membership—for example, a position in which you work less than 1,000 hours per year. (See the appropriate UCRP summary plan description or your Benefits Office for membership criteria.) If your new University appointment meets the requirements for UCRP membership, you will be reinstated as an active UCRP member and you will no longer be entitled to receive UCRP disability income. It is your responsibility to notify the UCRP Disability Unit immediately to stop your UCRP disability income payments if you are hired in a UCRP-eligible position. If you enter UCRP membership after 1,000 hours of UC employment in a year, you must notify the UCRP Disability Unit before you accrue the 1,000 hours.

If you are reinstated as an active UCRP member and your condition later prevents you from continuing to work, you may reapply for UCRP disability income.

### **3. When should I notify UCRP if I decide to return to work?**

It is your responsibility to notify the UCRP Disability Unit right away if you are interested in working so they can tell you about the restrictions in returning to work. If you become employed, you need to provide your employer's name, address, and telephone number, your position with a description of your duties, your monthly earnings or anticipated monthly earnings, and your date of employment. UCRP may require updated medical information to evaluate your continued eligibility for UCRP disability income. If further documentation of any kind is required, UC will notify you.

### **4. Can I do any type of work?**

You may do any type of work that is within your medical capabilities. If the responsibilities and physical requirements of a job appear to be comparable to those in your former University position, UCRP may review your eligibility to receive UCRP disability income.

### **5. I think I can return to work but am not sure. If I can't handle it, I don't want to lose my disability benefits. What should I do?**

You may be able to participate in a trial work period under a rehabilitation program approved by the Plan Administrator. A trial work period is part of a rehabilitation program designed to help members return to work without dependence on disability income. For a period of up to nine months, your income from all sources can be as much as 100 percent of your University final salary. During this time your UCRP disability income may be reduced or suspended, depending on your earnings, without affecting your disability status.

If you successfully complete the trial work period, your disability status will stop. If you are unable to sustain the work schedule at any time during the trial work period, you should contact the UCRP Disability Unit immediately.

### **6. Can I work full time or part time under a trial work period?**

You can work as much as your medical condition will allow, as approved by the Plan Administrator. Your participation in the program is contingent upon your doctor's release to return to the prospective job.

Please note: Your trial work period is subject to the same rules listed in question #2.

### **7. What is required of me if I participate in a trial work period?**

In addition to the information about your employment (see question #3), you will need to submit records of employment income from any other sources. This income does not include dividends, interest, alimony, and child support. Also, because the trial work period is part of a rehabilitation program, there may be other requirements, depending on your situation, your abilities and limitations, and your training.

### **8. What if I can't complete a trial work period due to my medical condition?**

If your medical condition prevents you from completing a trial work period, you may continue to receive UCRP disability income. If your benefit was suspended or reduced during the trial work period, the full amount will be reinstated prospectively. You may be required to submit medical documentation to confirm your inability to complete the trial work period.

### **9. How many trial work periods can I have while receiving UCRP disability income?**

You may have only one trial work period for each period during which you qualify for UCRP disability income.

### **10. Can my benefit be terminated as a result of my return to work or participation in a trial work period?**

Your disability status will be terminated if the Plan Administrator determines that you have recovered from your physical or mental impairment (or if you have been retrained) to the extent that you are able to earn more than the limits specified in question #1.

Your UCRP disability income will also be terminated in case of fraud, concealment, or misrepresentation of your employment or earnings.

### **11. If I return to work, would my benefit be terminated immediately?**

If the Plan Administrator determines that you are no longer eligible for UCRP disability income, you will be notified in writing at least 60 days before your benefit is terminated. If you disagree with the determination, you have the right to an administrative appeal.

**12. Whom should I contact if I am considering returning to work or if I have been offered a job?**

For assistance in returning to work at the University or elsewhere, contact your local Human Resources Office, the Vocational Rehabilitation Counselor at your campus or laboratory, or a job placement agency. Also check your local telephone directory for other resources.

If you have questions about your benefits, contact the UCRP Disability Unit either in writing or by telephone at:

Disability Unit  
UC HR/Benefits  
P.O. Box 24570  
Oakland, CA 94623-1570  
1-800-888-8267

**13. What else should I consider before I attempt to return to work?**

Returning to work can impact other benefits you may be receiving such as long-term disability insurance or Social Security. Each of these systems has its own programs to help you return to work which may be different than those provided by UCRP. Check with your other benefit providers for more information.

**14. May I sign the UCRP Waiver and Release, return to work at UC, and continue receiving my UCRP disability income?**

No. The UCRP Waiver is required when a member receiving UCRP monthly retirement income returns to UC employment and must choose either future UCRP service credit accruals or continued UCRP retirement income during reemployment. It does not apply to UCRP disability income.

By authority of The Regents, University of California Human Resources and Benefits, located in Oakland, administers all benefit plans in accordance with applicable plan documents and regulations, custodial agreements, University of California Group Insurance Regulations, group insurance contracts, and state and federal laws. No person is authorized to provide benefits information not contained in these source documents, and information not contained in these source documents cannot be relied upon as having been authorized by The Regents. Source documents are available for inspection upon request (1-800-888-8267). What is written here does not constitute a guarantee of plan coverage or benefits—particular rules and eligibility requirements must be met before benefits can be received. The University of California intends to continue the benefits described here indefinitely; however, the benefits of all employees, annuitants, and plan beneficiaries are subject to change or termination at the time of contract renewal or at any other time by the University or other governing authorities. The University also reserves the right to determine new premiums, employer contributions and monthly costs at any time. Health and welfare benefits are not accrued or vested benefit entitlements. UC's contribution toward the monthly cost of the coverage is determined by UC and may change or stop altogether, and may be affected by the state of California's annual budget appropriation. If you belong to an exclusively represented bargaining unit, some of your benefits may differ from the ones described here. Contact your Human Resources Office for more information.

The Consolidated Omnibus Budget Reconciliation Act of 1985 (COBRA) provides for continued coverage for a certain period of time at applicable monthly COBRA rates if you, your spouse, or your dependents lose group medical, dental, or vision coverage because you terminate employment (for reasons other than gross misconduct); your work hours are reduced below the eligible status for these benefits; you die, divorce, or are legally separated; or a child ceases to be an eligible dependent. Note: The continuation period is calculated from the earliest of these qualifying events and runs concurrently with any other UC options for continued coverage. See your Benefits Representative for more information.

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